DISPOSSESSION – *NEO-LIBERALISM AND THE STRUGGLE FOR ABORIGINAL LAND AND RIGHTS IN THE 21st CENTURY*

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Introduction – The Emergence of Neo-Liberalism

Neo-liberalism is shaping the Australian agenda for control of Aboriginal lands and assimilation of Indigenous people . In *A Short History of Neoliberalism,* one of the world's foremost social scientists, British born David Harvey, defines this 21st Century strain of capitalism as a system of "accumulation by dispossession"[1]. How strikingly applicable this is to the new wave of assimilation and assault on Aboriginal land, rights and Culture.

Before the Howard years (1996-2007) political scientists and economists usually settled for the term 'Free Market' or possibly 'Late Capitalism' to describe the way the Australian nation did business. In the new millennium 'neo-liberalism' emerged as the popular descriptor of the virulent extreme form of free-market fundamentalism that has gathered adherents in both major Australian political parties and the support of a handful of highly visible Aboriginal neo-conservatives.

A wise custodianship of the earth's resources and a deep commitment to bio-diversity are important concepts in both the Indigenous knowledge system and modern science. Yet, as I will examine, neo-liberalism asserts a notion of modernism that denies the strongest earth science and is opposed to traditional knowledge, Culture and custodianship.

Australian Government policy today is heavily influenced by the neo-liberalism emphasis on managing access for mining companies to resources on Aboriginal lands. This involves controlling what is still perceived as 'the Aboriginal problem' and forcing a social transition from traditional values and Cultural practice to 'mainstream' modernism of a particular brand. It also involves displacing many Aboriginal people from their traditional lands and concentrating them in 'growth towns'.

Transforming the poverty of Indigenous people unquestionably rides on the equitable exploitation and sharing of resources found on their lands. This has never occurred since the arrival of Europeans in Australia. As we will see, the struggle for Aboriginal land and rights is entering a new and critical phase because of the aggressive global marketing of the resources most essential for a fast growing world, including water, land, food, minerals and energy

[1] Harvey, David. *A Short History of Neoliberalism, pp 159-164* Oxford University Press. Oxford. 2005.

Aboriginal Land, Dispossession & Denialism

Possession Island, off the tip of Cape York, is where James Cook planted the British flag to lay claim to lands owned by Aboriginal people for far longer than European civilisation existed. After his fateful misadventures and lost opportunities in the east coast encounters, Cook ignored his orders to negotiate. He looked right through the Aboriginal people who appeared along the coast and the lie of terra nullius was born. Then came the invasion, occupation and near obliteration of a way of life that had continued for longer than anyone knows. Sixty thousand years or was it eighty thousand? It hardly matters to most Australians who live in denial of how this modern nation was created and of the cost to the rightful owners of the land. A strong current of denialism flows through more than two centuries of Australian history. Today the beach on Possession Island is deserted. Just a white monument to the British Captain who stole the land looks down from a hill over the fringing coral reef and green-blue sea. All you hear is the cry of birds in the wetlands. Aboriginal people were cleared off their land here many decades ago. It should have been called Dispossession Island.

"The relationship between black and white Australians, so many of our problems, come down to these few words . . . 'it didn't happen'. The country is living in denial."[2] The Jirribal elder and scholar, Dr Ernie Grant has devoted much of his life to bringing the Aboriginal way of seeing and the longer timelines of Australian history into the classroom and into our consciousness as a nation. *My Land, My Tracks*[3], his seminal study of Aboriginal relationships to land, language, Culture, time and place, evolved into the *Holistic Planning and Teaching Framework*[4] championing the value of Indigenous studies for all Australians. Understanding where we really are, who we are and how we are shaped by interconnections in our living environment helps us define what it means to be Australian and offers a way of ending the relentless government efforts to assimilate Aboriginal and Torres Strait Islander people. Walking ancient trails in the rainforests of far north Queensland, this eminent custodian of traditional Aboriginal knowledge discussed the future of life on earth, the pattern of global development and the crushing impact of neo-liberal style growth on Aboriginal lands and communities. Dr Grant emphasised that there are intrinsic links between the holistic Indigenous intellectual system and the most compelling earth science. "Only through understanding the way Aboriginal people see the world will Australians appreciate how this knowledge is vitally important to us all to manage the health of our country. We have extraordinarily subtle and sophisticated knowledge of this land, its animals and the complexities of the seasons. Our struggle is to get people and Government to understand what it means to be sentient custodians."[5]

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[2] Grant, Ernie. Interview with author, Jeff McMullen, Tully, Queensland 2005.

[3] Grant, Ernie. *My Land, My Tracks,* Published by Innisfail and District Education Centre, Innisfail Queensland 1998.

[4] Grant, Ernie. *Holistic Planning & Teaching Framework,* produced by Critical Mass Media, Queensland, 2005.

[5] Grant, Ernie. Interview with author, Jeff McMullen, Echo Creek, Queensland 2006.

Around Australia and in many other parts of the world Indigenous societies, and perhaps the human family as a whole, stand at a crossroads. It is not only the vexing choice of which direction might overcome the current global economic crisis in a world interconnected by extraordinary growth and massive debt. Neo-liberalism, a free-market fundamentalism that worships a particular brand of modernisation, is strikingly hostile to the central tenets of Aboriginal custodianship and to the overwhelming evidence offered by multi-disciplinary scientists that the current pattern of human growth is fuelling chaotic but interconnected threats to the diversity of life on earth. Understanding the big picture allows us to see what is driving the neo-liberal assault on Aboriginal land, rights and Culture in the 21st Century.

Neo-Liberalism, Earth Science & Environment

British earth scientist, Norman Myers, has calculated that since World War Two humans have devoured more raw materials than all of our ancestors combined.[6] Travelling the world for over half a century I saw the distinctive pattern of neo-liberal development first emerging in many of the thirty warzones I reported from, especially African nations including Mozambique, Liberia, Sierra Leone, South Africa and Rwanda. Rich and powerful nations, responding to the growing market demand for food, water, raw materials and especially energy, have swallowed up as much as one third of some African states. "Two thirds of the land acquired by rich nation investors over the past decade is in Africa, the continent with the greatest food needs. The total acreage transferred to sovereign wealth funds, multinational food producers and even hedge funds could provide food for 1 billion people, Oxfam says."[7] In Zambia, James Ferguson observed the people of the copper belt pushed by the neo-liberal drive for modernisation into an unsustainable industrial economy and then a staggering, "humiliating expulsion"[8] from the global community. Steven Gregory[9] describes how the neo-liberal modernist project creates widespread social unrest in developing nations such as the Dominican Republic. Through Central America and South America, I witnessed the same pattern. With the global population surging towards eight billion around 2025 it is clear that in the struggle for resources we are at war with one another and with the earth itself. In a world out of kilter, the poorest countries and the poorest communities within rich nations are most vulnerable. We must awake to this clear threat to the long-term survival of our species.

As I warned in *A Life of Extremes, Journeys and Encounters,* there is clear evidence that our world is now in the midst of its sixth period of mass extinction.

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[6] Meyers, Norman. *Global Security,* Essay in *Life Stories, World Renown Scientists Reflect on their Lives and the Future of Life on Earth,* published by University of California Press, Berkley Los Angeles, 2000.

[7] Stocking,Barbara. Chief Executive of Oxfam, quoted in Sydney Morning Herald and The Telegraph, London, October 5th 2012.

[8] Ferguson, James. *Global Disconnect: Abjection and the Aftermath of Modernism,".*In J.X. Inda and R.Rosaldo, editors, The Anthropology of Globalization, pp 136-153. Published by Blackwell, Malden, Massachusetts, 2002.

[9] Gregory, Steven. *The Devil Behind the Mirror: Globalization and Politics in the Dominican Republic,* Published by University of California Press, Berkley, California, 2007.

> By 2100 one third of all living species may be gone. Watch the birds now on the wing because of the extant 10, 000 species, 7000 are in drastic decline. Take a long walk through a forest and a deep drink on its beauty because up to 50, 000 of the world's 250, 000 kinds of plants are expected to disappear over the next few decades… As bad as it is now, it can get much worse.[10]

Climate Change Denialism & Neo-Liberalism

Climate change is now almost guaranteed to make life worse for millions of people. The political hesitancy and irrational delays by giant industrial economies to respond prudently to this threat, outlined by former American Vice President, Al Gore in his book, *The Assault on Reason,*[11] are heavily influenced by the neo-liberal agenda. " Wealthy right-wing ideologues have joined with the most cynical and irresponsible companies in the oil, coal and mining industries to contribute large sums of money to finance pseudoscientific front groups that specialise in sowing confusion in the public's mind about global warming. They issue one misleading "report" after another, pretending that there is significant disagreement in the legitimate scientific community in areas where there is actually a broad-based consensus".[12]

Towards the end of a remarkable scientific life, the brilliant biologist, Edward O. Wilson, described by novelist Tom Wolfe as 'the new Charles Darwin', has issued a passionate call for a new enlightenment and a challenge to the self-interest of neo-liberalism. It is an assertion of our collective responsibility as custodians of the earth, an echo of Ernie Grant's Aboriginal wisdom that holds that every man, woman and child has some responsibility to ensure the long term well being of the human family. "Surely one moral precept we can agree on," Wilson writes, "is to stop destroying our birthplace, the only home humanity will ever have. The evidence for climate warming, with industrial pollution as the principal cause, is now overwhelming".[13]

So why, we should ask, is neo-liberalism in denial of this overwhelming scientific evidence? Why is the same ideological mindset so hostile to the concepts of environmental science and to Indigenous Custodianship based not on maximum production or short-term profit but on maximum sustained yield for all generations to come? Why have some prominent Aboriginal people, including Noel Pearson, Marcia Langton and Warren Mundine, turned their wrath on environmentalists, linked their political and economic strategies to mining companies, echoing unashamedly the neo-liberal cry for free-market capitalism in remote communities?

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[10] McMullen, Jeff. *A Life of Extremes, Journeys and Encounters,* Published by HarperCollins Australia, Sydney, 2001.

[11] Gore, Al. *The Assault on Reason,* pp 191-214, published by Bloomsbury, London 2007.

[12] ibid, page 200.

[13] Wilson, Edward O. *The Social Conquest of Earth*, Published by W.W.Norton, New York 2012.

As Robert Manne has vigorously argued, climate change denialism in Australia "is predominantly a phenomenon of the Right"[14] and is heavily marketed by News Limited newspapers, especially the nation's only national broadsheet, *The Australian*. "It's style and tone are…unlike that of any other newspaper in the nation's history. *The Australian* is ruthless in pursuit of those who oppose its worldview…[including] market fundamentalism and minimal action on climate change…".[15]

It is no accident that that same Australian mass media outlets amplify the voices of the Culture War warriors who see Aboriginal custodianship, traditional Culture and attachment to communal living on Aboriginal lands as anachronistic impediments to capitalism. Neo-liberalism connects the agendas of 'modernising' Aboriginal Culture and allowing mining companies to vigorously exploit at minimum cost the mineral treasure on Aboriginal lands.

How Neo-Liberalism Shapes the Australian Agenda

A close examination of the tenets of neo-liberalism illuminates a great deal of Australian Government policy towards Indigenous people from John Howard to Kevin Rudd and Julia Gillard, or even a change to Tony Abbott.

In *A Short History of Neoliberalism*[16] David Harvey identifies four essential features of neo-liberals:

1. "privatization and commodification" of public/community goods,
2. "financialization" to treat good or bad events as opportunities for economic speculation,
3. "management and manipulation of crises" to establish the neo-con agenda,
4. "state redistribution" of wealth, not to the poor but the rich and powerful.

Harvey presents a convincing argument that neo-liberalism is not 'trickle down economics' but exploitation aimed at upward redistribution of wealth, enriching capital managers. "Redistributive effects and increasing social inequality have in fact been such a persistent feature of neoliberalisation as to be regarded as structural to the whole project." [17] This raises the question of who benefits from neo-liberal style development of Aboriginal lands whether it be through mining or agriculture?

In her essay, *The Resource Curse,* one of the most prominent Aboriginal neo-liberals, Professor Marcia Langton, wrestles with her dilemma of recognising the transformative potential of mining but also its current devastating impact on impoverished Aboriginal communities."Australia is a rich first-world nation, largely because of this mineral wealth. Yet the wealth is not evenly distributed, and this has produced economic, social and political problems that are likely to

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[14] Manne,Robert. *A Dark Victory, How Vested Interests Defeated Climate Science,* In The Monthly, issue 81, pp 22-36. Collingwood. August, 2012.

[15] Manne, Robert, "*Bad News, Murdoch's Australian and the Shaping of the Nation",* page 3, Quarterly Essay, issue 43, 2011

[16] Harvey,David. *A Short History of Neoliberalism, pp 159-164* Oxford University Press. Oxford. 2005.

[17] Ibid page 16

become more acute….Settler-Australians not working in the resources sector and Aboriginal people in the mining provinces are at the mercy of economic and policy forces that lower their everyday living conditions, and limit their life chances and opportunities. This has the mark of the 'resource curse,' an economic condition that blights many mineral-dependent nations."[18]

The aggressive neo-liberal land grab is dividing whole communities and even brothers. In the Kimberley and Pilbara in Western Australia, across the Northern Territory, on Cape York and in parts of NSW and South Australia, it is disturbing to see the divide and conquer tactics of mining companies and governments. Aboriginal Lands Councils and even extended family groups engage in costly court battles, arguing bitterly over whether to take the short-term payoff from mining or try to preserve the land and the natural systems that support all life on Earth. Some Aboriginal elders question whether these choices will ever be compatible but others believe that Traditional Owners and communities must strike the best possible bargain. Geoff Scott[19] of the NSW Aboriginal Lands Council advocates active involvement of Aboriginal people in exploring for petroleum on their lands. Lawyer Wayne Bergmann of the Kimberley Land Council made the same argument that Aboriginal communities must unify to reach long term agreements that transform their poverty[20].

While the giant machines scrape the red dirt country for bauxite and the foreign ships line up for iron ore, coal and uranium, so far there is little evidence that mining has eased the disadvantage of Australia's half a million Aboriginal and Torres Strait islander people. The usual pattern in remote Australia is that local housing and food prices go up and only the fly-in and fly-out workforce can afford the steeper cost of living. In a nation where citizens do not own the sub-soil rights to minerals, Indigenous people are forever denied the genuine control and full value of the most of their lands. In neo-liberal eyes, to grant Aboriginal people such a right would be "exceptionalism", the concept much targeted by John Howard. However, those who believe in the sustainability of Aboriginal communal land ownership, including Professor Jon Altmann of the ANU's Centre for Aboriginal Policy Research Centre, contend that a genuine transfer of wealth through full mineral rights would be one of the few daring moves that could 'close the gaps' and end Indigenous disadvantage[21]. This is clearly not the case under the neo-liberal agenda.

It became apparent that with the arrival of various kinds of millennial madness neo-liberalism's distinctive view of growth and modernisation infected Australia's hard-line Cultural War warriors. We frequently heard the demand

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[18] Langton, Marcia. *The Resource Curse.* Griffith Review. Edition 28. Griffith University. Queensland. May 2010.

[19] Scott, Geoff. CEO of NSW Aboriginal Lands Council issues statement advocating petroleum exploration licenses on Aboriginal lands. 9 March 2012.

[20] Bergmann, Wayne, Quoted by Jeff McMullen in Address to World Indigenous Business Forum, New York, October 4th 2011. Linked article, *The Promised Land,* column by Jeff McMullen in *The Tracker Magazine,*

[21] Altman, Jon and Martin, David, Editors, *Power, Culture, Economy, Indigenous Australians and Mining, Published by CAEPR. Australian National University. 1993.*

that Indigenous Culture be "modernised" from Roger Sandall, Ron Brunton, Keith Windschuttle, Gary Johns, and Helen Hughes. This view was best expressed, however, by anthropologist, Peter Sutton, who appeared to be frustrated (like Noel Pearson) by the long period of Aboriginal policy failure and lack of development. Sutton concluded in a landmark essay and later his prize winning book, *The Politics of Suffering,* that Indigenous Cultures must be "renovated"[22]. The attacks on Aboriginal traditional practice are founded on a narrow and worrying conception of 'modernisation' because very clearly, Sutton's decades of anthropological work as well as far more reasonable insights from Djinyini Gondarra and Richard Trudgeon in *Why Warriors Lie Down and Die,*[23]indicate how the 'modern' invasion of the Aboriginal way of life also brought devastating illness, racism, alcohol and drug abuse, social disruption on the edge of mining communities, the undermining of traditional respect for authority, and a profound sense of pain and confusion. Yet in the relentless portrayal of Top End Australia as a 'failed state', neo-liberals focus their attack on Aboriginal Culture, insisting that the animist attachment to land and communal living is anachronistic. Remote communities are written off as cultural relics, museum pieces and ghettoes of poverty and pointlessness. Neo-liberalism creates a self-fulfilling prophecy of hopelessness, a wave of dispossession that crushes the spirits of Aboriginal people and leaves them more vulnerable to exploitation of their lands.

Privatisation of Aboriginal Lands

Reflecting David Harvey's first tenet of neo-liberalism, 'privatisation' of Aboriginal lands is the neo-liberal spearhead hurled deep into the heart of the traditional Aboriginal way of life. For more than a decade the Howard Government waged war on Aboriginal Self-Determination and Land Rights with a vigorous effort to extinguish Native Title, the humiliating dismantling of the Aboriginal and Torres Strait Islander Commission (ATSIC) and a foray against the Aboriginal Land Rights Act (1976). Even in the Labor Party, some like Dr Gary Johns and Aboriginal businessman, Warren Mundine, then National Vice President of the ALP, jeered at the old 'Nugget Coombs' model of communal Aboriginal society and cheered for private land ownership, arguing that "communal land holding was retarding Aboriginal people."[24] As neo-liberalism began to influence Howard's inner circle of advisers, the bureaucracy in Canberra and some prominent Aboriginal political operators, by far the most influential poison pen was wielded by Professor Helen Hughes.

In the first wave of Australian neo-liberalism in the opening decade of the 21st Century, Hughes, a Senior Fellow at the right-wing Centre for Independent Studies, launched her grossly distorted view of the policy of self-determination shaped by the economist and former Reserve Bank head, Nugget Coombs. She decried the "experiment that was to give Aborigines and Torres Strait Islanders a

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[22] Sutton, Peter. *The Politics of Suffering. Indigenous Australia and the End of the Liberal Consensus.* Published by Melbourne University Press, July 2009.

[23] Trudgeon, Richard. *Why Warriors Lie Down and Die,* published by Aboriginal Resources and Development Services Inc. Darwin. 2000.

[24] Mundine, Warren. Quoted in *A Way Forward on Aboriginal Welfare,* The Australian, (11-12 December 2004)

socialist utopia, leading to the establishment of a separate nation."[25] As Robert Manne has noted, "Coombs was not the kind of Rousseauian, 'noble savage' dreamer that his ideological enemies on the Right invariably suggest."[26] Coombs advocated autonomy for remote Aboriginal homelands based on traditional Cultural divisions, the kind of Indigenous control that I have witnessed bring rapid improvement to the wellbeing of many First Nations societies in the United States and on the Saami lands of Norway, Finland and Sweden. The three decades of research by Steven Cornell and Joe Kalt of the Harvard Project on American Indian Economic Development[27] underscores that genuine sovereign control is the key to progress. Like most of the neo-liberal academics in Australia, Hughes ignored this global evidence and instead identified as the first and urgent priority the introduction of an Aboriginal land ownership framework with individual property rights. She proposed 99-year leases of remote communities to allow government to facilitate a switch to private home ownership[28]. Not only was Hughes constructing David Harvey's first pillar of neo-liberalism, she was creating for the Howard Government the intellectual antecedents to 'justify' the shock and awe of the federal government's dramatic and unprecedented Intervention into 73 remote communities in the Northern Territory. "As children grow into adults (and sometimes even earlier) substance abuse – petrol sniffing, drinking, and smoking tobacco and cannabis – becomes prevalent, following the anomie of lives without schooling that engages children's interest, without interaction with the wider world and without an outlook for employment and income. Child abuse is evident in the high incidence of sexually transmitted diseases."[29]

Neo-Liberalism & Intervention

We should never forget David Harvey's dictum that "management or manipulation of crises" allows neo-liberals to establish their real agendas. The Howard Government and the Labor Opposition rushed with obscene haste to pass the Northern Territory Emergency Response Act (2007) because of a manufactured crisis over child sexual abuse. The radicalism of the Intervention was concealed by the government's media manipulation of the scandalising, shaming issue of sexual abuse. Canadian best-selling author Naomi Klein's book, *The Shock Doctrine: The Rise of Disaster Capitalism,*[30] analyses how neo-liberal governments exploit shock therapy in a brazen campaign "of erasing and remaking the world"[31]. Like Harvey, Klein examines natural disasters such as Hurricane Katrina in 2005 and shock interventions such as the War in Iraq based

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[25] Hughes, Helen and Warin, Jenness, *A New Deal for Aborigines and Torres Strait Islanders in Remote Communities,* page 2, Issue Analysis Number 54, The Centre for Independent Studies, March 2005.

[26] Manne, Robert. *Pearson's Gamble, Stanner's Dream.*page 35. The Monthly. August 2007.

[27] Cornell, Steven and Kalt, Joseph, eds, *What Can Tribes Do? Strategies and Institutions in American Indian Economic Development?* American Indian Studies Center, UCLA, Los Angeles. 1992.

[28] Hughes, page 1 and page 4.

[29] Ibid pp 11-12.

[30] Klein, Naomi. *The Shock Doctrine: The Rise of Disaster Capitalism,* published by Penguin Books, London 2008.

[31] Ibid page 3

on the Big Lie of weapons of mass destruction, to show neo-liberalism in action, manipulating crises to create a new pathway for profit.

In late June 2007, just weeks after the Australian Army and federal police began pouring into the remote communities, I gave a series of public speeches to focus on the real emergency in the heartland of the country in contrast to the manufactured crisis over child sexual abuse.

> The *Children of the Sunrise* are indeed in danger…..We have had an emergency in the heartland of this country for over twenty years. *Syndrome X* the doctors call it. This cluster of chronic illnesses, diabetes, renal disease, strokes, hypertension, cancer and heart disease, has reduced the life expectancy of Aboriginal people to seventeen years less than the rest of us. In the remote communities I have worked closely with over many years I rarely meet an Aboriginal man close to my age. Most of the people I knew there twenty years ago are gone. They are dying of totally preventable and treatable illnesses, because the life to which they have been sentenced at birth is barely a life at all. This is our *Great Australian Emergency*…..We have turned away from the *Children of the First Sunrise*. Numerous government inquiries, Royal Commissions, State, Territory and Commonwealth agreements, anguished cries from Magistrates, angry authors, endless investigations, PhD studies and shocking media reports have told us for decades that many of this nation's children go hungry, wandering away from school to look for a scrap of damper or junk food to fill their rumbling bellies, stumbling around with addled brains from petrol sniffing and dope smoking, losing sense of what is healthy and even normal because of this traumatized state, a cross-generational trauma that confuses everything, scrambles all judgement and sees morality surrender, despite the anguish of mothers and fathers who clutch at their children and try to protect them. Too many people, white and black, think it is hopeless. Too many have given up caring. A contagion of sadness and depression sees lives sinking like that big red ball on the horizon…..It was this tragic collapse, long ignored despite the pain of the very youngest and the old, that set the stage for the Howard Government's dramatic seizure of the remote communities and a vast tract of the Northern Territory.[32]

The ex-Army Captain, Mal Brough, Minister for Indigenous Affairs in the Howard Government, clearly shocked the nation by declaring that there were paedophiles in every one of the seized Aboriginal communities.[33] Brough and Howard can be heard building the Australian Government's extraordinary *Big Lie* in the rapid-cut sequences of the anti-Intervention documentary, *Our*

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[32] McMullen, Jeff. *The Children of the Sunrise.* Speech at Australian Catholic University, Sydney, 25th June 2007.

[33] Brough, Malcolm. Speaking in *Our Generation,* 2010 documentary voicing Aboriginal demands for their right to land and Culture, directed by Sinem Sabam and Damien Curtis, Co-Producers Djiniyini Gondarra and Jeff McMullen.
See <www.ourgeneration.org.au>

Generation.[34] "Children, children, children"…the words are repeated over and over again but hardly anyone remembers today that after an exhaustive investigation the Australian Crimes Commission[35] reported that there were no paedophile rings as alleged by Brough. It didn't matter, because as Harvey and Klein argue, the shock tactics had established a clear 'reality' in the eyes of the public and the neo-liberals had moved ahead on their real agenda.

While the academic Helen Hughes has been aptly described by Noel Pearson as "that most relentless of field-marshals", Mal Brough's role for the neo-liberals, captured in the film, *Our Generation,* was little more than a clumsy corporal barking orders at Aboriginal communities in a military style campaign replete with jargon about an emergency phase proceeding to normalisation. Unquestionably the neo-liberal's little general in this disastrous season of dispossession was the Napoleonic figure of Noel Pearson. His role was to contribute to tragic divisions in the Northern Territory resistance to the Intervention and enormous moral confusion among white Australians about the Government's motives. The Intervention's further extraordinary damage to the Aboriginal sense of control and wellbeing makes it the gravest policy disaster since the removal of Aboriginal children in the Stolen Generations.

In his first book, a collection of neo-liberal essays entitled *Up From the Mission : Selected Writings*[36], we get a picture of a 'Labor outsider' deeply depressed by the Aboriginal lack of progress. Pearson's grandly ambitious view of his leadership strengths, as well as his frustrations and contradictions, drove him towards his own version of Klein's 'shock doctrine'. In 2007 Pearson wrote a lengthy letter to the Prime Minister making the case that Howard could win the election late that year by making a bold and uncharacteristic offer to give Constitutional recognition to Aboriginal people in a new preamble to the Constitution. What many Aboriginal people would never forgive him for was Pearson's explicit (although qualified) support for the Northern Territory Intervention because his sway over social conservatives gave enormous authority and momentum to the seizure of 73 remote communities far removed from his traditional sphere of influence.

A skilful polemicist, political power-broker and big businessman, Noel Pearson, captured more attention than any other contemporary Aboriginal Australian during the decade long ascendance of neo-liberalism in Indigenous policy. The founder of the Cape York Institute was heavily promoted for many years by *The Australian* and ABC television programs like *Australian Story.* Pearson's prolific essay writing made him seem like a human printing press, taking obvious delight in manufacturing ideas and slogans such as "radical hope", "ending welfare dependency", "rights and responsibilities" and the intriguing political concept of "the radical centre". While this performance from the bully pulpit often dazzled many white Australians, Pearson antagonised a great number of highly respected

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[34] ibid
[35] Lawler, John, Commissioner of Australian Crimes Commission, quoted in The Age, July 5th 2009.
[36] Pearson, Noel. *Up From the Mission : Selected Writings,* published by Black Inc, Collingwood, Victoria, 2009.

Aboriginal leaders and has never captured the support of a majority of his own people.

One of Australia's strongest Aboriginal statesmen, Patrick Dodson, challenged Pearson's neo-liberal forays telling a Yolngu audience in 2008 that Pearson was part of an ideological group including Marcia Langton and Warren Mundine that "don't recognise you, they don't recognise your culture."[37]

The Yolngu leader, Reverend Dr. Djiniyini Gondarra, who travelled to Geneva and London to appeal to international human rights authorities to overturn the Northern Territory Intervention, issued repeated pleas to Government and fellow Australians, warnings pointedly aimed at Noel Pearson. "Don't listen to these leaders who want to divide and conquer us. You appointed these people as Aboriginal spokesmen, not us. He is not our man, he is your man."[38]

In August, 2007, soon after the launch of the Northern Territory Intervention, *The Monthly* magazine had a cover story with a picture of a confronting, angry man in full rhetorical stride with the headline, *IS PEARSON RIGHT?* It was that well versed analyst of neo-liberalism, Professor Robert Manne, who offered this cogent summation of Pearson's radical political plan to 'remake the world' of Indigenous people:

> Pearson's plan is not merely an audacious (and very expensive) neo-liberal blueprint for the revival of Aboriginal community and the adaptation of Aboriginal identity to conditions of modernity. It is based on the paradoxical belief that the sticks and carrots of a transformative, interventionist policy of social-engineering, can create the character of the responsible, acquisitive individual on which the philosophy of neo-liberalism is premised. This is Pearson's gamble.[39]

For all of his eloquence and intellect, there have been wild swings in Noel Pearson's political judgement. During his frustrating battles with conservatives over Native Title he branded them "racist scum" [40] and yet today he is allied to them and clings to the hope that Tony Abbott will deliver Constitutional recognition and real improvement for Indigenous Australians. When conservative governments were elected in 2012 in both Queensland and the Northern Territory, Pearson still found himself falling into early policy disputes with them, indicating that the 'radical centre' is a distant mirage. The aggression of his political forays has been matched by their disastrous impact.

Pearson's confident but mistaken prediction in 2007 that John Howard could triumph and that the conservatives would bring lasting change to Aboriginal

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[37] Dodson, Patrick, Quoted from Community meeting on Elcho Island, NT, reported by Natasha Robinson in *The Australian* December 12 2008.
[38] Gondarra, Djiniyini. Interview with Jeff McMullen, Darwin 2009. Associated remarks in the documentary, *Our Generation (2010).*
[39] Manne, Robert. *Pearson's Gamble, Stanner's Dream.* Page 40. In The Monthly magazine, August 2007.
[40] Pearson, Noel. Quoted in Manne, page 38.

society helped persuade another prominent Aboriginal leader, Galarrwuy Yunupingu from Northeast Arnhem Land, to dramatically reverse his original condemnation of the NT Intervention. Just weeks before the federal election of November 2007, Yunupingu switched support to Howard and the Intervention. This stunning political power-play, orchestrated by Pearson and Marcia Langton, also a supporter of the NT Intervention,[41]allowed me to witness how desperate the neo-liberals had become for a shock intervention into the Aboriginal way of life. My conversation with Yunupingu in Melbourne that night was telling.

> I asked Yunupingu in front of several others that night why he was willing to surrender to the terms of the Intervention. He said Pearson had told him that Howard was going to win the election. A respected Aboriginal scholar, now deceased, asked, 'Jeff, you don't think John Howard is going to win this election?' I replied that I was certain the Howard Government was doomed and that it had been one of the most damaging to the rights and progress of Indigenous people. About two years into the Intervention, Yunupingu changed his mind and again condemned it. He said he was reluctantly persuaded to support the 'rough edges of the Intervention', as he put it, that he had been misled, that it was forced on Aboriginal communities, that it went over the head of the most senior leaders, that it had brought '…no change on the ground, just control of people's lives that is driving us crazy.'[42]

The *Northern Territory Emergency Response Act* (2007) and the *Stronger Futures* legislation (2012) extending the major provisions of the Intervention for another ten years have proven, as Aboriginal advocate, Pat Turner, warned "the Trojan Horse"[43] to control Aboriginal remote communities, a process which ultimately facilitates the exploitation of minerals on these lands. Clearly the Intervention fulfils David Harvey's other key tenets of neo-liberalism. The Government is facilitating the redistribution of mineral wealth as well as directing the major development contracts not to Aboriginal communities but to those tycoons heading mining companies and construction alliances. Most of the initial $3billion of taxpayer's money invested in the Intervention will be absorbed in this fashion with little improvement in Aboriginal life after the first five years of the manufactured 'emergency'. Above all, the new land grab driven by neo-liberalism denies Aboriginal communities the right to shape their own destiny and concentrates extraordinary decision-making power in Canberra to shape the free-market exploitation and development.

The shadow of the great white protector, Auber Octavius Neville, once more falls across Aboriginal Australians. A century ago Chief Protector Neville insisted that

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[41] Langton, Marcia. In a discussion chaired by Anglican Archbishop Philip Freier of Melbourne Langton debates the Intervention with former NT Chief Minister, Clare Martin. Melbourne 2008.
[42] Yunupingu, Galarrwuy, Conversation at Melbourne Law School, November 2007, quoted by Jeff McMullen in *The Search for Common Ground,* Journal of Indigenous Policy, Issue 13, University of Technlogy, Sydney.
[43] Turner, Pat' and Watson, Nicole,*The Trojan Horse,* in Jon Altman and Melinda Hinkson (Eds), Coercive Reconciliation: Stabilise, Normalise, Exit Aboriginal Australia, Arena Publications, Melbourne, 2007.

Aboriginal people "have to be protected against themselves whether they like it or not."[44] This is the logic that gave us the Stolen Generations and it is the neo-liberal rationale today for why Aboriginal parents can be judged enmasse as being incapable of caring for their children (the false pretence for the Northern Territory Intervention) and why Aboriginal parents can be punished by losing welfare payments if a child repeatedly misses school.

"Should we call Jenny… 'Protector Macklin'? I think perhaps she fits that role at the moment all too well and it's a tragedy."[45] The former Liberal Prime Minister, Malcolm Fraser, with this sharp criticism of the current Labor Minister for Indigenous Affairs, Jenny Macklin, underscored how neo-liberalism has infected both major political parties in Australia today. It is one of the cutting ironies of contemporary Australian politics that both major parties reached rare bi-partisan agreement to remove Aboriginal people in the 73 prescribed communities from the protection of the Racial Discrimination Act (RDA). This was condemned by United Nations Human Rights authorities but brought no real change of heart in the Government's neo-liberal approach. When I complained to the Government that it was feigning re-instatement of the RDA but clearly persisting with discriminatory policies then only aimed at Aboriginal people the Minister reacted with great indignation. On 21 March 2011, I replied with an open letter to 'Protector' Macklin.

An Open Letter to the Australian Government

"Dear Minister,

The Australian Government has finally admitted that the Northern Territory Emergency Response (the Intervention) was a "major shock' and a "serious affront' causing 'anger, fear and distrust' in Aboriginal communities. The government and the Opposition leader Tony Abbott also now admit that there was 'no prior consultation' with Aboriginal people. Mr Abbott adds that 'One of the problems with the Intervention was its 'top-down' nature.

…..Your words to me are strikingly different to those you used when the Howard Government made the first dramatic alterations to the Land Rights Act. You will recall that we both attended the National reconciliation Planning Workshop in Canberra in May 2005, when Prime Minister John Howard declared that Aboriginal land tenure had to be changed. A year later, as traditional owners and communities lost direct control over development and township land, you said in Parliament:

"The Aboriginal Land Rights Act of 1976 was the first and strongest legal

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[44] Neville, A.O. Testimony before the Moseley Royal Commission. Quoted in Zalums, E (Elmar) and Stafford. H. (1980) *A bibliography of Western Australian Royal Commissions, select committees of parliament and boards of inquiry, 1870-1979* Blackwood, S. Aust. E. Zalums & H. Stafford ISBN 0-9594506-0-2

[45] Fraser, Malcolm. Former Prime Minister of Australia speaking at a meeting of concerned Australians in Melbourne, March 2012. Quoted also by Jeff McMullen in *Protector Macklin's Intervention,* Arena Magazine, Melbourne April 2012.

> recognition of the profound connection Indigenous people have to their country. It recognized the communal nature of land ownership in Aboriginal law and culture through a form of freehold title. The Act, back in 1976, represented the most significant set of rights won by Aboriginal people after two centuries of European settlement."

Since you became a minister in the Australian Government, however, we have seen further changes to the Land Rights Act…Furthermore, you are extending this challenge to Indigenous people's control over their lands by expanding a policy aimed at ending or changing communal ownership of Aboriginal land.

You bluntly assert that 'economic development on Indigenous lands has traditionally been hampered by the communal ownership of land'. This is an ideological view, easily contested by a wider knowledge of Indigenous history both here and around the world. I would refer you to the work of the Harvard Project on American Indian Economic development (2008) and research by Nobel laureate economist Elinor Ostrom, who has shattered the myth of the 'tragedy of the common' while producing evidence that, for Indigenous people, communal land ownership is so often a key ingredient of successful development."[46]

Conclusion

Sadly, neither this letter nor more than 400 public submissions to the Senate's Inquiry on the *Stronger Futures* extension of the Intervention measures have ended the neo-liberal denialism that prevails in Canberra. There is no real Government interest in listening to the voices of Aboriginal leaders such as Djiniyini Gondarra of Elcho island and Rosalie Kunoth-Monks of Utopia who believe that only a defence of Aboriginal sovereignty and self-determination can ensure the survival of traditional Indigenous culture on the homelands. Both major political parties deny the global evidence that Indigenous development is best advantaged by self-management. The Government denies that it continues to discriminate against Aboriginal people, even as the UN Human Rights Commissioner, Dr Navi Pillay, condemns the ongoing injustice of draconian controls on Aboriginal life in the prescribed communities in the Northern Territory. The Government's own national assessment and NT Government reports show that the welfare of Aboriginal children has suffered over the first five years of the Intervention, but with Orwellian double-speak Prime Minister Julia Gillard still boasts of a 'stronger future' for Aboriginal people.

At a large gathering of Aboriginal leaders at Maningrida in 2012. Djiniyini Gondarra cried out in anguish . "This legislation is killing us", he said. "We are losing 9 or 10 people every week. People can't live. They have lost their will and all hope".[47]

For Aboriginal Australians, this is the legacy of neo-liberalism.

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[46] McMullen, Jeff. *Correspondence on the Intervention.* An exchange of letters between Minister for Families, Housing, Community Services and Indigenous Affairs, Jenny Macklin MP and Jeff McMullen, published in *Arena Magazine* No 111, pp 31-35, April 2011.

[47] Gondarra, Djiniyini. Speech at Maningrida Senate Hearings. Reported by Jeff McMullen in *The New Land Grab,* The Tracker Magazine. March 2012.

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