

Fond Illusions: some reflections on Australian dependence, Pacific interventions and indigenous land

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The development of an independent Australian voice and policy seemed promising, and several suggested elements leave us with the fond illusion that one exists. However crippling disabilities stand in the way. Independence might be recognised through the shared and clearly defined institutions of citizenship, mutual support and solidarity. Yet Australian independence has been compromised by imperial dependence and imperial emulation. With little clear idea of the rights and citizenship that must underlie sovereignty, Australian society struggles to understand the rights, citizenship and sovereignty of other peoples. A diverse, shared citizenship struggles to emerge from privileged society, assimilation and xenophobia. And egalitarianism has been dealt sustained blows by 'market' fetishism and the forces of privatisation. These obstacles together make for an incoherent and insecure national identity, a dangerous recipe in times of global conflict.

This paper reflects on these problems of imperial dependence, the lack of a genuine national voice, and a weak notion of citizenship, before attempting an explanation of Australia's recent interventions in the Pacific, and the conflict over indigenous land. Attempts to reshape Pacific nations' constitutions, electoral and land tenure systems can be much better understood, I suggest, through a parallel examination of the problems of Australian national identity and institutions.

Dependence, privilege and 'market fetishism'

An independent Australian voice and policy is compromised by imperial dependence, an incoherent citizenship and neoliberal economism. The first obstacle is imperial dependence. The practice of joining in imperial war as a form of insurance policy (supposedly securing the protection of the big power) dates from older conflicts and runs through Vietnam to Iraq. Pretexts for such wars are thin, and preoccupy Australians more than our neighbours. One important consequence of this is that the educated classes in neighbouring countries do not regard Australian policy as coherent or independent. A former diplomat surveying Asian attitudes to Australians found that:

[Asian] stereotypes about Australians as people are contradictory but ... have a potent internal logic. The favourites are: little-known, distant and irrelevant; white, British and second-rate Western; stooges of the United States and lacking independence ... hypocritical and interfering, with prejudiced and inaccurate media; big, loud, exploitative, materialistic, domineering and condescending; generous, friendly, simple and uncultured; mean, unfriendly and devious; not Asians (Broinowski 2003: 10-11)

Asians can do business with Australians, but are less likely to trust them. And the lesson of the Iraq invasion is that Australia, as a friendly trading partner, can return to bomb Iraqi civilians. A collapse of public debate in Australia, in turn, means that Australians are sheltered from public discussion of their own moral responsibility for these atrocities.

A second consequence is that Australian policy adopts modernist and 'civilising' imperial ideology. Free and open markets are evangelised, in all circumstances, regardless of the various forms of social and cultural systems. This mission has fed a greater Australian

political consensus, in recent years, with the linking of trade liberalisation to the possibility of expanding agricultural exports (DFAT 2003). A third consequence of imperial dependence is that it has spawned imperial emulation, both in aid-based missions to the Asia-Pacific and in the crass statement of pretending to act as the regional "deputy" of the empire, in matters of regional intervention (Brenchley 1999: 22-24).

The second major barrier to the development of an independent Australian policy is our incoherent notion of citizenship. A major obstacle to defining rights, and therefore also citizenship, was the maintenance of the White Australia Policy. In this way, xenophobia acted to undermine the construction of domestic citizenship, and a confident identity. Not having engaged in an independence struggle, and having defended overt racialism for most of the twentieth century, Australia failed, throughout the twentieth century, to develop a clear charter of citizens' rights.

There were short periods (e.g. in the late 1940s) when Australians participated in the international consensus building process of rights. This was not devoid of chauvinism, often being accompanied by a "strident and homogenising nationalism" (Wilton and Bosworth 1984: 188). Aboriginal and migrant communities' campaigns against racial policies - in particular the policy of assimilation - seemed to open up new spaces for discussion of an Australian identity which was diverse and supported the self-determination of communities. However this debate did not reach deep into a discussion of citizenship. As Milner and Quilty (1996: 250) observed in the 1990s:

"Australia's language of citizenship is muted and its vocabulary sparse. If there is often confusion over the implicit character of Australian citizenship, it is because its forms commonly go unremarked."

By the end of the twentieth century Australia remained one of the few countries on earth without a bill of rights. Emerging nations such as South Africa, Thailand and East Timor all developed bills of rights (in 1996, 1997 and 2002), but not Australia. One consequence of this was, in Australia's failed republican referendum of 1999, there was virtually no discussion of citizenship. The public debate focussed on the form of electing (or appointing) a President, leading Martin (1999) to observe that "the illusion that the head of state is really important appears to be deep-seated". Yet, while the current Australian federal constitution draws on monarchical prerogative, all republics and democracies are founded on citizens. How could a country, in the name of a democratic republic, cast off a monarchy and replace it with a President, ignoring citizenship?

Citizenship in Australian law is identified but not defined. It is lumped together with immigration and travel documentation, and administered by the strangely combined 'Department of Immigration and Multicultural and Indigenous Affairs' (DIMIA), largely an agency for the control of 'others'. This Department tells foreigners wanting Australian citizenship, "As an Australian citizen, you will enjoy the same rights as all other Australian citizens". It then lists a right to vote, to apply for public office, to apply for a passport, to enlist in the defence forces and "to register a child as an Australian citizen" (DIMIA 2005). However even 'the right to vote' is not guaranteed by the Australian constitution. This institutional failure has cultural implications. A society not firmly based on equal citizenship must revert to a society of privileges, where there are worthy and unworthy, or first and second class citizens. This, of course, was a prominent feature of Australia's racist past.

Despite the feeble development of Australian citizenship, Australian governments in their current aid-based civilising missions have at their forefront "good governance" as a binding

theme. This suggests democratic institutions, participation, citizenship, education and other elements consistent with democratic ideals. However, influenced by neoliberalism and the limited Australian experience of citizenship, these programs are mostly self-serving and, to the extent that they provide aid at all, favour elites. AID/Watch (2005) notes that the majority of AusAID contracts go to a small group of private-for-profit Australian companies, including \$200 million in contracts to a company controlled by the late Kerry Packer, formerly Australia's richest man.

The third problem for Australia is the supplanting of an egalitarian tendency with a fetish for 'markets' and privatisation. A constrained egalitarian element entered Australia colonial culture through poor and Irish immigrants. This influenced the republican and labour movements, and was in turn reinforced by Aboriginal and post-war migrant struggles. However this trend was halted and reversed by the rising force of corporate neoliberalism, in the 1980s. 'Free market' ideology generated substantial inequality and began to erode labour protection and social security achievements. Heavily subsidised private health insurance, and private superannuation, continue to erode shared institutions.

As 'open markets' historically favour the big powers, Australian administrations have been influenced in their neoliberalism by imperial ideology, then persuaded by the immediate interests of their own financial and ideological/media oligarchies. Both major parties have participated in the dismantling of shared institutions such as social security, banks, and airlines. Many of these moves have been unpopular (e.g.. the privatisation of telecommunications) and strongly resisted (e.g.. attacks on Medicare, the national public health insurance system) but they proceed apace under the pressure of private investor demands. Little wonder, then, that the dismantling of shared institutions in the Pacific (such as customary land) are also high on the agenda of Australian aid missions.

Pacific interventions

To understand the nature of Australian regional interventions we can draw on these understandings of Australia's own imperial dependence and emulation, weak citizenship and 'market' fetishism. Though there have been several forms of intervention, their rationales are now cast in terms of 'good governance' and 'poverty reduction', and all influenced by a modernist, civilising neoliberalism, and conditioned by parochial interests. For example, food security in the region is presented as a function of trade liberalisation.

"broad based trade liberalisation is an important vehicle for economic growth and the alleviation of poverty. It thus makes an important contribution to food security" (DFAT 1996: x).

Australian 'aid' policy is in turn strongly influenced by commercial interests. The Australian Government sees Papua New Guinea (its biggest aid recipient) as a major commercial opportunity. An apparently bipartisan plan for the Pacific is to double Australian private trade, between 2001 and 2006 (see Stortz 2003: 48).

The forms of intervention have included parallel governance, where finance through large aid projects can act as a proxy for government coordination. This was the case, with the restructuring of aid for Papua New Guinea, following Australian disenchantment with a succession of corrupt, Australian-dependent regimes. In this new model, for example, AusAID's cryptically named Incentive Fund - which organised tenders for education and other infrastructure - for a time became PNG's de facto Ministry for Public Works (PNG Incentive Fund 2003). The PNG Education Department had to tender for funds, along with private schools and colleges, the country's oil palm industry and the provincial governments.

This approach was even criticised by a World Bank Director, who saw it as corrosive of 'social capital' (public trust and institution building) in PNG (Rohland 2002).

The World Bank, however, favours more direct administrative intervention, through 'technical assistance' within client states' finance departments. The Australian administration seems to have become persuaded of this view, as it moved into more direct Pacific administration, such as the Regional Assistance Mission to the Solomon Islands (AusAID 2005a) and the now failed Enhanced Cooperation Program for Papua New Guinea (DFAT 2004). Both programs involved more direct finance and police administration.

The shift to an emphasis on 'good governance' in aid missions was in many respects the product of sustained criticism of corrupt aid regimes, such as World Bank programs in Suharto's Indonesia. However, adoption of the (originally social democratic) concept of 'governance' by development banks and aid agencies has served to widen the scope of political intervention. While such bodies still disavow political interference (and 'political activity' is banned by the World Bank's articles of association), AusAID and World Bank agendas of 'good governance' now typically include demands for electoral reform, weakening of constitutional rights and the dismantling of popular shared institutions, such as customary land. For example, AusAID works with private contractors and the Australian Electoral Commission "to develop policy on electoral reform in PNG" (AusAID 2005b). PNG electoral systems are shaped in Australia. Some of the rationale for this has been to address corruption, which is often suggested as residing in indigenous cultural practices (see Blackett 2002), rather than fed by the incursions of international finance and business. For example, strong local community ties ('wantokism') is periodically referred to as a source of corruption, rather than social support and cohesion.

In 2004 Australia's Enhanced Cooperation Program (ECP) aimed to insert 210 Australian police and 64 bureaucrats into Papua New Guinea's government administration. It was said "to help address PNG's development challenges in the areas of law and order, justice, economic management, public sector reform, border control and transport security and safety", and the headline figure of A\$800 million was presented as 'aid' to PNG (DFAT 2004). In practice, most of this money was earmarked for Australian salaries and city rents. Of the A\$800 million, \$339 million was marked for Australian Federal Police salaries and accommodation, along with \$394 million for AFP logistics and operational costs. Only \$55.7 million was budgeted for PNG police assistance (Aid/Watch 2005). Further, two hundred foreign police, who travelled in groups of 3 or 4 and did not speak local languages, were hardly likely to have a significant impact on 'law and order' in a country of 5 million. Most likely they would have been deployed around some major roads, airports, Australian missions and support facilities for Australian mining companies.

When the immunity from prosecution offered to the foreign police was successfully challenged in PNG's courts, the program collapsed. The PNG Supreme Court (with an independence perhaps unexpected of a potential 'failed state'), found that the enabling legislation for the ECP (which had been demanded by Australian government) could not interfere with the independent function of the Public Prosecutor, nor could its 'immunity' provisions prevent PNG citizens from bringing cases against ECP officials, based on breaches of their constitutional rights (Nonggorr 2005). The Australian administration seemed to assume that this court defeat was simple a 'technical' problem, which the PNG government could quickly repair with a constitutional amendment. This was not be. PNG

system's commitment to citizens' rights was more secure than that of the Australian system, and the ECP was transformed into a much smaller program, and with no immunities.

Yet while this abortive police intervention attracted most attention, the most sustained Australian intervention in PNG has been the attempt to dismantle the country's system of customary land rights. This in many ways is a more important intervention, because of the potential consequences for masses of PNG people. Customary title is entrenched in PNG's 1975 constitution, and around 97% of PNG land is held by family groups, in land systems administered by tribal elders. Almost everyone has access to at least some land. This is a fairly unique land tenure pattern in the post-colonial era, and represents possibly the most even distribution of land, and natural resources, in the world (see Narokobi 1988: 8). Customary land in PNG is a popular and fundamental institution, guaranteeing food and social security to almost the entire population.

However AusAID and the World Bank have aggressively argued that customary land is an 'obstacle to development', and have spent many millions of dollars in advancing 'land registration' (or 'land mobilisation') programs, in an attempt to facilitate a process whereby a large amount of customary land is converted into an alienable commodity. To facilitate this agenda, a crisis is often suggested, at the root of which is the supposed failure of Melanesian institutions. Hughes (2004: 4) even claims that the institution of customary land is "the primary reason for deprivation in rural Pacific communities." While the system of customary land and clan ownership has food security benefits, this is said to be "at the cost of agricultural productivity and output." The expansion of marketised land relations is strongly supported by the World Bank (see Deininger 2003) and AusAID.

The imperial voice in these arguments is seen most clearly in groups such as the Centre for Independent Studies, whose board members are mostly directors of Australian banks and mining companies. The CIS produces some of the most virulent attacks on systems of indigenous land in PNG and Australia. These arguments against the social value of customary land reach out into the academic literature:

"Communal ownership of land has not permitted any country to develop ... individual property rights are necessary for individual savings and as collateral for credit that is essential for the development of banking" (Gosarevski, Hughes and Windybank 2004: 137).

Such arguments no doubt encourage Australian aid programs that are firmly focussed on the expansion of commercial opportunity. The attacks on customary title in PNG are mirrored by attacks on Aboriginal land rights in Australia (e.g. by Hughes and Warin 2005), and parallel claims that dismantling community land ownership (to the extent that it exists - mainly in Northern Australia) will somehow enhance Aboriginal 'home ownership'. Indigenous Affairs Minister Amanda Vanstone claims that changes to the Northern Territory Land Rights Act (essentially, introducing greater possible commodification of land) could make the law more "workable", and would provide "greater choice" for Aboriginal people (ABC 2005).

Australian governments of all stripes have been running this argument in the region. Over the past 20 years there have been more than 50 AusAID funded land titling, land registration or land administration projects, across Southeast Asia and the Pacific. Total expenditure on this form of 'aid' has been over \$130 million (Rusanen 2005: 2). All have been designed to facilitate commercialisation and foreign access to resources, under various forms of customary title. In PNG these projects have generally failed, creating conflict and resentment along the way. Both the World Bank and AusAID now prefer to back other agencies (PNG government agencies, law firms, corporate agencies and some cash hungry NGOs) in selling the unpopular land registration argument. So such events as the Land and Development

Symposium in Lae, in September 2005, often see privileged local faces (eg Yala 2005) putting up the foreign arguments.

In face of this, many PNG NGOs have pointed to widespread fraud, particularly by logging companies, under existing lease systems. (Customary land in PNG is inalienable, but can be leased through the state in 'lease-lease-back' arrangements.) Almah Tararia, former senior lawyer at the Port Moresby-based Environmental Law Centre, had carriage of a major fraud case concerning land registration. She says "land registration is land alienation", and that community land is being lost under the current system. In customary societies, low levels of literacy and general commercial acumen make fraud inevitable (Tararia 2005).

Valuing customary land

Beneath the intense debate over land registration, driven by powerful foreign investor interests, is a practical consideration for villagers. How can they participate in the cash economy, as asset-rich, cash poor farmers? This concern is appealed to by the land registration campaigners, but it can be tested by political economic analysis.

AusAID and the bankers suggest firstly the macroeconomic desirability of export oriented resource industries and cash crops (such as oil palm), and secondly that ordinary poor communities can better make use of their land assets by registration, which would give them access to mortgage finance, as well as income from leases. PNG's NGO and community resistance to this view says that small farmers are best to hold onto their land and develop small business and marketing operations.

To test this argument, from the small farmers perspective (and most people in PNG have access to land, and are small farmers), we can set the expected benefits of land registration and commodification (lease rents and mortgage prospects) against the opportunity costs of land alienation (lost commercial and subsistence benefits).

The initial problem in assessing the benefits of land registration is that rural land markets in PNG are completely dysfunctional. Lease values on rural land, relying on willingness to pay and prior transactions, have come up with values as low as 50 Kina per hectare per year, plus some uncertain royalties and 'labour preference' understandings (Gou and Higaturu 1999; Heropa Enterprises 1999). Valuer-General schedules on rentals for residential, commercial and industrial land show much higher values (DTI 2001) but these are mostly urban based and reflect the highly restricted supply of urban property. Rural land markets are highly limited, the customary land owners are asset-rich, cash poor and have very little information on the real opportunity cost value of their land.

Important implications of the limited nature of rural land markets include the facts that: value is assessed in terms of cash income, but typically excludes considerations of:

- the land based non-cash values, eg. food, housing and other benefits;
- the customary landowner vulnerability in markets, due to money being scarce and highly valued and land being abundant, and lowly valued;
- town rental housing being scarce and highly valued;
- food being abundant and relatively cheap, in areas where land is widely held; and
- customary landowners having little experience in establishing and managing leases or mortgages.

The effect of this is that customary landowners typically value their land at very low cash rates and are vulnerable to (i) agreements for low value leases, and/or (ii) dispossession of their major asset, through registered mortgages and an inability to meet mortgage commitments.

A more appropriate way to understand land value in economic terms - but distinct from simple commercial values - is to assess the value equivalence of subsistence production. This also serves as an opportunity cost approach to land alienation. We have to begin with household consumption. In 2004 and 2005 I surveyed small groups of villagers from Madang coastal, Madang inland, Oro Province and the Eastern and Western Highlands, to generate a preliminary idea of a household's ordinary daily diet, and from this a value equivalence in local markets. Some items do not have simple market equivalence, but most staple foods do.

Nineteen interviews (in late 2004) with small farmers in the Madang Region showed cash crop incomes ranging from 200 to 14,000 Kina per year, per family (averaged at seven people, two adults and five children). There are no large scale export crops in Madang Province, and the major income earners for these families were peanuts, buai (betelnut), cocoa and fruit. Four interviews with coffee growers in the Highlands showed cash crop incomes (65-85% from coffee) ranging between 1,000 and 2,200 Kina per year. Some focussed interviews with the representatives of three families showed that family diets in Madang and the Highlands were rich and varied, and comprised market values ranging from 9.38 Kina per day (when purchased in regional markets) to 31.20 Kina per day (if purchased in Port Moresby's Gordon's market). Further, as many as half the families surveyed had one or more family members gaining additional income from outside employment or small business. A parallel survey of small farmers in the Popondetta plains (mid 2005) showed a similar range of cash crop incomes, with less diversity (compared to Madang Province) of subsistence production and cash crops. The biggest cash earners were oil palm and betel nut.

The annual cost of housing in Madang town, can be as much as 1,500 to 2,000 per month for a 'decent' house; however a 'basic' house in town would rent for 500 Kina per month, or 6,000 Kina per year (Chitoo 2004). This seems the closest substitute for secure, village housing. When a low level regional town housing rent is added to the equivalent market value of subsistence food production, we arrive at an equivalent 'subsistence value' which ranges from 9,400 to 17,400 Kina per family per year. Other benefits of family land, such as resources for medicine, tools, ornaments and cultural reproduction, have not been included. In the case of complete land alienation, this 'subsistence value' amount would have to be recovered for a family to not be worse off, simply in terms of food and housing. Yet rents on land in PNG are nothing close to this subsistence value.

These preliminary studies suggest that - while cash income from family land production varied widely and was often very low, sometimes less than 1000 Kina per year - the income required to replace the total value of production on an 'ordinary' hectare of farmland could be well over 10,000 Kina per year. This comparative model may help explain widespread dissatisfaction with and conflict over tokenistic land leases, including the conflict over church lease renewals (e.g.. Rynkiewich 2001). This finding is consistent with those approaches that give more weight to the 'multifunctionality' of small farming - its combined social and community value (see Mazoyer 2001). But even in simple economic terms, to suggest that land registration has benefits for poor land owning families in PNG would be a terrible lie.

Concluding remarks

This paper has linked certain problems in the development of an independent Australian voice and policy, with the form and rationale of Australian interventions in the Pacific. In particular, the attempts to undermine customary land tenure systems - indigenous land rights - by land registration programs can be seen to be driven by self interest, but also to be consistent with the steady assault on shared institutions in Australia. Arguments that the registration and transaction of customary land in PNG would serve the interests of small farmers is, in ordinary circumstances, demonstrably false. A very similar argument has been raised over indigenous land title in Australia. At the same time, recognition of Aboriginal rights has become tokenistic, as Irene Watson says [in this volume], recognising prior owners is often now little more than "a quaint tradition". This is small comfort for indigenous custodians, in face of an insecure and derivative national identity, coupled with strident economic liberalism. The development of an honest and original Australian voice in regional affairs presupposes significant Australian debate on the issues of independence, citizenship and egalitarianism. However the disabilities of imperial dependence and emulation, privilege and xenophobia, and a neoliberal 'market fetishism' stand in the way.

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