

A WARUMUNGU LAND CLAIM
TO UNALIENATED CROWN LAND

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A Central Land Council Submission
on behalf of the claimants

for Aboriginal people which would otherwise not exist, but that it creates a means by which Europeans, lacking an understanding of Aboriginal values, can partially recognise and accommodate those values into the European scheme of things. Warumungu people have been seeking such an outcome for many years.

There can be little doubt that Warumungu people are interested in obtaining European recognition of the full extent of Warumungu country. It may be appropriate to suggest that, in addition to the collection of evidence in relation to areas of unalienated Crown land, the Land Commissioner consider the exercise of the function given to him under Section 50(1)(b) of the Aboriginal Land Rights (NT) Act during the present hearing.

Section 50(1)(b) of that Act lists a function of the Land Commissioner as being:

"to inquire into the likely extent of traditional land claims by Aboriginals to alienated Crown land and to report to the Minister and to the Minister for the Northern Territory, from time to time, the results of his inquiries;"

An inquiry under this section is not an inquiry into traditional ownership as such but is, rather, directed towards the likely extent of traditional land claims to alienated Crown land.

There will be considerable amounts of evidence relevant to such an inquiry generated almost as a by-product of the present land claim hearing. Given that the process of hearing land claim evidence involves great expense, and given the meagre financial

resources of the claimants, making such an inquiry within the context of the land claim hearing would appear to be appropriate.

From the perspective of the present claimants, such areas of alienated Crown land would include, either in whole or in part, the following pastoral properties: Tennant Creek Station; McLaren Creek Station; Singleton Station; Kurundi Station; Epenarra Station; Dalmore Downs Station; Alroy Downs Station; Brunette Downs Station; Rockhampton Downs Station; Brunchilly Station; Phillip Creek Station and Banka Banka Station. There may also prove to be other areas of alienated Crown land as defined in the Aboriginal Land Rights Act that could be included in such an inquiry.

The requirements of the Land Rights Act are such that the onus of proof of traditional ownership is placed on the claimants. It is towards that end that this book is produced. However, there is a larger question which can be asked in regard to the land rights issue, and it is one that Warumungu people are quite capable of framing. They would ask to see the credentials of the Europeans who lay claim to land held by Warumungu people from time immemorial. In the sophisticated Warumungu system, brute force is not an acceptable or convincing reply.

The fact that even the land claim situation is heavily weighted in favour of the European system of values demonstrates the great distance which separates the two major cultures in Australia. Perhaps the additional fact that nearly all Warumungu people have mastered English, but virtually no European people know Warumungu suggests where the lack of effort to close this distance originates. In the interests of