**How Bob Hawke Killed Land Rights**

A major theme in all the talks, lectures and raves that I do these days relates to what I believe to have been the greatest sell-out of Aboriginal peoples in my lifetime. I speak of the period between 1983 and 1996 when the Hawke-Keating Labor Government killed off the movement for land rights. In one of the greatest acts of political bastardry in Australian history, Bob Hawke in 1984 personally removed land rights from the national political agenda. More galling was the fact that Hawke had done this at the behest of the most corrupt politician in recent Australian history. I refer to Mr. Brian Burke, Former ALP National President and Premier of WA, and best friend of the Western Australian mining and pastoral industries. Burke was also close mates with a host of dodgy Perth 1980s property developers, but more of that later.

The Hawke sell-out is an important aspect of Australian history that continues to be almost completely ignored in the rush these days by Australian politicians and media to find ways to blame Aboriginal people for their own dispossession and marginalisation, rather than conceding that Aboriginal problems are directly attributable to 200 years of political neglect and inertia. It is therefore timely in this current context to re-examine the Hawke-Keating era so that we might better understand how white-inspired notions such as ‘native-title’ and ‘reconciliation’ suddenly in 1984 replaced Aboriginal demands for ‘land rights’ and ‘economic independence’ as the goals of the Labor government. We might also benefit from a greater appreciation of just how thoroughly we got ‘done over’ by the Hawke-Keating Government. It is only when we understand how Hawke killed land rights and Keating gave us the completely watered-down and hopeless *Native Title Act* that we can better understand how recent history evolved into the current situation. So let us take a journey of reflection through the Hawke-Keating era and refresh our memories.

At the time the ‘dodgy bodgie’ Bob Hawke became Prime Minster in March 1983, the Aboriginal Land Rights Movement was the most united and politically effective it had ever been. The new Prime Minister would have been strongly aware of the political gains the movement had made since its heyday of the 1972 Aboriginal Embassy. Since then a variety of Aboriginal political organisations across Australia had maintained the political pressure about land rights on the Whitlam and then Fraser Governments. Even the Federal government’s own elected Aboriginal Advisory Body, the National Aboriginal Conference (NAC), had proved more politically unwieldy than the Fraser Government had expected, and the Aboriginal Movement was gaining increasing attention and support from overseas groups and UN Agencies.

Bob Hawke would have been acutely aware that just months before he was elected Aboriginal activists had successfully disrupted the 1982 Commonwealth Games in Brisbane by drawing international media attention to their cause. Thus in the early days of his Prime Ministership he wanted to make sure he was clearly seen to be on the side of the Aboriginal people. Having been head of the ACTU during the Whitlam Government, Hawke had seen how Whitlam’s failure to implement promised land rights legislation had led to the re-erection of the Aboriginal Embassy and a disastrous deterioration of relations between the Whitlam Government and Aboriginal peoples. Hawke was aware that Whitlam’s failure to implement national land rights legislation had been because of strong resistance from recalcitrant and racist State Governments in QLD, Tasmania and Western Australia.

Hawke appeared determined not to make the same mistake as Whitlam and declared in his first days as Prime Minister that he would ‘deliver national, uniform, land rights legislation’, and that if any State government tried to resist, then the Hawke Government would ‘over-ride’ State legislation with Commonwealth legislation under constitutional powers deriving from the 1967 Referendum. This was strong stuff and Aboriginal political activists were initially impressed. But it didn’t take long before Hawke began to make mistakes. His first big mistake was to appoint an old, clapped out ALP has-been hack from Victoria as Minister for Aboriginal Affairs.

Clyde Holding was an unfortunate choice for Minister because of a variety of reasons. He had just spent ten years as Leader of the Opposition in Victoria during which he lost three consecutive State elections and was thus considered an inept ‘has-been’ and ‘never-was’. But in the ALP such non-entities are not pensioned off, but rather they are given a safe spot on the ALP Senate ticket and duly elected to Federal Parliament. As a former ALP State Leader and ‘numbers man’, Holding was a close political ally of Hawke and therefore in the style of the ALP Holding was ‘owed’. Hawke was obliged to offer Holding a Minister’s position, but because Holding had such a poor political track record in Victoria, Hawke was not going to offer him a senior Cabinet position but rather Holding would get the job that no-one else in the ALP wanted; the job as Minister for Aboriginal Affairs.

At the time Holding was perceived in the mainstream media as ‘pro-Aboriginal land rights’, which was an image of himself that Holding liked to project. But his abrupt and arrogant nature would soon alienate many Aboriginal leaders as they got to know him better. However, the first twelve months of the Hawke Government were a honeymoon period in terms of Aboriginal rights issues. The signs were good. It is important to remember the precise details of the Hawke Government’s promises so that you know how close the Aboriginal land rights Movement came to achieving its main goal.

Minister Holding in 1983 had stated that the Government's five land rights principles were:

1. Inalienable freehold title for Aboriginal land;
2. Full legal protection of sacred sites;
3. Aboriginal control over mining on Aboriginal land;
4. Access to mining royalty equivalents;
5. Compensation for lost land.

This is a remarkable set of principles and they reveal just how puny and pathetic the later *Native Title Act* would prove to be.

Nevertheless, on the 1st March 1984 Holding presented to Cabinet Submission No. 619 which was titled ‘Aboriginal land rights – National legislation’ and which sought Cabinet approval of ‘action to give effect to...see that land rights and the protection of cultural sites and objects are achieved for Aboriginal and Torres Strait Island people.’ Cabinet gave its ‘approval in principle’ for the drafting of the legislation.

All was looking good up to this point. Then the backlash began.

First out of the starting gate were the vested interests of the mining industry led by the boss of Western Mining Corporation, Hugh Morgan, who flamboyantly described land rights as ‘anti-Christian and a return to paganism’. In Western Australia the mining industry and the pastoral industry, strongly supported by WA Labor Premier Brian Burke mounted a major scare campaign against land rights. Premier Burke would become the key player in the subsequent demolition of land rights, so we should reflect for a moment and recall just what sort of character Mr. Burke was at that time.

In 1984 Brian Burke was not only Premier of WA but he was also the National President of the Australian Labor Party, a position he had been elevated to because of his remarkable ability as a fund-raiser for the coffers of the ALP. It would later transpire that his fund-raising abilities were largely due to his close and corrupt relationships with a variety of dodgy Perth property developers including Laurie Connell and Alan Bond. Controversy clouded Burke’s term as Premier, but when he resigned in 1988 his federal Labor colleagues had no problem appointing him as Australian Ambassador to Ireland and the Vatican.

But it all began to unravel for Burke when the *WA Inc* royal commission was established in 1991, which led to Burke being charged with various offences for which he was sentenced to two years' imprisonment. He served seven months in jail in 1994 for travel expense rorts before being released on parole. In March 1997 he was sentenced to three years' jail for stealing $122,585 in campaign donations. He served six months before the convictions were quashed on appeal. He was later stripped of his honour as a Companion of the Order of Australia. Thus it could be said that Burke proved to be one of the most corrupt Australian politicians of the 1980s.

After the Hawke government had announced its five land rights principles and the furious campaigning by the mining and pastoral lobbies began in earnest, Premier Burke began to put the squeeze on Prime Minister Hawke. Acting in effect as a surreptitious agent for rich and powerful mining and pastoral interests, Burke asserted to Hawke that the ALP stood to lose numerous seats in WA over the issue. Meanwhile, Aboriginal groups nationally called on the Hawke Government to initiate a public awareness campaign about land rights to dispel the prejudices and misconceptions being exploited by the anti-land rights lobby, but the call went unheeded.

Then in February 1985 The Hawke Government announces a new, revamped Preferred National land rights Model. The model is a 'set of principles' to which the Commonwealth believes all territory, state and Commonwealth legislation should conform. Four of the five 'principles' that the Government outlined in March 1983 have been dumped. The new model:

1. Required no Aboriginal consent for mining on Aboriginal land,
2. Prevented land claims over stock routes, stock reserves and Aboriginal-owned pastoral leases, and
3. Restricted eligibility for excisions.

The National Federation of Land Councils and the National Aboriginal Conference were outraged and walked out of the next land rights Working Party meeting in protest. Despite the watered-down Hawke proposals, the mining industry anti-land rights campaign then shifted into top gear with a multi-million dollar advertising propaganda campaign that any reasonable person might regard as racist. All the while Brian Burke was feverishly lobbying his ALP mates in Canberra against any form of land rights Act.

Then, in March 1986 Prime Minister Hawke flew to Perth for a secret meeting with Brian Burke. Immediately after this furtive meeting the Federal Government abandoned its own national land rights legislation. In the face of a public scare campaign by the mining industry and the withdrawal of support by the Western Australian Labor Party, the Hawke Government retreated from its own commitments, feebly claiming that most states have made 'advances' towards land rights.

This moment represented the end of land rights.

Paul Coe summed it up at the time when he said, “What happened to land rights was that the mining industry was too powerful, the pastoral industry was too powerful and the Commonwealth Government didn’t have the will to stand up to those vested interest group. They decided that the interests of Aboriginal people could be sold down the drain”.

Perhaps equally exasperating in the whole mess was the fact that one of the key players in this political game subsequently was later proven to be one of the most corrupt politicians of the modern era. Nevertheless, Hawke and Burke’s machinations resulted in the removal of land rights as an item on the national political agenda. Aboriginal political activists continued to campaign through the 1980s, culminating in a rally and march through Sydney on the day of the 1988 Bicentennial. This rally was the biggest assembly of Aboriginal people from all over Australia in history. Despite widespread Aboriginal anger at the Hawke government sell-out, the march and rally were peaceful and dignified, much to the relief of the Hawke government.

The politicians were praying for a more acceptable solution to the quandary of Aboriginal land rights; one that would satisfy a significant racist element within the Australian community, and one which would give virtually no concessions to Aboriginal people. A solution that could appease the guilty conscience of white Australians at effectively no real cost to the Government.

Happily for Australia’s politicians, just such a solution would emerge when a deeply-flawed High Court decision in a case called Mabo, would give the Government the perfect opportunity to create and impose a fake form of land rights called the *Native Title Act*. But that is another story.

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