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Land rights

THE PRIME MINISTER'S long-awaited statement on Aboriginal welfare, and particularly on the vexed question of land tenure, represents a quite important advance in Federal Government thinking. Nevertheless, it will fall far short of satisfying all, or even most, Australians. The Aborigines themselves will greet it with very modified rapture, and the minority of Black Power advocates among them will reject it with scorn. None of these qualifications, however, can alter the fact that what is proposed is substantially better than the present position, and that a good deal more than a token gesture is being made towards recognition of the principle of land rights for Aborigines. It is a belated step, but none the less welcome.

Land rights, of course, mean different things to different people, which is one reason why much of the prolonged public controversy over this issue has been emotional, inconclusive and rather unhelpful. It should be made clear, therefore, that the Federal Government does not contemplate giving Northern Territory Aborigines a freehold title to land. It will give them "some security in their relationship with the land" in the form of new, "general purpose" leases. These will be for periods of up to 50 years, but they will be allocated only on certain conditions, and it is precisely here that the first big question-mark arises. Are these conditions reasonable and practical?

The most important of them is that Aboriginal applicants must demonstrate to the Land Board of the Northern Territory that they have "the intention and ability to make reasonable economic and social use of the land applied for." Obviously, everything will depend on the way in which this is interpreted. If strictly European criteria of economic viability are applied, many—perhaps even most—applicants will be hard put to it to

get their enterprises started, or to survive once they have begun operating, for the Land Board, or Big Brother, will have to satisfy itself "from time to time" that "reasonable progress" is being made.

The Government's whole policy, as enunciated by Mr McMahon, has the hallmark of an uneasy compromise between the hard-line views of the Department of the Interior, which has clearly insisted on "reasonable economic and social use" of the land, and those of the Council for Aboriginal Affairs, which wanted land rights based on traditional association and history. The leasehold principle accords, certainly, with Northern Territory practice, and there is plenty of informed opinion—both anthropological and legal—which would not dispute it. With one proviso, however, which is that there should also be a generous trust fund to compensate Aborigines for the original loss of their land.

Mr McMahon has announced the formation of what, in embryo, may be just such a fund, which recognises the major problem of detribalised Aborigines. Over five years, \$13 million will be allocated to buy land, outside reserves, both in the Northern Territory and in the States, so that Aborigines who do not live on reserves can use and develop the areas for (once again) economic and social purposes. This is certainly a step in the right direction. Already, in 1971-72, \$44 million—a figure which will surprise many people—is being spent in Australia directly on Aboriginal advancement. Even with the new allocation, this will be far removed from what is required to meet the demonstrable need. Nevertheless, by sponsoring the new policy, Mr McMahon has shown a degree of awareness, never previously apparent in the Commonwealth Government, that the problems of Aboriginal welfare will not be solved by words alone.