

**Ronald T. Libby**

THE POLITICS OF MINING  
AND ABORIGINAL LAND RIGHTS  
IN AUSTRALIA

**HAWKE'S  
LAW**

# Hawkes Law The Politics Of Mining And Aboriginal Land Rights In Australia

**Ronald T. Libby**



## **Hawkes Law The Politics Of Mining And Aboriginal Land Rights In Australia:**

*Hawke's Law* Ronald T. Libby, 2003-10-29 Previous studies of the mining industry's influence on Australian policy have been forced to rely on informed speculation about the industry's actions. *Hawke's Law* is the first to benefit from unrestricted access to industry sources and documentation including mining industry archives and interviews with top executives. It is also the only definitive study of the Labor Party government's long promised attempt to formulate national Aboriginal rights legislation. *Aboriginal Land Rights and Mineral Exploitation in Australia* Harry F. Campbell, 2000 The paper reviews the development of the concept of native title and its application up to the passing of the Native Title Act Amendments 1997.

**A Higher Authority: Indigenous Transnationalism and Australia** Ravi De Costa, 2012 This important book recovers the long tradition of indigenous transnationalism contact with external people institutions ideas throughout Australia's history from before white settlement to the present. *Rethinking Resource Management* Richard Howitt, 2002-01-31 This book offers students and practitioners a sophisticated and convincing framework for rethinking the usual approaches to resource management. It uses case studies to argue that professional resource managers do not take responsibility for the social and environmental consequences of their decisions on the often vulnerable indigenous communities they affect. It also discusses the invisibility of indigenous people values and knowledge within traditional resource management. It offers a new approach to social impact assessment methods which are more participatory and empowering. The book employs a range of case studies from Australia North America and Norway. Indigenous Peoples and the Law Benjamin J Richardson, Shin Imai, Kent McNeil, 2009-03-18 *Indigenous Peoples and the Law* provides an historical comparative and contextual analysis of various legal and policy issues affecting Indigenous peoples. It focuses on the common law jurisdictions of Australia Canada New Zealand and the United States as well as relevant international law developments. Edited by Benjamin J Richardson Shin Imai and Kent McNeil this collection of new essays features 13 contributors including many Indigenous scholars drawn from around the world. The book provides a pithy overview of the subject matter enabling readers to appreciate the seminal issues precedents and international legal trends of most concern to Indigenous peoples. The first half of *Indigenous Peoples and the Law* takes an historical perspective of the principal jurisdictions canvassing in particular themes of Indigenous sovereignty status and identity and the movement for Indigenous self determination. It also examines these issues in an international context including the Inter American human rights regime and the 2007 UN Declaration on the Rights of Indigenous Peoples. The second part of the book canvasses some contemporary issues and claims of Indigenous peoples including land rights mobility rights community self governance environmental governance alternative dispute resolution processes the legal status of Aboriginal women and the place of Indigenous legal traditions and legal theory. Although an introductory volume designed primarily for readers without advanced understanding of Indigenous legal issues *Indigenous Peoples and the Law* should also appeal to seasoned scholars policy makers lawyers and others who are knowledgeable of such issues in their own

jurisdiction and wish to learn more about developments in other places      *Trust, Risk and Uncertainty* S. Watson, A. Moran, 2005-06-07 The themes trust risk and uncertainty seem especially pertinent in the context of the post 9 11 world This book brings together a range of new research with a focus on the risk society debate and on the themes of trust uncertainty and ambivalence Where much of the work within these crucial debates in the social sciences has been theory based and theory driven Trust Risk and Uncertainty combines theoretical sophistication with empirical analysis and research in the fields of philosophy education social policy government health and social care sociology and media and cultural studies

**Parliamentary Government in Australia** Alan J. Ward, 2014-02-15 Alan J Ward combines constitutional history and political science to compare all nine of Australia s political systems federal state and territorial from colonial times to the present Guided by a model of parliamentary government drawn from comparative politics he considers the following key topics the selection of the government the prime minister and cabinet government control of the lower house the primacy of the lower house in bicameral systems the head of state the influence of Australian federalism on parliamentary government and the growth of executive democracy in Australia Ultimately Ward argues that as only one of Australia s nine constitutions accurately describes parliamentary government as practiced in the country it is a democratic imperative that the other eight be rewritten

**Indigenous Peoples, Title to Territory, Rights and Resources** Cathal M. Doyle, 2014-11-20 The right of indigenous peoples under international human rights law to give or withhold their Free Prior and Informed Consent FPIC to natural resource extraction in their territories is increasingly recognized by intergovernmental organizations international bodies and industry actors as well as in the domestic law of some States This book offers a comprehensive overview of the historical basis and status of the requirement for indigenous peoples consent under international law examining its relationship with debates and practice pertaining to the acquisition of title to territory throughout the colonial era Cathal Doyle examines the evolution of the contemporary concept of FPIC and the main challenges and debates associated with its recognition and implementation Drawing on existing jurisprudence and evolving international standards policies and practices Doyle argues that FPIC constitutes an emerging norm of international law which is derived from indigenous peoples self determination territorial and cultural rights and is fundamental to their realization This rights consistent version of FPIC guarantees that the responses to questions and challenges posed by the extractive industry s increasingly pervasive reach will be provided by indigenous peoples themselves The book will be of great interest and value to students and researchers of public international law and indigenous peoples and human rights      Negotiating Claims Christa

Scholtz, 2013-10-14 Why do governments choose to negotiate indigenous land claims rather than resolve claims through some other means In this book Scholtz explores why a government would choose to implement a negotiation policy where it commits itself to a long run strategy of negotiation over a number of claims and over a significant course of time Through an examination strongly grounded in archival research of post World War Two government decision making in four established

democracies Australia Canada New Zealand and the United States Scholtz argues that negotiation policies emerge when indigenous people mobilize politically prior to significant judicial determinations on land rights and not after judicial change alone Negotiating Claims links collective action and judicial change to explain the emergence of new policy institutions

*Mountain Movers* Daniel M. Franks, 2015-09-16 The products of mining are everywhere if it wasn't grown it was mined or drilled But the mining industry has a chequered past Pollution human rights abuses and corruption have tarnished the reputation of the industry across the globe Over a decade ago the major mining companies embraced the concept of sustainable and equitable development and embarked on an explicit process of reform but has the industry actually changed This book explores the dynamics of change making for sustainable development in the resources sector specifically the mining of mineral and energy resources The author recounts the stories and insights of over forty change makers both inside and outside the industry from anti mining activists to the professionals charged with the task of reform introducing the people who are moving an industry that moves mountains The book takes stock of what has worked and what has not analyzing the relative influence and dynamics of the key corporate civil society and government actors with a view to developing new approaches for improving environmental and social outcomes from mineral and energy development Illustrated with case studies from Angola Australia Brazil Canada Chile Colombia El Salvador Guinea Peru The Philippines Romania Sierra Leone South Africa and The United States of America and brimming with the backstories to the major sustainability initiatives *Mountain Movers* reveals where progress has been made and where reform is still needed towards a more sustainable and equitable mining industry

**'Every Mother's Son is Guilty'** Chris Owen, 2016 This is a marvellous contribution by Chris Owen to the understanding of the role the Western Australian police force played in the colonial expansion into the Kimberley district of Western Australia Senator Patrick Dodson Yawuru Elder Chris Owen provides a compelling account of policing in the Kimberley district from 1882 when police were established in the district until 1905 when Dr Walter Roth's controversial Royal Commission into the treatment of Aboriginal people was released Owen's achievement is to take elements of all the pre-existing historiography and test them against a rigorous archival investigation In doing so a fuller understanding of the complex social economic and political changes occurring in Western Australia during the period are exposed The policing of Aboriginal people changed from one of protection under law to one of punishment and control The subsequent violence of colonial settlement and the associated policing and criminal justice system that developed often of questionable legality was what Royal Commissioner Roth termed a brutal and outrageous state of affairs *Every Mother's Son is Guilty* is a significant contribution to Australian and colonial criminal justice history Subject History Aboriginal Studies Criminal Justice policing

*Ethnic Realignments* Matthew Hoddie, 2006-01-01 *Ethnic Realignments* offers a fresh look at the phenomenon of rapidly changing ethnic identity claims By focusing on the countries of Australia China Malaysia and India Matthew Hoddie provides a comparative study arguing that government policies

designed to favor one ethnic group over another can influence individuals among the disfavored group to change their identities and recast themselves as members of the favored group Hoddie employs a statistical methodology to lay out the conditions and factors that lead to these ethnic identity changes thereby contributing to the ongoing debate concerning the malleability of ethnic identity Ethnic Realignment is a significant work for scholars interested in the politics of ethnicity and the effectiveness of affirmative action policies

**The Necessary Transition** Malcolm McIntosh, 2017-09-08 Life on Earth for humanity and our ecosystems is at a point of great change There is much to be learnt about previous great disruptions The key words are adaptation and transformation Most international companies operate across multiple social and environmental geographies so they know this intellectual and practical landscape And for many governments the challenges of social and environmental justice are also paramount not least because equitable societies are best for business and best for human well being The Necessary Transition addresses the many transitions taking place around the world from high to low carbon economies from gross inequality to egalitarianism from massive human rights abuses to socially just societies and from high corruption to societies with high social cohesion and integrity The book brings together leading international researchers and practitioners to share their knowledge and expertise and offers answers to many of the pressing questions that must be addressed in the journey towards a sustainable enterprise economy an absolutely necessary transition for humanity Contributors include Sara Parkin Founder Director and Trustee of the UK's Forum for the Future Bill Champion Managing Director Rio Tinto Coal Australia and Mark Swilling co author of Just Transitions and Academic Director of the Sustainability Institute South Africa The key question is Is a transition to a sustainable future possible within the logic of conventional capitalism and 20th century models of development This book provides radical perspectives from varying entry points and is essential reading for academics and practitioners interested in how we plan speed and scale such necessary transitions

**Hawke's Law** Ronald T. Libby, 2003-10-29 Previous studies of the mining industry's influence on Australian policy have been forced to rely on informed speculation about the industry's actions Hawke's Law is the first to benefit from unrestricted access to industry sources and documentation including mining industry archives and interviews with top executives It is also the only definitive study of the Labor Party government's long promised attempt to formulate national Aboriginal rights legislation

**Wild Policy** Tess Lea, 2020-07-14 Can there be good social policy This book describes what happens to Indigenous policy when it targets the supposedly wild people of regional and remote Australia Tess Lea explores naturalized policy policy unplugged gone live ramifying in everyday life to show that it is policies that are wild not the people being targeted Lea turns the notion of unruliness on its head to reveal a policy driven world dominated by short term political interests and their erratic irrational effects and by the less obvious protection of long term interests in resource extraction and the liberal settler lifestyles this sustains Wild Policy argues policies are not about undoing the big causes of enduring inequality and do not ameliorate harms terribly well either without yielding all hope Drawing on efforts across housing and

infrastructure resistant media making health governance and land tenure battles in regional and remote Australia Wild Policy looks at how the logics of intervention are formulated and what this reveals in answer to the question why is it all so hard Lea offers readers a layered multi relational approach called policy ecology to probe the related question what is to be done Lea s case material will resonate with analysts across the world who deal with infrastructures policy technologies mining militarization enduring colonial legacies and the Anthropocene APAIS 1992: Australian public affairs information service ,

**. . . From Time Immemorial** Richard J. Perry,1996 Around the globe people who have lived in a place from time immemorial have found themselves confronted by and ultimately incorporated within larger state systems During more than three decades of anthropological study of groups ranging from the Apache to the indigenous peoples of Kenya Richard J Perry has sought to understand this incorporation process and more importantly to identify the factors that drive it This broadly synthetic and highly readable book chronicles his findings Perry delves into the relations between state systems and indigenous peoples in Canada the United States Mexico and Australia His explorations show how despite differing historical circumstances encounters between these state systems and native peoples generally followed a similar pattern invasion genocide displacement assimilation and finally some measure of apparent self determination for the indigenous people which may however have its own pitfalls After establishing this common pattern Perry tackles the harder question why does it happen this way Defining the state as a nexus of competing interest groups Perry offers persuasive evidence that competition for resources is the crucial factor in conflicts between indigenous peoples and the powerful constituencies that drive state policies These findings shed new light on a historical phenomenon that is too often studied in isolated instances This book will thus be important reading for everyone seeking to understand the new contours of our postcolonial world *The Politics of Resource Extraction* S. Sawyer,E. Gomez,2012-02-14 International institutions United Nations World Bank and multinational companies have voiced concern over the adverse impact of resource extraction activities on the livelihood of indigenous communities This volume examines mega resource extraction projects in Australia Bolivia Canada Chad Cameroon India Nigeria Peru the Philippines **Political Troglodytes and Economic Lunatics** Dominic Kelly,2019-03-05 Political history at its best This is the story of the hard right in Australia of how Ray Evans and his boss at Western Mining Corporation Hugh Morgan became the pioneers of a new form of right wing politics whose forceful reshaping of public debates transformed Australian politics With a calm gaze forensic detail and a dry wit Dominic Kelly shows how they did it Starting in the mid 1980s Evans set up four small but potent organisations the H R Nicholls Society industrial relations the Samuel Griffith Society constitutional issues the Lavoisier Group climate change and the Bennelong Society Indigenous affairs Their aim was to transform public debate on key issues Morgan and Evans had an energy that bordered on fanaticism They lobbied politicians and wrote op eds They were born intriguers and colourful rhetoricians with a wide influence that famously included treasurer to be Peter Costello It was Bob Hawke who called the H R Nicholls Society political troglodytes

and economic lunatics yet in their dogged pursuit of influence the hard right made an impact From successive backdowns on emissions targets to the rejection of the Uluru Statement from the Heart the efforts of hard right conservatives continues to be felt today not only on the right but across mainstream public policy Political Troglodytes and Economic Lunatics is a compelling case study in how some very determined people can change a political culture **Power, Profit and Protest** Verity Burgmann, 2020-08-04 a provocative must read text for an engaged public offering a distinctive Australian take on corporate globalism and grounding this in a robust theory of social change that emphasises material power and interests along with symbolic power and ideology James Goodman University of Technology Sydney Social movements transformed Western societies in the 1960s and 1970s feminism black rights the peace movement and gay liberation all radically altered how we think and how we live What has happened to social movements since then Can demonstrations and other forms of social activism still make a difference in Australia Verity Burgmann argues that corporate globalisation has threatened or transformed established social movements and sparked powerful new forms of social protest She examines the impact of globalisation and neo liberal government policies on the feminist and indigenous rights movements showing how they have been affected by the politics of backlash after decades of success She explores the way in which the environment movement too has been affected by rising corporate political influence She also analyses the emergence of anti capitalist and anti corporate activism and the profound challenges posed by this newest of social movements to the state to society in general and to the labour movement in particular These important factors in a changing political landscape This book reflects on the significant changes which has taken place since Power and Protest was published in 1993



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