

Reconciling the Australian Constitution

Anne Schmid reflects on common ideals, land rights, acknowledging history and moving towards reconciliation through constitutional reform.

In 2013 Australians will be invited to recognise the place of Aboriginal people in the Australian Constitution via a referendum. Georgists share common ground with Aboriginal people on many land issues particularly because of the communal nature of their understanding of land tenure. Land and its resources are not something to be owned but to be shared and used for the good of the community. Georgists are very aware of the damage done to society when land is privatised. We look upon land as the gift to all of humanity and not just a privileged few.

The tools of georgist governance would dissolve many of the issues facing us today and Aboriginal land rights would be on firm ground, as would the land rights of all citizens. The freeing up of the economy and the subsequent vibrancy of services and ideas would enable all to be employed. Governments would be in a position to build needed infrastructure which would address the disadvantage presently experienced in our society. A just economy would foster social harmony.

However we are not there yet and Georgists, I believe, whilst working to

We cultivated our land, but in a way different from the white man. We endeavoured to live with the land; they seemed to live off it.

Tom Dystra - aboriginal elder circa 1800

bring about change in the way people are taxed and the way we manage our resources must also be aware of the particular disadvantage that Aboriginal people experience in the structures of Australian society. A good way to begin would be to acknowledge the traditional owners, as is often the custom today. This in no way detracts from the georgist idea that we all have earth rights. It is not about returning to the past. It is a symbolic gesture to undo the arrogant mindset that Australia was empty land (terra nullius) before white settlement. What it does do is add another layer in the whole breadth of earth rights and responsibility and how important land is to all of us. It also goes against the notion that might is right.

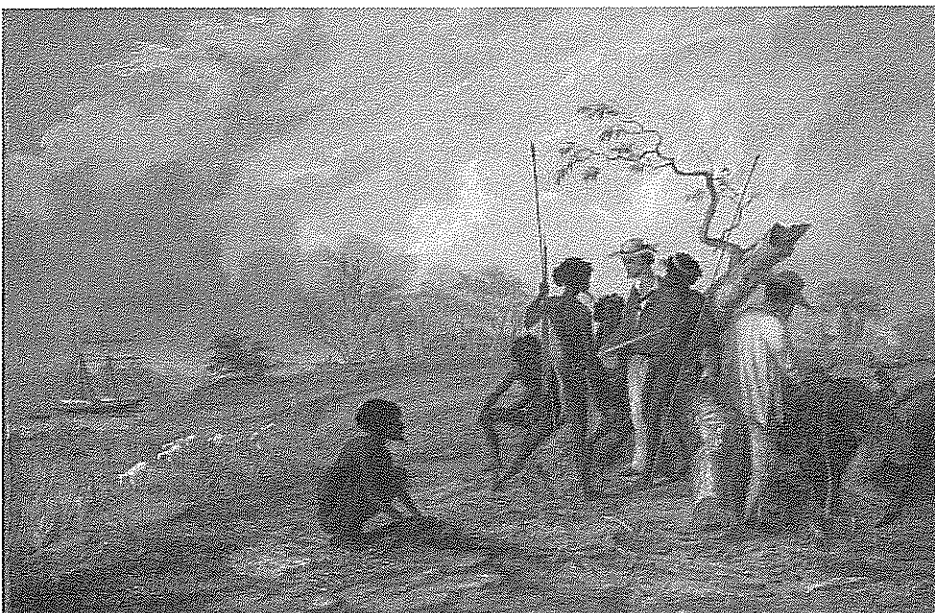
In the build up to Constitutional

change, I believe that it is now time that Georgists ditched their first occupancy arguments when referring to aboriginal land claims. When we speak of first occupancy we are in fact excusing ourselves from taking a meaningful stand and we are negating our ability to be a relevant voice in the whole question of aboriginal disadvantage.

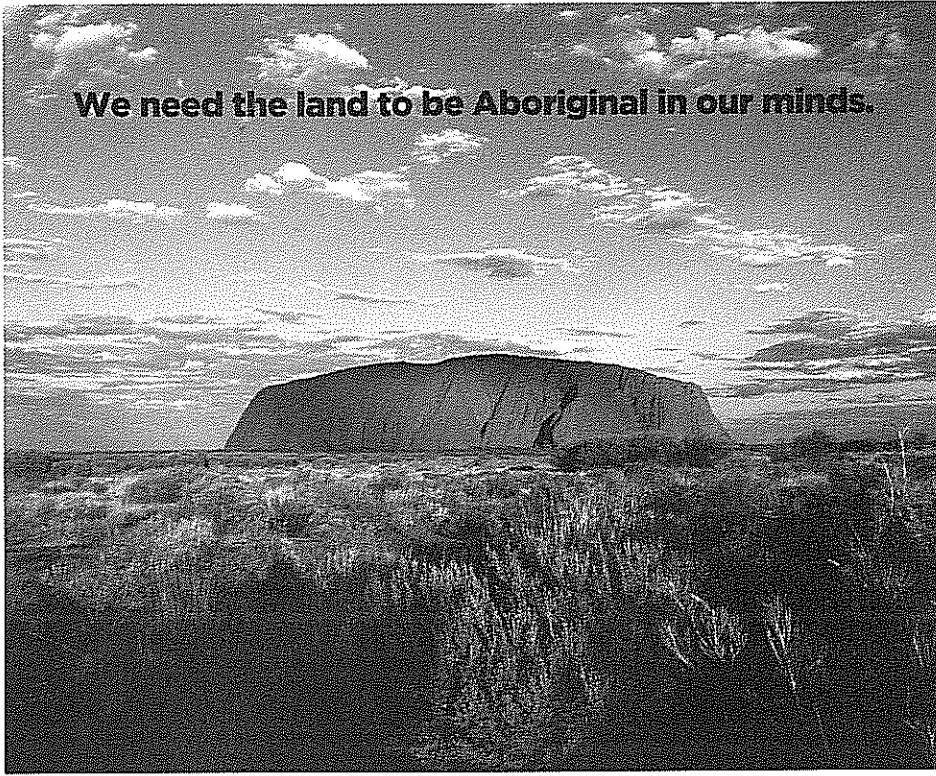
Should archaeology find evidence of previous occupancy it would not alter one iota the legitimate claims that Australian Aboriginal people have to enjoy the benefits that come from participating in the life of this country. It would not alter the history of white settlement with its 200 year history of racism and indifference towards Aboriginal people.

Land hunger and greed was the dominant force in the beginnings of colonisation. The new settlers had been locked out of land and employment by an aristocratic system of land tenure in their homelands. They had left all this behind them and standing in the way of land ownership now were the tribes of Aboriginal people. After a generation or two, when the new families had settled into some kind of respectability, they needed to justify their occupancy. They resorted to thinking of the aboriginal people as inferior and in their self-justification, the people they had murdered and dispossessed did not have the same feelings, desire for life and right to life as they themselves had. After we had massacred and dispossessed the Aboriginal people, we then made laws to ensure that the dispossession would continue. When our actions and our laws left the Aboriginal people landless and without their traditional means of survival, we called them inferior and made them reliant on our often misdirected welfare.

The underlying guilt of the land



We need the land to be Aboriginal in our minds.



grab bred racism. This is the insidious germ of racism found in this country. We needed racism so that we did not have to confront our guilt of forcing a people from their land. This is the underlying cause for racism towards Aboriginal people in a country which prides itself as being one of the most democratic and fair countries in the world.

Learning our history delivers us from making the mistake of white washing the past and so denying the obligation that this nation has to build a fair society. The georgist paradigm is not a set of rules. It has flesh and heart. It has as its centre a vision of freedom and cooperation between people. The hardness of heart commonly found in Australian society towards the aboriginal cause divorces the present situation of lower life expectancy, lack of education, incarceration, despair

We are all visitors to this time, this place. We are just passing through. Our purpose here is to observe, to learn, to grow, to love... and then we return home.

Aboriginal proverb.

and dysfunction from past events. This implies that it is time that Aboriginal people simply got their act together; summarily dismissing history and our nation's accountability. Acknowledging our history makes us partners in the reconciliation process. The economic knowledge that Georgists have makes us realize that justice and not welfare is the answer.

Of course present day Australians had nothing to do with Invasion Day, the massacres and dispossession. We and our children and the recently arrived cannot be held responsible for something that happened over 200 years ago. What must be understood however is that we are still living with the aftermath of historical events. Our history and our laws are implicated and so the prosperity that we all enjoy today has been at the expense of indigenous people. Our laws failed to enable Aboriginal people to prosper. We only have to remember the challenges to the law of Mabo, Wik and Deaths in Custody Royal Commission to understand the exclusive nature of many of our laws and customs. Hopefully change is on the horizon.

Aboriginal people have battles to fight from their own perspective. We cannot really expect them to turn

their energies to a long term strategy of bringing in land rent when most Australians and governments are very lukewarm to the idea. However many Aboriginal Activists understand the term rent but are distrustful of an Australian Government whose past record is flawed and they doubt that in the end their share of the rent would be delivered to them. Many also believe that they are owed the rent for the past 223 years. Georgists understand where they are coming from.

We must acknowledge our history. It can only bring strength to the Georgist argument. Hopefully then we can make a sound contribution to the reforming of the Australian Constitution.

Anne Schmid is secretary of Prosper Australia and member of TR@K (Towards Reconciliation At Knox).

At the heart of everything is the land. It is the way we feel and think about the land that makes us Aboriginal. It is the only way to keep our culture. We belong to the land in the true sense that it is part of us that we need to survive.

If our Dreaming and our laws and languages and our ways of living die, then that will be the end of Aboriginal people. It all goes back to the land, that is why land rights are so important to us. We need the land to be Aboriginal in our minds.

Mornington Islander Lanley; (sourced from Hijacked Inheritance - Phil Day)