Ten years down the track, Labor’s road has doubled back

Haunted by ghost of Kenbi

A S THE French writer Alphonse Karr said in his 1849 novel Les Guepes, “plus ca change, plus c’est la meme chose.” In English, that reads: “the more things change, the more things stay the same.”

I am reminded of that French proverb because today is the 18th anniversary of the end of the legal road for the Kenbi land claim, the longest running in the history of Aboriginal land rights in the Territory.

So a full decade since Mr Justice Gray, the Aboriginal Land Commissioner, found in favor of the Larrakia claimants to much of Cox Peninsula, and still the traditional owners cannot enjoy their court-awarded land rights. Why? Because bureaucrats in Canberra are stalling around with the paperwork.

When I joined the staff of Paul Everingham, the Territory’s first elected head of Government in 1978, the Kenbi Land Claim was a hot-button issue.

The claim was one of the first lodged under the Commonwealth-imposed Aboriginal Land Rights Act (NT) 1976, as a prelude to self-Government in 1978.

The Act was new, untried and scary. The Kenbi land claim was for a whopping 600 square kilometres directly across the harbor from Darwin.

And the claim was to the low-water mark, which would have put most of Darwin Harbor under inalienable freehold ownership of a very small group of Territorians.

The Evening Government contested the claim, as it was obliged to do under the Act, but it also tried some unorthodox moves, such as extending Darwin’s town boundaries to the Cox Peninsula.

Labor loved it for a couple of reasons. Aboriginal rights were the cause celebre for the Left, right through Australia. And Territory Labor relied heavily on the Aboriginal vote. Still does, in fact. It was a real David and Goliath story, with dispossessed Aborigines using these new Federal laws to fight for land justice against the iron-willed CLP Government in Darwin.

I never expected to be writing my last Sunday Forum column 18 years after the granting of the Kenbi claim, with the ownership deeds still withheld by a Commonwealth Public Servant.

Especially since the self-proclaimed friend of Aboriginal people, the Labor Party, has had a nine-year run in Government in the Territory, and more than three years in Canberra.

This apparent indifference to real Aboriginal rights is another example of Labor Government being everything it is not in opposition.

There are plenty of examples of this political schizophrenia as Sunday Forum has tracked the rise and rise of Labor under Clare Martin, and its decline to minority Government under Paul Henderson.

The Commonwealth-imposed Land Commissioner, found Territory.

That led finally to the Little Children Are Sacred Report, and when she failed to move fast on that, to the Federal intervention and the take-back of half the Territory to Commonwealth control.

Her successor, Paul Henderson, follows the same mould.

Even with mounting evidence of serious, even fatal, deficiencies in the child protection system, the Chief Minister had to be dragged kicking and screaming by Nelson MLA Gerry Wood, to whom this Government cannot say no, to commission a meaningful report which drilled down to the awful truth.

And as for the environment, well, Darwin Harbor is polluted, so is Berry Springs and Howard Springs, but hey! who needs natural swimming holes when Labor is giving you all these free water parks?

But one thing Labor does well is play the man and not the political ball.

Faced with a horrific end to the 2010 Federal Legislative Assembly, Labor decided that by trying to take a CLP candidate with domestic violence issues out of his candidacy the recent Federal election, Opposition Leader Terry Mills had committed a heinous crime.

Struggling to keep a straight face, Attorney General Delia Lawrie tried to paint the telephone conversation between Terry Mills and candidate Leo Abbott as bratty.

It was a classic exercise in the politics of distraction, backed by the full resources of Labor’s spin machine.

And the Henderson Government had every reason to push the nonsensical “bribery” line against Terry Mills to the last taxpayers’ dollar, even after the Australian electoral Commission set up a report which drilled down to the complaint by Ms Lawrie.

Otherwise, Territorians would have got a lot more information about Resources Minister Vatskalis’ truly awful abrogation of Ministerial responsibility for the Montara oil spill, the collapse of the child protection system, and the safety stuff-ups on the new Tiger Brennan drive.

The killer line from Minister Vatskalis was that 1086 barrels of oil a day spewing into the Timor Sea did not really hurt the environment. Terry Mills did not help himself by walking for legal advice for days before defending himself from the spurious “bribery” line, and then not defending himself with vigor. The worst thing is, the ferocity and effectiveness of Labor’s distraction exercise does not indicate that the Government is preparing to get its act together, and do better next time. The more things change.

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