

Australian Aborigines fight racist attacks on land rights

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A new land law proposes the Aboriginal people must demonstrate an "unbroken physical connection" with the land to be able to claim title to it. As Lloyd Cox shows the recent racist hysteria about native title is in "unbroken physical" with two centuries of attempted genocide of the Aboriginal people and their resistance to it.

The coming Federal election in Australia has been dubbed by many observers as a "race election".

Prime Minister John Howard wants to renew his mandate to pass anti-Aboriginal measures that have been blocked by the Senate. The election occurs against a backdrop of shameless racist scare-mongering.

The key issue is indigenous land rights. In the first part of this article we discuss what is at stake in the furore around land rights for both the ruling Coalition and the Australian Labor Party (ALP).

In the second part we examine the position socialists should take on the question of land rights and Aboriginal self-determination.

We conclude that the struggle for land rights expresses an Aboriginal national consciousness that has been growing since the late 1960s, and that socialists should support the right to Aboriginal self-determination, up to and including the formation of their own state, if that is what Aboriginal people want.

In March this year, the Federal Senate blocked the Coalition's Native Title Amendment Bill for a second time. This gave Howard the constitutional trigger he needed to call an early election in both the upper and lower houses of parliament.

The contentious issue in parliamentary debates around the legislation was not whose rights should prevail on leased land - those of pastoralists (white European ranchers and sheep farmers) or Aboriginal people - but over how best to secure the interests of the former while maintaining the illusion of "fair" treatment for the latter.

The new legislation was first debated in parliament in the final months of 1997. It had been developed by the Coalition in the wake of a High Court decision in December 1996 which ruled that pastoral leases and the land rights of the Wik people of Northern Queensland could co-exist.

In response to the outcry from the mining and agribusiness lobbies, who claimed that the ruling set a precedent that would undermine prosperity in the rural sector and threaten the national interest, John Howard drew up a plan to extinguish indigenous land rights in all but name.

This plan became the basis of the Native Title Amendment Bill. This guarantees extinguishment of native title on existing freehold land, while limiting Aboriginal access to leased land to "traditional purposes", like

fishing, foraging and conducting religious rites.

To be granted even this limited access, the Bill insists that Aborigines should be able to prove an "unbroken physical connection" with the land. This will be impossible for most indigenous people because their physical connection with the land has been destroyed by an unbroken 210 year effort to drive them off it.

The Bill also states that, in situations where the land rights of pastoralists and Aborigines clash, the rights of the former take precedence. In other words, the Bill enshrines the principle that indigenous rights are subordinate to the rights of non-indigenous people.

In addition, the Bill allows the government to extinguish proven native title rights "without negotiation". In the event of such "extinguishment", any compensation to Aboriginal people will be paid for by ordinary tax payers, rather than by the pastoralists and mining companies.

Working class people will pay for the theft of Aboriginal land to profit corporate Australia. Finally, the Bill contains a "sunset" clause which restricts the lodging of new native title claims to within two years of the legislation being enacted.

If the Bill does become law, it will be a tremendous consolidation and extension of the rights of pastoralists and miners at the expense of Australia's indigenous people.

In New South Wales alone, the new law would extinguish native title claims on 4,700 pastoral leases covering an area of 37 million hectares.

When it is considered that 42% of Australia is covered by pastoral and mining leases, it is clear that the Bill is a plan for a massive rip-off of indigenous rights and land - a rip-off with an "unbroken physical connection" going back to 1788.

All this makes a mockery of Howard's claims of impartiality. In reality he is firmly in the camp of the fewer than 20,000 people who lease 42 percent of the country's land from the government.

This tiny, privileged group includes not only billionaires such as media mogul Kerry Packer and the Sultan of Brunei, but also no less than 20 members of Howard's own government.

The first obstacle the Bill hit was in the Australian upper house, the Senate. The main sticking points blocking the passage of the Bill through the Senate were the sunset clause and provisions enabling the government to extinguish native title claims without negotiation.

The ALP, the Democrats, the Greens and conservative independent Senator Brian Harradine all moved amendments deleting these clauses from the Bill.

Yet none of them rejected the Government's proposed laws outright. On the contrary, they all accepted the Government's argument that the primary objective in the drafting of legislation to deal with the consequences of the Wik ruling was to ensure "certainty" in the rural business sector.

The "certainty" referred to is the certainty that property rights of pastoralists and mine companies will be guaranteed in the face of claims by Aborigines.

Where the amendments of the Bill differed from the Government was over how to best achieve this certainty, while staying within the legal parameters of existing racial discrimination laws, and maintaining the perception of being "fair and equitable".

Clearly, maintaining such a perception is difficult when you state at the outset that one group's claims can be extinguished by another group without negotiation, and can be extinguished if a certain arbitrary time period lapses.

It was for these reasons of political and legal expedience, rather than a principled stand in defence of the rights of indigenous people, that the Senate opposition refused to yield to the Government on the issue of the sunset clause and the right to negotiate.

The government, however, was intractable in the pursuit of its full racist agenda. Besides their own racist predispositions, there were and are important political considerations driving the government's dogmatic defence of pastoralists' and miners' land rights against those of indigenous peoples.

A key consideration for Howard and his ministers has been to keep the powerful rural business lobby happy.

The reactionary coterie of interest groups that make up this lobby, led by the mining corporations and the fiercely conservative National Farmers Federation (NFF), have been most vociferous in denouncing the Wik ruling and demanding that the Government change the laws governing native title claims.

Together with conservative state politicians, the NFF and the mining corporations have waged a concerted campaign to convince Australian voters that their homes and backyards are under threat from the claims of Aboriginal people.

They have spent millions of dollars on public relations exercises and advertising, designed to whip up the kind of racist hysteria that will make the extinguishment of native title more sellable.

The reasons for the NFF and mining companies pouring so many resources back into the campaign to extinguish indigenous land rights could not be plainer: naked self-interest.

The de jure or de facto extinguishment of indigenous land rights will guarantee the continuation of the unfettered exploitation of Australia's natural resources that first place an examination of the history of Aboriginal struggles and consciousness, its present forms and future directions is necessary.

Secondly, a Marxist understanding of the principle of national self-determination and its relationship to the class struggle, most clearly elaborated in Lenin's pamphlet on the subject is needed.

Our reason for emphasising Lenin's contribution is not that we have an attitude of uncritical deference to everything that Lenin wrote, but because his writing still provides the most balanced treatment of the question, and because the practice that flowed from this treatment has been shown to work.

Following the line of Marx's famous remark that "any nation that oppresses another nation cannot itself be free", Lenin argued that socialists should support the right of oppressed nations to self-determination.

Socialists support this right not because they are soft on nationalism, but because the nationalism of the oppressed has a democratic content defined by a common resistance to a common oppressor

Lenin argued that supporting the struggle of the nationally oppressed, including recognising the right to their own state, would actually help, rather than hinder, the formation of socialist consciousness. There are three reasons why.

First, it demonstrates in practice to the nationally oppressed that socialists are the staunchest advocates of and fighters for the rights of the oppressed. This helps remove any suspicion that socialists support the

national oppressors.

Second, socialist support for national self-determination helps blunt the effectiveness of bourgeois and petit-bourgeois nationalism and other ideologies of resistance that are hostile to class politics.

Third, the achievement of national independence by the oppressed nation can help remove the main material base for their nationalism, and thus help expose and discredit the cross-class national alliances in which this is often expressed.

Put differently, national self-determination can give a great boost to the clarification of 'class' politics.

To have these effects, however, Lenin rightly argued that the support of national self-determination means nothing less than the support of the right of the oppressed nation to secede and form their own state, if that is what they desire.

Any limitations on this right imposed by socialists will only be interpreted by the oppressed as socialist support for the national oppressors.

This will undermine the tactical effectiveness of supporting the right to self-determination, and strengthen the hold of nationalism over the oppressed rather than weakening it.

Finally, it should be pointed out that although Lenin insisted on socialist support for the right of oppressed nations to self-determination, he was also clear that this did not mean that socialists should necessarily advocate secession.

So, how do these considerations apply to the question of Aboriginal self-determination?

For over 200 years, indigenous people on the Australian continent have been subject to brutal oppression and dispossession. Massacres, land theft and forced assimilation have ravaged indigenous communities, causing the massive disadvantages that they face today

However, indigenous people have not been passive victims, as they are often portrayed in history text books. Aboriginal resistance to the genocidal activities of generations of settlers, farmers, miners and state officials, has been varied and heroic.

From the period of military struggle in the early nineteenth century, including lengthy guerrilla campaigns in Tasmania and Queensland which forced concessions from the white invaders, through to the struggles for land rights, citizenship rights and self-determination in recent decades, indigenous people have fought against oppression by both the state and private interests.

From at least the late 1960s, these struggles have expressed elements of an emerging Aboriginal nationalism. Although the fight for land rights and social equality still dominated the agenda of most indigenous groups during this period, signs of a growing national consciousness could also be identified.

Along with events like the Wave Hill occupation, the Aboriginal tent embassy in Canberra in 1972 and the nationalistic undertones of much of the land rights movement, the most striking manifestation of this nationalism was the adoption of the Aboriginal flag - the unifying symbol of a claimed nation. Yet are symbols on their own enough to establish the existence of a nation?

It is customary for Marxists to define a nation as a relatively stable community of people sharing a contiguous territory and a common language, culture and economic life.

For example Joseph Stalin, in a formulation that became the accepted definition in most Marxist circles, defined the nation as:

"a historically formed stable community of people, formed on the basis of a common language, territory, etc. economic life and psychological make-up manifested in a common culture."

While these criteria are certainly important bases for the formation of nations, it would be wrong to think of them as a check-list that must be conformed to if a people are to be recognised as a nation.

This was Stalin's mistake when he added the mechanical qualifying clause to his definition:

"It is sufficient for a single one of these characteristics to be lacking and the nation ceases to be a nation. It is only when all these characteristics are pre-sent together that we have a nation."

This normative, 'check-list' approach to the nation would later give Stalin a theoretical basis for excluding certain peoples from being recognised as nations, and for ruthlessly suppressing their national rights.

By contrast, both Lenin and Trotsky, while accepting the basic definition of a nation given above, did not subscribe to Stalin's normative method of insisting on every element being present before recognising the existence of a nation.

They argued that nations are historically constituted and changing, rather than primordial and static, and they emphasised the importance of classes, struggle and a national consciousness in their formation.

They also maintained that a concrete analysis had to be made of each situation where a national question is posed. It is this method that must be employed in approaching the question of Aboriginal self-determination in Australia.

At the time of the first white invasion of Australia, there was nothing even approximating an Aboriginal nation. Aboriginal peoples were dispersed over an entire continent and shared neither a common language and culture nor economy.

Group identification was at the level of the clan or tribe, with an awareness of a common 'Aboriginality' wholly absent. Culturally and ideologically, this reflected the development of the productive forces within Aboriginal society.

National consciousness is a product of emerging bourgeois social relations and is neither necessary nor functional to hunter-gatherer existence, in no matter how advanced a form.

These 'tribal' units of Aboriginal society could not be considered nations in the Marxist sense of the word.

They developed no national consciousness and the possibilities of a 'national state' could not be conceived in a situation where the material basis for the formation of classes and states did not exist.

However, in the two centuries after white invasion there were significant changes that laid the foundations for the formation of, if not a fully-fledged Aboriginal nation, then an Aboriginal national consciousness.

Most important among these changes were the shared experiences of indigenous people throughout Australia of oppression at the hands of a common oppressor.

It was this common oppression that led geographically diverse indigenous peoples to identify with each other against their common enemy. The racial categorising of all indigenous people under the

homogenous label of 'Aborigine' contributed to this.

Although indigenous people sought to preserve regional identities, they also began to embrace the pan-regional identity imposed upon them by their oppressors, in order better to struggle against that oppressor.

This tendency was greatly facilitated by two developments that accelerated in the twentieth century. The first was the increased mobility of indigenous people.

This resulted both from the forced movement of Aboriginal people by the state, and from their insertion into the workforce under capitalist social relations - sometimes without pay - which often meant shifting location.

The second development which greatly contributed to the tendency towards a pan-regional identity was the adoption of a common language, namely English.

This enabled common experiences to be communicated, as well as laying a basis for co-operation and organisation between Aboriginal groups whose indigenous languages were incompatible.

Technological developments in the second half of the twentieth century further accelerated the possibilities of indigenous people conceiving of them-selves as part of a common Aboriginal national community.

The proliferation of radios, televisions, telecommunications and jet travel all greatly reduced the distances separating Aboriginal communities.

The speed of communication compressed space so that indigenous people gained an increasing awareness of their common plight.

A national consciousness began to emerge, expressing itself in the various groups and activities emulating the tactics, strategies and forms of organisation of black people in the USA, including the more militant and separatist tendencies such as the Black Power and Black Panther movements.

Yet it would be mistaken to conclude that technology was at the root of a growing Aboriginal nationalism. Technology was a medium rather than a cause.

The real cause of a fledgling Aboriginal nationalism was the continued economic and political marginalisation and social exclusion of Aboriginal people from mainstream Australia.

Even after indigenous people were recognised as humans and citizens in the 1967 referendum, Australia continued to bear remarkable similarities to the Apartheid regime in South Africa.

Aboriginal people were all but excluded from participation in the political and economic life of the wider community.

They were discriminated against in the job market and the education sector; they remained by far the most disadvantaged people in Australia as measured by income, employment, housing, infant mortality and life expectancy. All of this remains as true today as it was 30 years ago.

This is why some Aboriginal groups and activists have arrived at the conclusion that the only way forward is to form their own sovereign state. The Aboriginal Provisional Government (APG) for example, 'stands for the right of Aboriginal people to have the ultimate say over their destiny...a nation exercising total jurisdiction over its communities to the exclusion of all others'.

Under the heading 'The Objective of an Aboriginal State', the APG says that the test of which land in

Australia this state would be built on ?would be the land needed by Aboriginal communities to survive on...the remaining land would be kept by the whites and their governments as a basis for them to continue their nation". Only then, the APG argues, would Aboriginal people be truly self-determining.

The evidence above, although showing a growing national consciousness, does not make it clear whether the Aboriginal people have crystallised into a nation seeking complete state independence.

Many Aboriginal communities and groups are still geographically and politically fragmented from one another, and many Aborigines would not accept that they are part of an Aboriginal nation. Hence a ?nation in formation? might be a more appropriate description.

However, the evidence does highlight the growth of an Aboriginal national consciousness and nationalism since at least the late 1960s. Powerful material and political forces which continue to marginalise Aboriginal people will continue to nourish this national consciousness.

Whether or not these tendencies consolidate into a clearly identifiable Aboriginal nation will be decided by history: not least by whether or not white racism and oppression continues to grow, or gives way to solidarity from it the organised working class which would counter the trend towards independence.

This may not satisfy schematists, but it does allow us to say ? unreservedly ? that we support the right to Aboriginal self-determination.

The fact that a majority of Aborigines are not yet calling for their own state does not preclude socialists from saying now that we support their right to their own state, if that is what Aborigines decide they need. This principle was elaborated by Trotsky in relation to the struggles of black people in the USA in the 1930s.

In contrast to the majority in the American SWP in the 1930s, Trotsky argued that socialists should support the right of black Americans to form their own state, even though this was not a demand being raised by the oppressed masses themselves.

The reason they did not yet raise the demand for self-determination, Trotsky said, was a result of their oppression:

"If the Negroes [Trotsky here uses the term black people used to define themselves at the time] do not yet at present demand self-determination it is of course for the same reason that the white workers do not yet advance the slogan of the dictatorship of the proletariat. The Negroes have not got it into their heads that they dare carve out a piece of the great and mighty states for themselves."

Trotsky argued that given the circumstances at the time, the struggle for black self-determination would be a tremendous political step forward for the oppressed black masses in the USA. He suggested that if the SWP raised the slogan in the appropriate way they had little to lose and much to gain:

"What can we lose in this question when we go further with our demands than the Negroes themselves do at present?"

We do not compel them to separate from the state, but they have the full right to self-determination when they so desire and we will support and defend them with all the means at our disposal in the winning of this right the same as we defend all oppressed peoples".

The question of a separate state for blacks in the USA has long since been decided by history. The massive migrations of black people to the industrial North and mid-west after the second world war and

their partial integration into the wider working class have rendered the question of whether or not socialists support the right of black people to their own state all but obsolete.

However, Trotsky's arguments from the period still have much relevance for the Australian situation today, where indigenous people are not significantly integrated into the working class, and are largely excluded from the social and political life of the wider community, which reinforces nationalist consciousness.

Given these considerations, socialists in Australia should support the right to Aboriginal self-determination not only because we are the staunchest defenders of the oppressed, but because failure to do so would be tantamount to siding with the national oppressor – the racist Australian capitalist state.

White Australian workers need to understand that they are not the guardians of this state, and indeed they have no interest in defending its current form at the cost of denying Aboriginal people their rights.

Workers must be won to the fight against this state, including the fight to defend the right of Aboriginal people to secede from it if they wish to do so.

At the same time as recognising the right to secede, however, we do not advocate the exercise of that right in the form of a separate Aboriginal state. In fact, we argue firmly against a separate capitalist Aboriginal state.

We think that such a state would work against the long term interests of Aboriginal people.

It would reproduce inequalities on a class basis; it would be a barrier to the development of the productive forces; it would impede integration between black and white workers in the fight for socialism.

Instead, we are for the revolutionary integration of Aboriginal people into the organised working class and into the fight for socialism – which alone can further the interests of all exploited peoples.

What does revolutionary integration mean in the Australian context?

First, we have to define the Marxist meaning of the terms integration and assimilation, given their usage to justify various 'liberal' racist projects.

In the twentieth century, assimilation – voluntary or forced – has been the cultural solution advocated by sections of the bourgeoisie and the reformist workers' leadership to overcome racism.

Because the assimilationist view sees cultural difference as the cause of racism, it sees the eventual subsuming of immigrant culture into the host culture as the only answer: in the British Labour Party the assimilationist project was linked explicitly with the need for tight immigration controls.

In Australia, however, assimilationism took a different form. On the same premise – the inevitability of a racist response when white society is confronted with an 'alien' culture – it adopted a radical biological assimilationist project, whereby the destruction of the remnants of the Aboriginal people would take the form of the genetic assimilation into the white population of some, and the extinction of the rest.

This eugenic assimilationism failed, but not without inflicting barbaric miseries on the children of Aborigines who were abducted into the white care system from the 1930s to the 1950s. No serious forces today advocate assimilationism, in any form, as the answer to the Aboriginal 'problem'.

Bourgeois integrationism has been the other main reformist project for combating racism. Known also as 'multi-culturalism', the project evolved out of the failure of simple demands for immigrant communities in

Europe to assimilate.

Essentially, it defines the racially oppressed as a different cultural group whose culture must be respected and legally protected instead of the objective being to erode it.

Bourgeois integrationism essentially sees racism as a combination of an anachronistic racist culture (fear of the unknown) which is amenable to breakdown under the impact of education and (in its Laborite form) simple class solidarity, with limited legal protection for black people.

Thus, its programme amounts to equality under bourgeois law and progressive cultural and educational policies. This bourgeois integrationism forms the basis of much of the centre-left Australian establishment's "anti-racism". But it has proved woefully inadequate, for two reasons.

First, because bourgeois integrationism in general is flawed. It cannot recognise that the material roots of racism go deeper than culture, to the social relations of modern capitalism, where the nation state must always be ethnically defined (or redefined) and where inter-imperialist rivalry fuels hostility to foreign and alien cultures.

Thus, bourgeois integrationism and multiculturalism cannot cope with the capitalist crisis, which inevitably turns up the racist heat when competition for jobs and resources intensify.

Many Jews in western Europe were thoroughly "integrated" in the early twentieth century but capitalism provoked fascism and war; integration did not save them from genocide.

Neither can its focus on law deal with the fact that racism pervades the legal and economic practice of modern capitalism: no law can stop the systematic brutalisation of black minorities by white police forces, from London to Los Angeles to Brisbane.

The second problem for bourgeois integrationism is the specific historical and economic terrain on which the Aboriginal struggle is fought in Australia.

Australian capitalism tried genocide, reservations, apartheid and eugenic assimilation to "solve" the Aboriginal problem: what it never managed to do was to integrate the Aboriginal people into the Australian workforce and society.

Thus, the multiculturalism of former Prime Minister Paul Keating never consisted of more than a superficial respect for, and preservation of, Aboriginal culture, the removal of anomalies in personal legal rights, and the promotion, where possible, of an Aboriginal middle class.

But he never sought the real integration of Aboriginal people - not even the would be middle class - even to the degree achieved in the USA under Johnson in the late 1960s.

Into this half-hearted integrationist project has dropped the land rights question, an unexploded bomb that has put economic flesh on the bones of white racism in Australia.

Although existing legislation is very weak, as the Wik judgement showed, it does constitute a certain limitation on the rights of the pastoralists and mining corporations.

The option to re-occupy leased land, in particular, stands in the way of the full privatisation of land and the industries dependent on it.

That is why a section of the Australian bourgeoisie is preparing to fight an election on a platform to deny

the basic democratic rights of Aboriginal people.

And it has only just begun. As the Asian crisis unfolds, the Australian workers' movement will be faced with the vital task of combating growing racism and xenophobia: the self-congratulatory culture of middle class reformism, which sees the racism of the bush as precisely a redneck anachronism, anathema to young, urban Australia is due for a shock.

Mass unemployment will blow apart the 'multiculturalist compromise' promoted in the Keating years and pose the need for a different answer.

Support for the Aboriginal right to self-determination and secession is only the starting point of revolutionary anti-racism.

Our revolutionary integrationism means fighting to integrate Aboriginal and Torres Strait Island people into the working class – if necessary by the affiliation of nationally-based groups into the Labor and trade union movement.

It means fighting to make clear the real links between struggles like the MUA wharfies' fight and the Aboriginal resistance to racist land laws and racist policing.

It means fighting to build a socialist Australia that can offer Aboriginal people any non-exploitative economic future they choose: whether it be to return to a form of pre-colonial economic life, with state support, or to find a place within an industrialised urban and rural economy that is planned to meet both material and cultural needs, and to protect Australia's natural environment.

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