

Environmental Issues in Indigenous Movements in Australia

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Contextualizing the Social Movements

- Body of Literature of Social movements
- Interchanging and inclusive use of protests, collective mobilizations, struggles, revolts as social movements
- Shifting perspectives on organizational structure, strategy of collective action, leadership, worldview, goals of social movements
- Articulations and shaping of these dimensions in a given contexts of flow of objects and information, in creasing interdependence, global pressure, fluidity and resurgence of new solidarity from below...
- Decline of conventional social movement culture, rearticulating of new protest identities locally and globally—through primordiality, environment and related issues
- Contemporarility needs to be linked to historicity of events, change and transformation

Contextualization of the Indigenous Issue

- ✓ Indigenous lives have remained intrinsically linked to land, environment, nature and autonomy
- ✓ Movements have been centered around their dispossession from traditional land, livelihood, culture and environment and historical colonization and contemporary marginalization in wider society
- ✓ Movement is a continuous experience in terms of historical oppression and dispossession
- ✓ Formation of international rights and norms for indigenous people highlighting the issues of their development, autonomy and self determination
- ✓ Increasing civil society engagements (local, national and international) on the issue of indigenous people and environment

Wide Contexts and Historical Issues I

- Indigenous movements in Australia have passed through several stages since colonization in 1788
 - ✓ Persistent demand for land rights since invasion despite increasing oppression, inflicting of new disease and dislocation, forced assimilation
 - ✓ The indigenous struggle for the dispossessed land and autonomy started getting concrete shape in 1960s through formation of leagues and networks, coalitions, public meetings, campaigns, strikes, deputation of protests, legal petitions
 - ✓ Recognition of voting Rights 1962, attainment of full citizenship through referendum 1967
 - ✓ 1970 formation of coalition for land and land councils

Wide Contexts and Historical Issues II

- ✓ Establishment of Tent Embassy 1972
- ✓ Introduction of the policy of Aboriginal self determination by the Whitlam Government 1972 (paving the way emergence of aboriginal controlled organization, limited rights on ownerships of land, allowing the aboriginal people to make decisions about their own priorities and life-style ,
- ✓ Enactment of Aboriginal Land Rights (Northern Territory) Acts 1976,
- ✓ NSW Aboriginal Land Rights Acts 1983
- ✓ Enactment of Native Title Act 1993 after the Mabo case in 1993
- ✓ Wik decision 1996 recognizing indigenous rights over pastoral leases
- ✓ Acceptance of the Reconciliation Motion by Australian Parliament naming mistreatment as the blemish chapter in 1999
- ✓ 2008 Public apology to the members of stolen generation
- ✓ United Protests: Aboriginal Day of Mourning 1938, Cook Bicentennial 1970, Bicentennial of the First Fleet 1988, Opposition against NT intervention , Queensland's Wild River law

International Declarations

- The principle of equal rights and self-determination of peoples UN Charter 1945A-1)
- All human beings are born free and equal in dignity and rights **Universal Declaration of Human Rights 1948**
- All peoples have the right of self-determination. **International Covenant on Civil and Political Rights 1966**
- **Drafting of the UN Declaration on the Rights of Indigenous People began in 1985** “right to freely determine their political status” and “right to autonomy or self-government”
- The right to development is an inalienable human rights **UN Declaration OF Rights to Development 1986**
- `---affirm the fundamental importance of the right of self-determination of all peoples---Bearing in mind that nothing in this Declaration may be used to deny any peoples their right of self-determination--draft united nations declaration on the rights of indigenous peoples 1994 **UN General Assembly adopts the Declaration in September 2007**

New Institutional Arrangements

- Formation of two (three?) tier Land Council
- The Indigenous Land Corporation (ILC) as a statutory authority set up under the Aboriginal and Torres Strait Islander Act 2005 **to assist Indigenous people with land acquisition and land management to achieve economic, environmental, social and cultural benefits..**
- Land Identification and Recovery
- Ministry of Indigenous Affairs
- Indigenous Development Programme
- *The Council for Aboriginal Reconciliation (established in 1991) convinced governments that a whole-of-government' approach was necessary to improve key social indicators in health, housing, education, employment, justice and culture for Aboriginal people.*

New Policy Initiatives

- *A New Way of Doing Business with Aboriginal People (NSW Aboriginal Affairs Plan 2003-2012, aims to:*
- Coordinate management of Aboriginal affairs in NSW
- Strengthen Aboriginal leadership and economic independence
- Implement strategies to improve the key social indicators focusing on families, youth and culture.
- **Environmental Conservation through Land Council**
- **Aboriginal people continue to remain the most disadvantaged people in Australia today.**

The Indigenous People Today

- Total Population: 562861 (2.6%)
- Over the past 20 years, Indigenous people has doubled from 227,593 in 1986 by natural increase (births minus deaths).
- 45 % living in Regional, 31% of the in 'major cities' and remaining 24% in remote areas
- Indigenous language 12%, Eng. 86%.
- Of those Indigenous people who speak an Indigenous language at home, almost three-quarters (74%) live in Very Remote Australia, with 14% living in Remote Australia. Only 4% of Indigenous people who speak an Indigenous language live in Major Cities.
- 73% Christian, 24% no affiliation, 1% indigenous
- The proportion of Aboriginal adults married to non-Aboriginal spouses was 69%, more in capital cities: (87%) than in rural and regional areas (60%)Australia. 88% of the offspring of mixed marriages identify as Indigenous Australians

Type	Indigenous	Non-indigenous
Median age	21 Years	37 Years
Children aged under 15 years	37%	19%
people aged 15-24 years	19%	14%
people aged 65 years	3%	13%
Average household Size	3.3 persons	2.5 persons

Population Distribution 2009(ABS)

Jurisdiction	Indigenous population	Proportion of Australian Indigenous population (%)	Proportion of jurisdiction population (%)
NSW 1	165,190	29.4	2.3
Vic 5	36,734	6.5	0.7
Qld 2	160,514	28.5	3.6
WA 3	76,218	13.5	3.4
SA 6	30,382	5.4	1.9
Tas 7	20,086	3.6	4.0
ACT 8	4,709	0.8	1.3
NT 4	68,599	12.2	30.5

Educational Status 2006

Types	Indigenous	Non Indigenous
Never Attended School	2.5%	.9%
Five year old Children attending School	88%	95%
Retention rate from year 7/8 to year 12	46%	76%
Completed year 12	22%	47%
Post-school qualification	25%	47%
Attending a university	1.7%	4.1%
18-24 years age group attending University or a Technical or Further Educational Institution	6%	25%

Employment and Income

Type	Indigenous	Non Indigenous
Employed 15 years or older	46%	62%
Unemployed	16%	5%
Not in Labour Force	46%	35%
Most Common Employment	Labour 25%	Professional 22%
Mean gross household income per week	\$460	\$740
Median gross individual income per week	\$278	\$473

- ✓ 'professionals' were the highest median gross weekly income earners and 'labourers' were the lowest, but Indigenous people earned 28% less and 16% less than non-Indigenous people in these occupations [22].93% are employees, 6% work in their own business and 1% are family workers
- ✓ 74% were employed in the private sector, and (26%) work in the public sector
- ✓ over half (57%) worked full-time, 39% worked part-time hours and 4% did not work in the week prior to the Census

Health Status`

Type	Indigenous	Non-indigenous
Teen Aged Mothers	20%	4%
Median age of mothers	24.7	30.7
Highest birth rates (fertility rates)	20-24 years	30-34 years
<i>Total fertility rates</i> (number of children born to 1,000 women at the current level and age)	2,515	1,969(all mothers)
Average birth weight of babies born	3,182 grams	3,381 grams
Low birth weight	12.5%	5.9%
Life Expectancy Male	67.2 Year	78.7 Year
Life Expectancy Female	72.9 Year	82.6 Year
infant mortality rate	9.7	4.3
Maternal Mortality	21.5.6	7.9
Overcrowded Housing	27%	6%
Homeless	9%	2.5%

Assets

- In the 2006 Census, Indigenous households were much more likely to be renting their home (63%), than owning their home with a mortgage (24%) or owning their home outright (12%).
- Indigenous households were more than twice as likely as other households to be living in rental accommodation.
- 43% of Indigenous households reported having Internet access, compared with 64% of other households.
- For Indigenous households, Internet access was lower in more remote areas, at 53% in Major Cities compared with 13% in Very Remote areas.
- Indigenous households were less likely than other households to have reported a registered motor vehicle owned or used by them and garaged or parked at or near their dwelling (77% compared with 90%).

Political and Economic Representation

- One elected in the lower House of the parliament 2010
- Recent formation of First nation Political Party with the merger of the Ecological, Social Justice Aboriginal Party
- Government Budget 2010-11 \$354.6 billion, indigenous budget 4.9 billion (1.38%)

Marginalization and continuing protests

- The *1991 Report of the Royal Commission into Aboriginal Deaths in Custody* stated that Aboriginal disadvantage is directly associated with the dispossession and forced removal from their traditional lands.
- The indigenous people wish to preserve their balance between land and resources, by maintaining relationship between dreaming stories and the spirit of 'country'
- They constantly develop protest against the state hegemony over their resources linking environment and identity
- Several trade unions, feminists, students, labour groups support the cause of the indigenous people

Development, Conservation and Indigenous Movements

- Marginalization linked to colonialism and every existence in the surroundings
- **Development as a possible potential to break the barriers of marginalization vs. Development as a threat to break the link with culture, land, environment and dreaming story line**
- Contradiction and response of the Indigenous movements towards conservation and development
- **Case analysis of Sandonpoint Development Project, Housing Project in Gondangara Local Land Council, Sand Minding in Worrimai , Muckaty Anti dumping Protest**

Sandonpoint

- Sandon Point comprises 61-hectares of open space between the coastal villages of Thirroul and Bulli in the northern suburbs of Wollongong, on the east coast of NSW, Australia.
- It is de facto Crown land and has been openly sought by the community to be returned to public open space since 1980s.
- During a council-funded study in 1992 an Aboriginal artifact was found on stage one land. It includes a indigenous burial site dating back 6,000 years. It is of spiritual significance and part of our cultural heritage. Stories have been passed down orally.
- 1998-a human skull-bone was exposed on the sun dome
- It was a ceremonial burial remains of aboriginal cleaver man – Kuradiji—a man with special spiritual status
- Stockland had bought the entire allotment from Sydney Water for \$2.1 million,

Flow of Events

- 2000-Wollongong City Council finalised the and approved the plan
- 2000-Stickland initiated the development
- 2000- Aboriginal Tent Embassy was established
- 2000-secred fire was carried to from Aboriginal tent Embassy ,McCauleys Beach to Canberra, Victoria, Cockatoo, Wombarra and back The coals used to light the Sacred Fire originated from Tent Embassy fires all across the country, and were carried here in a ceremonial coolamon.
- 19th February 2001Wollongong City Council (WCC) made a decision to allow Stage One of the proposed developments at Sandon Point to go ahead
- 2001 Yurin elder Uncle Guboo Ted Thomas renamed the Sandonpoint as Kuradji over a ceremony
- 2001-Illawara Local Land Council declared the whole Area as State Significant for Aboriginal Culture and Heritage
- 2001 – Contesting the Wollongong City Council decision in the NSWLAND & ENVIRONMENT COURT on the ground of ecological, cultural , significance, ignoring evidence and inadequacy I archeological survey and consultation with the aboriginal community members.
- Mr Jim Davis an the Wodi Wodi Elder, only one of the 5 traditional owner groups who have interests in the Site was only partly consulted, while Mr. Ruben Brown Chairperson of the Korewal,**Elouera (Illawarra) Jerrungarugh (Shoalhaven)** Tribal Elders has expressed the concern,
- Local Community established 24 hours picket to blockade development

Flow of Events

- On 8 October 2001, Stockland was granted conditional development consent for five integrated development applications to create 89 housing lots and three residue lots for Stages 2 – 6 at Sandon Point ('Stages 2 – 6 Consent') by the Land and Environment Court.
- Early 2002 Stockland fenced off the area
- Feb. 14 (Valentine Day Blockade) 2002 community formed human chain to prevent heavy vehicle movement into the area
- Police arrested large number of protesters
- Dootch Kanedy Obtained temporary injunction from the NSW Land and Environmental Court
- Later 2002 Court Upheld the development approval with some conditions

Turn of Event

- late 2002 the construction activities resumed
- Repeated appeals were made to protect the aboriginal heritage in court but turn down, value of oral tradition ignored
- 2005 NSW Government enacted new planning law((Part 3A of Environment Planning and Assessment Act) empowering the Minister for Planning to have ultimate authority on decisions affecting major developments
- 2006 (December) The Minister approved the Stockland and Anglican retirement Villages Concept Plan
- 2007 The Land and Environmental Court considered the issue of flood and the development concept was declared null and void.
- 2007 The Supreme Court over turned the decision following an appeal by the NSW Minister for Planning.
- 2007(February) declared the MacCuleys Beach as an aboriginal area and to be protected under National Park and the Wild life Act 1974
- Inviting possible contradiction between two

Minister's Approval

- November 2009 the minister approves the Stocklands Project Application
- Tent Embassy moves to Land and Environment court again in 2009 court
- 2010 July 27 the environment court declined the appeal
- August 15 Uncle Allan Carriage (Wadi Wadi Elder) and Roy Dootch Kennedy (elected Chairperson of Illawarra Local Aboriginal Land Council and resident spokesman for SPATE) along with other Aboriginal and Community representatives decided to appeal in the Supreme Court against this decision
- And the agitation continues

The Voice from Within

- What annoyed me is that the govt. knew what was there below the land, but they sold it to the developer— They have done it by ignoring the community concern. In a democracy you should be listening the people and not the developer.. You are destroying the natural river ways, the natural habitat, eco system , the ecological community, you are killing it you add to the depth of the crisis
- ----White Australia looks down upon the native Australia.. They do not respect the land— the plant the nature.. They connect to the land by digging mines, minerals, taking away all resource..Thy take all these to make them rich.. Why the mother earth to be sacrificed to their greed..
- What is the message we give you are cutting up our heritage, our culture our mother.. We ARE MARGINALISED..In the half a century of my life I have seen what damage you have done to my country my heritage.. It is criminal .You should not have done it
- They call us savages.. My frustration is that why have you robbed of my heritage? Why Should I continue to be robbed? We have been victimized and demonized by the (?) government .
- What has happened in the court ,it should not have happened.. We are not going to seat down now
- It is hard to protect our heritage under this system.. We have lost the case.. To me it is a win.. They are doing cultural genocide.. We are not going to laying off , or putting arms up...
- You have made Native entitlement Act, but you don't want to apply it. You have adopted the UN resolution on the indigenous people but you don't apply it you say it adopted in 23 principle A maior change is needed in the mind set Roy Dootch Kennedy July 31 2010

Sympathizer

- We give lip service to the issue of the aboriginal issue. We have a very limited view on the aboriginal interest in Australia. The land belong to them. Evan if the sacred site is out of the boundary of the development project , we should have respected their sentiment.. Belief is not guided by an artificial boundary.. .. We have played our innings.. We have developed the country by destroying their culture, nature and every thing. Let us allow them to have their say in the development” ... Sandonpoint Resident August 1, 2010

Land Claims, Maintenance and Mining

Land claims made under the *Aboriginal Land Rights Act 1983* by the New South Wales Aboriginal Land Council and Local Aboriginal Land Councils and maintain the Register of Aboriginal Land Claims

	Current land claim status March 2009	As at 31 Dec. 2001
Total land claims lodged:	17 137	6 723
Total land claims determined:	8 655	6 384
Total land claims granted:	2 319	2 000
Total land claims refused:	5 348	3 323
Total claims undetermined:	9 087	538

Worimi Local Aboriginal Land Council

The Worimi is made up of several indigenous people :
Buraigal, Gamipingal and the Garawerrigal

- It has got 153 plots of conservation land against 155 applications
- An Enterprising LLC but got into controversy for financial irregularities
- In 2003 Worimi became bankrupt due to alleged corruption and mismanagement,
- 2004 the Land Council referred Worimi's land dealings to the Independent Commission Against Corruption, relating to the council's loss of more than \$720, 000
- Its business venture for a pleasure park had become unsuccessful
- Now had to sell land to repay the deposit money to the developer

New Enterprise

- Developed a Sand dune touring company and expansion of a tourist centre
- In 2009 become the largest sand mine(STOCKTON Bight)in the southern hemisphere. The project would generate about 60 operational and contract jobs. It would generate resource worth \$320 million.
- The sand will be extracted from two sites, both owned in freehold by the Worimi as a result of the 2007 land claim deal that led to the creation of the 1826-hectare Worimi National Park, the 1042-hectare Worimi State Conservation Area and the 1568-hectare Worimi Regional Park.
- To make the Worimi Local Aboriginal Land Council one of the richest of its kind.
- The income generated will flow from the land council into benefit schemes, including housing, health and employment programs, for the Aboriginal community.
- **The Worimi prefer to use the word "extraction" over mining**

The Opposition

- The actual traditional occupiers of the land, Carol Ridgeway-Bissett, declared herself strongly opposed to mining in the bight and expressed fears that the land council might not protect the land. She has organized protests against mining and getting regular support for the locals and the environmentalists *To her:*
- "The problem with the Land Rights Act is that it can let people who don't necessarily have any link to the land take control of land that is really important to the genuine traditional owners.

She Says:"The act dispossesses traditional owners and leads to the destruction of our heritage, an ancient landscape of her ancestors It is full of the bones and artefacts of my people and who knows how much and how many have already been crushed and destroyed by the mining. The miners will do their heritage reports and their archaeological studies and then they will do as they like," she said.

Points and Counter Points

- Smith, said the sand extraction would be done under a very strict plan of heritage management. :funds that would flow from the sand extraction could be used to provide a variety of benefits including housing and health services....

But we must move forward. We don't wear lap-laps and live in the dunes. We live in houses, drive cars and watch TV. The State Government is screaming out for sand and we can earn money for our people by providing it."

Environmentalists' View

- Total Environment Centre director Jeff Angel said coastal sandmining had run its course and ought to stop. "There has been enough devastation and it's time companies and the Government started getting more serious about alternatives such as recycling building materials," he said.
- "Dune systems are dynamic and always moving. Interfering with them is something that ought to be approached with caution."
- Documents on display with the NSW Department of Planning show as many as 13 sand mines along the grassed and wooded strip between Fullerton Cove and Anna Bay. ...About 27 hectares of coastal blackbutt forest would be lost to mining
- The protesters starting lobbying with the ministers, organizing protest in the local areas,

Opposition

- Now land goes to a trust.. the land council and not to the actual owner of the land. Land council has emerged to be a tool in the hand of the government to destroy traditional land. These people have no respect for the culture, heritage., they are destroying the cultural heritage....
- Many of the aboriginal people are not aware of the linkage between the tradition, culture and spirituality as they are grown up in the missions. ...
- Every thing in the environment is interlinked –culture and heritage , the nature. Sand dune is apart of our culture, our heritage, we get blessings from our ancestors . we would protect it.... Carlo Ridgeway-Bissett September 3, 2010
- She is preparing the archeological report , lobbying, using new media, appealing the federal minister with members of the community organizing rally with community members to stop sand mining

Pro_Development

- The fact is that we have no sovereign rights.. The way we have been assimilated they have committed a cultural genocide . We have lost our culture, our dream stories. We should have the sovereignty to be recognized as aboriginal people –
 - However, the world has changed and it is not big enough. Assimilation would come. We need money for the community, we need employment for our people we need to exploit the resources that in our command ... It would not prevent me from making a choice to remain an aboriginal man as an aboriginal man. At the end of the day we sleep in a bed, watch TV , eat Mc Donald so we are to make choice
 - Autonomy through land council should be through the selection and recognition of the right people otherwise it is going to be crashed.. I should have the autonomy to function independently as per the law and not to get permission from the government
- Andrew Smith August 25, 2010,

Gandangara Liverpool

- The Cabrogal clan, the Darug nation
- Activities: Employment, Education, Health, Old age care and housing
- Indigenous Land care : Mt annan botanical gardens memorial to the stolen generation.
- Aboriginal cultural awareness
- In March 2009 the Gandangara members passed the Community Land and Business Plan
- Housing project is a part of this plan
- The Housing scheme ;commercialization and benefit for the members The Housing Project is supported by all the menders of the community.



Pro-assimilation

- The aboriginal people should be developed by their own rights.. We should have best of both the culture..Abba—Gabba... My mother was a native, father is Irish . We have taken best of both the culture. We attach ourselves to both culture
- We have program for the elderly, medical support, transport, and education for all. We have a programme for land care and development. Housing is an area
 - Being minority we face problem. In the growing up process the children loss confidence. We are forgetting our culture, language, songs, music. We train the children to know our culture, we also let them know the other culture ---Karol Brown (August 12, 2010)
- ‘Development is an important activity. We haave identified a housing project that supported by the community.... This housing is open for all- indigenous and non indigenous. The profit is supposed to help us for employment generation, age care, health and education programme. The land is carefully selected and there is no problem ‘(Member, August 17, 2010)
- ‘They have destroyed every thing... our culture, nature, our lives. It is a time to rebuild..My son was taken away from me , I was kept in church in Brisbane to serve the Priests and others.” According to her all lands compensation be given to members of the stolen generations and these to managed by the local land council to maintain the eco system.(Mother of a stolen generation member

Nuclear waste dump in Northern Territory

- In Dec. 2005 the Federal Government of Australia passed legislation to force a national nuclear waste dump on the NT, despite opposition from Aboriginal land owners and the NT government and the environmental Groups
- It is to be established at Muckaty Station, 120km north of Tennant Creek, in the Northern Territory.
- "Under the government's proposal, 130 truckloads of radioactive waste would be driven from Sydney's Lucas Heights reactor, through NSW to NT in the first year alone, with dumping to continue for decades

Muckaty Protests

- **The environmentalist Australian Greens, the Friends of the Earth and the NT Labor Conference** say that it would make the community vulnerable
- It also infringes on the rights and interests of Aboriginal custodians and the states and territories.
- *“.”-- Dianne Stokes, Muckaty Traditional Owner says : We won't be letting that dump go ahead on our land because our duty is to look after that special place for future generations and that's exactly what we plan to do*
- 25 Ngapa Traditional Owners and 32 Traditional Owners from other Muckaty group has sent written opposition to this project. .
- The NLC and the government justify the Muckaty nomination on the basis of a secret anthropological report

Muckaty: Inner Cleavage

- The Northern Land Council (NLC) stands to gain financially if the Muckaty nomination proceeds. Thus the NLC has a real or apparent conflict of interest – on the one hand the Council stands to gain financially if the radioactive waste dump/store proceeds, on the other hand the Council is meant to represent the interests of all Traditional Owners regardless of their support for or opposition to the dump/store
- The aggrieved party says that “ The NLC is the Aboriginal people's voice, and they failed to represent them. ... I think the consultation process was very flawed and that the time for trying to pull the wool over people's eyes is past. Open and honest discussion should be happening involving all the right people, not just with certain elements of the people.”

Muckaty

- Though several traditional owners of Ngapa clan have signed a petition opposing the dump., the Northern Land Council (NLC) and a number of Ngapa people met with Mr Ferguson to confirm their support for the project. As the project would bring economic and educational benefits to the people.
- While it is understood the federal government has agreed to pay the Ngapa clan \$12 million in trust for volunteering the land, NLC chief executive officer Kim Hill said the group hoped the deal would be renegotiated once the scientific and environmental assessment processes were completed.
- Five clan groups are connected to five different dreaming sites on Muckaty Station, which covers an area of about 1200 square kilometres.
- The Ngapa clan have volunteered about four square kilometres of their land for the nuclear dump, which would occupy a one-square-kilometre parcel of that area.

Spread of the Campaign

- Lobbying
- Mobilizing public opinion across the country
- Taking legal recourse
- Campaigning through new media
- Developing linkages among active indigenous activists and land councils
- Sydney Campaign attended by friends of the earth, the greens, the trade union associations and several academics:..
- The community members asserted that : The dumping site , if al all going to be established on the identified site of Muckaty is to be established only on our dead body

Mobilization and Institutionalization Indigenous of Identity

- The indigenous movements are at a cross road in wake of new institutional mechanisms.
- In the context of persistent marginalization indigenous identities are rejuvenated linking their historical association with land, traditional culture and environment
- As the rejuvenated identity use to state provided space to articulate protest against existing and perceived discrimination, the grass roots protests have got linked with the wider society
- Rejuvenated identity within a given context of institutionalized arrangement function works both as a mechanism to institutionalization and limited self determination
- Linking localized indigenous identity with pan Australian indigenous identity in the making through the common experience of history and contemporary marginalization and common concern for culture, heritage and nature.
- Developmental need injected culture of opposition in solidarity that negotiate with land, environment and culture
- The state in the globalised world posited with the crisis of climate change, and obligation for self determination of the indigenous people. Hence it creates the mechanisms to Co-opt the grass roots mobilizations /initiatives within its functioning .