



CUSTOMS and HERITAGE

- Governments today remain reluctant to act honourably in their dealings with indigenous people. No treaty has been drawn up in relation to the illegal occupation of their land. Indigenous people are expected to function within western structures and institutions (ATSIC), which is discriminatory.
- Genocidal acts continue to occur. It is imperative that arbitrary intervention in the lives of indigenous people is discontinued and the chaos these activities have caused is replaced with stability in which indigenous people can work to restore their culture.
- Negotiations must be carried out always with indigenous representatives of communities living on their traditional lands. Disruption and relocation historically has meant that indigenous people are sometimes living away from their own communities and off their own land. It is important to recognise and understand the difference.
- PAY THE RENT is a moral and legal obligation, given that there has been no official recognition of indigenous sovereignty.
- The fundamental truth is that no-one has jurisdiction over independent sovereign nations. To be part of this land, we need to accept its customs and its law. Non-indigenous Australians who believe that solutions must be found in accordance with indigenous customs and law can participate in PAY THE RENT and work towards finding a lasting peace.

- PAYING THE RENT opens the door to the Dreaming for non-indigenous Australians and allows them to become part of the land.
- PAYING THE RENT will ensure that the Dreaming continues.



WHAT CAN BE DONE

- Terra Nullius has now been invalidated as the foundation of colonial law. It has yet to be replaced with a formal document of accord, such as a treaty. We therefore need to ask questions once again concerning the legal authority of government with respect to indigenous sovereign rights.
- The difficulties and problems associated with Native Title mean that so far only non-Aboriginal people have benefitted and the specific demands of Aboriginal people have not been addressed. PAY THE RENT offers an alternative which can be put into place at once.

- PAY THE RENT is an individual treaty made with the traditional owners which does not require the intervention of government.
- PAY THE RENT will redress the illegal occupation of the land by non-indigenous people.

- Individuals can make a difference. Reconciliation begins with us.
- CONTACT: To meet the challenge which PAY THE RENT presents to you or to obtain more information about it ring or write to:

Djuran Bunjileene,
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"Indigenous people are a racially oppressed people. What distinguishes indigenous people from other national minorities is the fact that they are the original inhabitants of the land from which they were displaced by an invading group. For indigenous people, land is the basis of their survival, not only for the present generation but to maintain it for future generations."

Jeane Sindab
World Council of Churches - Program to Combat Racism

FURTHER READING

A comprehensive reading list is available on request.

PAY THE RENT ~ VICTORIA

YOU ARE ON ABORIGINAL LAND

Since the 1970s there have been repeated calls by indigenous activists for non-Aboriginal Australians to PAY THE RENT to local indigenous land owners for the occupation of their land and in recognition of indigenous sovereignty.

Since then, the PAY THE RENT scheme has been actively operating to provide opportunities for non-indigenous Australians to support initiatives controlled by the traditional land owners in their struggle for self-determination and economic independence.

Today PAY THE RENT is a reasonable, rational and responsible way of ensuring the survival of the oldest living culture in the world.

It is a significant contribution to the process of Reconciliation, and embracing its philosophy is a sign of growing maturity among today's 'Australians'.

This brochure sets out some of the issues which are relevant to, and support the PAY THE RENT concept.



BUNJIL'S LAND, BUNJIL'S LAW



HISTORICAL BACKGROUND

- Prior to the European invasion of this continent there were about 300 different indigenous nations, speaking their own distinct languages with a history of occupation stretching back at least 50,000 years.
- The original instructions to Captain James Cook from the British Crown were to negotiate a basis of occupation with "the consent of the natives".
- In his book, 'The Law of the Land', historian Henry Reynolds states that according to the International Law of the time:

"conquest did not deliver privately owned land to the conqueror and had not done so for hundreds of years: The Crown could take the land of the subject but only with the consent of the owner and payment of adequate compensation." European 'discovery' did not give land, but "only the right to negotiate for land." Indigenous people "were assumed to be in possession and therefore with property rights. Only uninhabited lands were without owners. . . . So how did the Crown acquire every inch of Aboriginal land? The land wasn't uninhabited! Europeans clearly weren't the first occupants."
- Nevertheless, the legal fiction of 'Terra Nullius' was declared and the European invasion was accompanied by a series of illegal actions which denied indigenous people their fundamental rights and in some instances amounted to deliberate attempts at genocide.
- During the early 1800's various state governments were directed by the British government to pay compensation to indigenous land owners. Those that did so failed to continue their payments when it became clear that the British government would not enforce its instructions.
- In 1947, the UN General Assembly set out three possible alternatives for Australia's future development:
 - a) Recognise the Indigenous People;
 - b) Make a treaty with the Indigenous People;
 - c) Continue to alter the environment in every aspect.

The Australian government has chosen to adopt the third option and has been pursuing it ever since.



RESPONSIBILITY

- The Australian Government, should be paying a proportion of the gross Australian revenue as rent to indigenous land owners. The failure of various Australian governments to PAY THE RENT means that Aboriginal land was, in effect, stolen from its rightful owners. Because we all benefit from the occupation and use of this land, whether we were born here or arrived here as migrants, we cannot avoid sharing the government's responsibility for the perpetuation of this injustice.
- Some non indigenous Australians argue that these events took place in the past and, therefore, they cannot be held accountable for them. It may be true that guilt cannot be inherited from previous generations. However, property is inherited and so we are all inevitably the beneficiaries of the illegal expropriation of land from the original owners. Therefore some people have decided to PAY THE RENT directly to the Aboriginal people until such time as the Government fulfils its obligation and begins to PAY THE RENT on our behalf.
- The PAY THE RENT concept is not new. It has been around as long as there has been trade, respect and recognition of rights of ownership. It was first demonstrated in Australia by a Quaker settler, Robert Cock in 1837 who paid the interest on one-fifth of the value of his land as a 'yearly rent'. In Victoria, John Batman made a treaty with the local land owners which specified an annual payment for the lease of their land.
- PAY THE RENT acknowledges responsibility, accepts obligation and allows compensation. A groundswell of support from the grass roots must force governments to do the right thing.

- PAY THE RENT promotes understanding, mutual respect and good will between colonial societies and indigenous sovereign nations throughout the world.
 - PAY THE RENT will bring about benefits to indigenous people, particularly in the areas of health and wellbeing; land and resources; customs and heritage.



HEALTH and WELLBEING

- Government policies implemented in the past usurped control from Aboriginal people over their own affairs and this insensitive treatment led to their disempowerment. The decline in health and wellbeing is directly related.
- PAY THE RENT supports a holistic approach to the improvement of health and wellbeing and to restoring the balance. When indigenous people regain self-determination and economic independence, everyone's quality of life will improve.
- The only medicine is Land Rights; every day should be Aboriginal Day. People must speak with their own voice - to future generations; for all our children.

- PAYING THE RENT will end over 200 years of rationing, welfare mentality and dependency.
- PAY THE RENT will empower local Elders to enact their traditional law, ensure the cultural rebirth of communities, language, etc.



LAND and RESOURCES

- If PAY THE RENT is practised, then control is returned to the traditional owners who have the knowledge to restore and manage the land and its resources in an appropriate manner.

- PAY THE RENT is an investment in the environmental well-being and economic future of this country.
 - PAY THE RENT will help with land care programmes, revegetation.