

Submission to the Legislative Council re the Eddystone Point and Rebecca Creek Land Grants; (Aboriginal Lands Amendment Bill no. 27)

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Introduction

I wish to express my appreciation to members of the Legislative Council for allowing me to express my views regarding Aboriginal Land rights. I need to state at the outset that I am a passionate advocate of anti-discrimination, and believe in equal rights for all Australians, irrespective of race, creed or orientation. In a nut-shell my concern is that handing public land back to any minority group will have, and in fact is having, a very negative impact upon reconciliation, since by its very nature all other citizens will be disenfranchised as a result of this action.

My Background

I am a married family man, 75 years of age, with a life long interest in out door pursuits such as bushwalking, diving, sailing and surfing. These pursuits have enabled me to experience first hand the magnificent land and seascapes of Tasmania, and to value them as precious assets.

I am a qualified chemist and metallurgist, having worked in industry and education. For the last forty years I have been a lecturer in tertiary institutions, and for the last eight years have been a casual lecturer at the Australian Maritime College, now part of UTAS. My lecturing duties have exposed me to students from a wide range of ethnic groups, which has greatly enriched my teaching experience.

Reasons for Making this Submission

I firmly believe in equal rights for all citizens. If we are to live in peace and harmony with *all* Tasmanians, and to embrace disparate elements in our society, all its members must be treated equally; that is to say every person should have equal opportunity without bias or favour. I strongly support reconciliation as the only way forward. However I am concerned that handing back land, and the associated on-going attempt at appeasement is having a negative effect, and will ultimately lead to a seriously divided community.

Fact or Myth

As a scientist, I am constantly searching for ever elusive truth, based upon verifiable fact. The scientific method is a proven process for separating fact from fiction or strongly held belief. Unfortunately many of the tenets upon which Aboriginal claims are made are questionable to say the least, but have been accepted as *truth* by many well intentioned citizens. Since the acceptance of these so called *truths* are the basis for government's present policies, I feel that it is important to question their philosophical foundation, and to more carefully investigate their veracity without fear of accusations of racism.

1. History

The history of white settlement and the treatment of the Aborigines as understood by many, presents a grim picture of slaughter, genocide, ethnic cleansing and murder, perpetrated by the white settlers upon the Aboriginal peoples. This very harsh picture has been questioned by the research of Windschuttle, who has found many flaws in the research of Reynolds, Ryan and Pybus. Many of the reported incidents were not witnessed, or not professionally reported, so we can never know exactly what happened. My point is that the *official version* embraced by the Aboriginal community will be the one that best supports their cause. In actual fact the atrocities committed on both sides were probably on a much lesser scale, albeit profoundly regrettable, and as a consequence need to be taken in context.

2. LAND TRANSFER

Giving away land to any group, with even the remotest chance of denied access to the wider public is ethically and morally wrong, and is certainly counter-productive to the noble aim of reconciliation.

3. HISTORICAL PRECEDENT

The argument that because ones ancestors used the land in a certain way, eg burning, hunting, mining etc, is not a valid argument for allowing this practice to continue, particularly if that practice is not environmentally sustainable, and causes harm. The basis of decision making should up-hold the principle of what is best practice for the majority.

4. ABORIGINALITY

One's ethnicity is determined by one's genetic make-up, and is not a matter of choice. It is determined for us by our parents. It is even more bizarre that anyone with less than 50% of the relevant DNA can legitimately *choose* to be "of the lesser" ethnic contribution. Of course people can believe what ever they wish to believe, but these flawed arguments should not be used as the basis for government policy in the form of hand-backs and donations extracted from the public purse.

I have a small proportion of German blood in my ancestry, and have had a lifelong love of German classical music. If I were to claim German citizenship on these assertions, I would be regarded as a complete eccentric, or worse!

5. ORIGINAL HABITATION

The study of migrations of peoples from Africa to all parts of the globe, does not justify a consideration of special merit in awarding status to the first occupants of a particular piece of land. Hunter-gatherers took what they wanted according to their needs, and depending upon the circumstances would have no option but to accept any consequences that arose as a result of their actions. Whether or not a particular group were first or last to settle was essentially a matter of chance, and therefore not deserving of special merit or status, particularly in the context of a hunter-gatherer life style.

European colonisation for better or worse is a fact of history, often involving significant trauma to the original inhabitants. People with a compassionate nature will deeply regret any suffering that followed from colonisation, and most are prepared to publically acknowledge this hurt and say sorry. However the jury is still out with respect to the level of culpability of the present generation with respect to the actions of our ancestors, and to whether compensation is a moral imperative.

Many white Australians could point to discrimination and hurt suffered by their ancestors as a result of governmental and institutional malpractice, e.g. our Tasmanian convict history, but no case is made, nor should be made for retrospective compensation to their descendents. In my opinion the moral imperative of a civilised society is to assist those less fortunate, and those more needy in the community *at the present*

time. With this practice we can show our humanity in a practical way to those deserving of assistance, irrespective of colour or creed.

6. RACIAL PREJUDICE

It is most unfortunate that when any rational comment is made questioning Aboriginal claims, that person or claim is branded as racist. This unnatural state of affairs has literally gagged sensible community debate on this issue, and as a consequence people are frightened to speak out. Political correctness has become a serious impediment to political debate in Australia, and this has worrying consequences for the whole democratic process.

I am certainly not racist in any way, but in the present climate run the risk of being branded as such, since some of my views run counter to that of the TAC.

7. CONTINUOUS LAND OCCUPANCY AND HERITAGE

Since there are no Aboriginal people who have continuously occupied land in Tasmania, there is no justifiable basis for giving land to those claiming Aboriginality. The situation in mainland Australia is clearly different, but this issue is not part of this submission. Where Aboriginal sites of heritage value are present, these should be preserved and respected, and be accessible to all people without question. However this is no argument that the land around such heritage has to be handed to descendants 200 years later. All our lives are enriched by a study of and respect for other cultures, and this should be a two way process.

8. LAND ACCESS

Australians hold precious the right to access public land, for pleasure and recreation, whether it is coastal or hinterland. This democratic right must be up-held, for there is always present those who would, for their own gain lobby for exclusive privilege. One has only to visit USA to experience huge tracts of privately owned coastal land with beach access denied to ordinary citizens, to fully appreciate how lucky we are here in Australia. Sacred institutions such as Christian churches encourage rather than deny access to the general public to their buildings and religious services, and this principle should be fostered to promote an open and enlightened society, across all peoples and all beliefs.

Eddystone Point

I have dived, spearfished and camped at Eddystone Point and the regions adjacent for many years. I and my family appreciate this whole area for its beauty and the pristine nature of its environment. The additional attraction of the granite lighthouse and lighthouse keepers residences further enhance the historic and aesthetic value of this site. I and many others I know and respect are deeply offended by the proposed hand back to the Aboriginal community, with the attendant restrictions to access. It must be said that my objection is one of principle, and is not directed to any specific group. This land and the European heritage buildings upon it belong to no particular group no matter how passionate the claim.

I strongly urge those in government to consider the rights of all Tasmanians as constituting the only valid claim to this land.

The question of Aboriginal management of this site must also be raised. As with Risdon Cove, and Mount Cameron West, the current management is entirely inadequate, with no obvious signs of maintenance and repair work having been carried out.

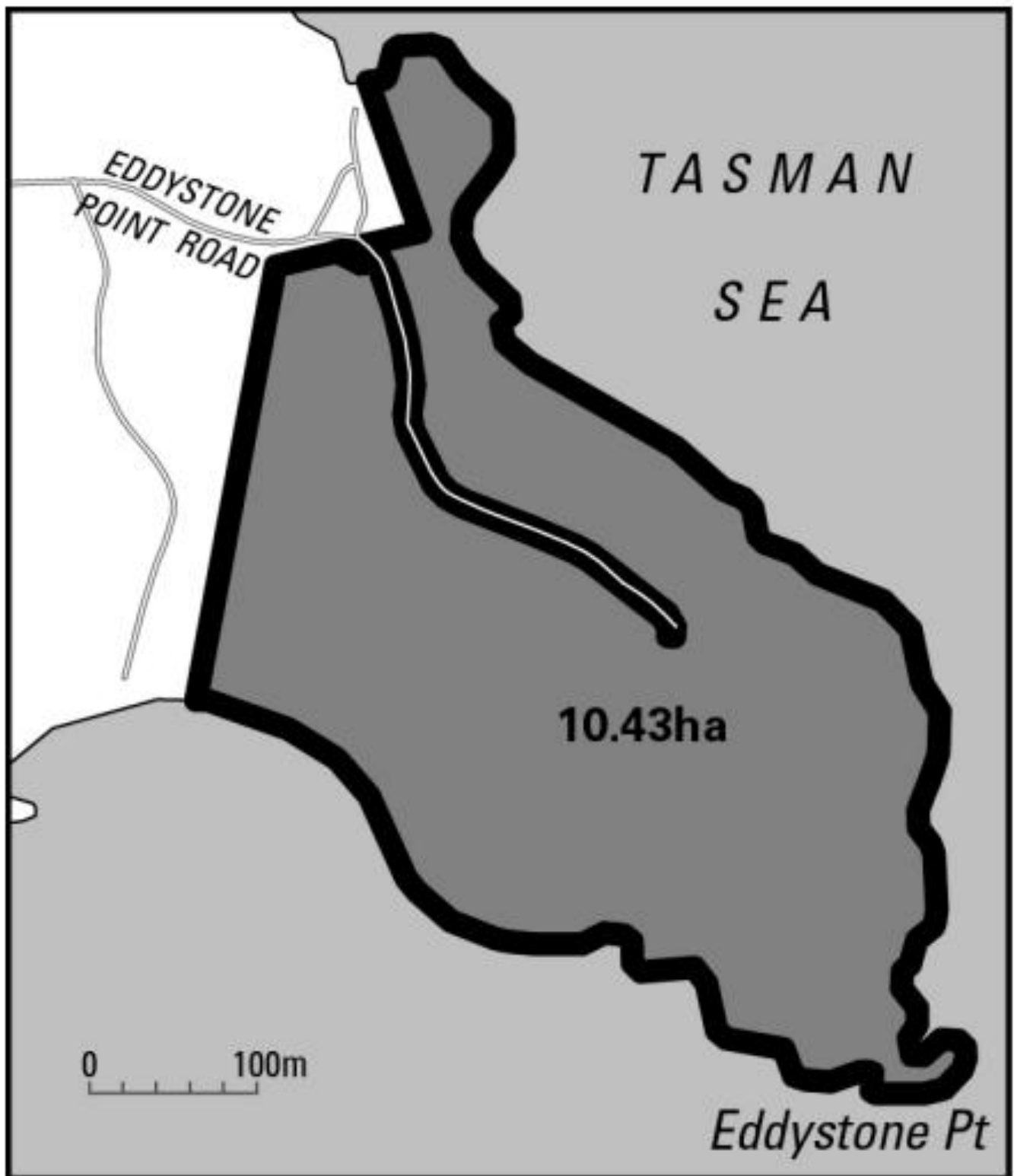
This present unsatisfactory situation should not be allowed to continue with current sites, and should seriously deter government from handing over any new sites.

Conclusion

This submission has attempted to point out some serious flaws in the assumptions under-pinning the arguments used to justify Aboriginal claims. I believe that there are good reasons to question and further debate these issues.

I have also presented a case for seriously questioning the whole concept of handing over land to the Aboriginal community, since this act causes further division in the community at large, and is a real impediment to furthering reconciliation. I am also convinced that there are elements in the Aboriginal community that will continue to keep on demanding more and more, from government, and will never be satisfied. Under this scenario "reconciliation" becomes less and less possible.

Map of *larapuna*



Reference: http://www.dpac.tas.gov.au/_data/assets/pdf_file/0007/164662/Fact_Sheet_-_larapuna.pdf

The 150m wide “pubic access” is illustrated above. The proposal is for the shaded area to be handed to the TALC who, following previous practices, will deny public access to any of their land holding.