



Australia's Commonwealth Self-determination Policy 1972-1998:

The Imagined Nation and the Continuing Control of
Indigenous Existence

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2. Abstract

The central argument of this thesis is that the Australian nation is the primary obstacle to the granting of self-determination to Indigenous people. It will be argued that this is because the Australian nation is imagined and constituted as a monocultural entity, one that resists any divisions within the national space on the basis of culture or 'race'.

In the late eighteenth-century the British used contemporary English and international law to justify their possession of the Australian continent and never engaged with Indigenous people in any form of treaty, negotiations or purchase of their land. The doctrine of *terra nullius* came to be the central justification of possession, meaning that Australia was legally considered to be a continent without a people or law. From the earliest days of British colonisation Indigenous people began to lose their sovereignty and self-determination because a culture of control developed towards them by the colonisers. Since then they have been subjected to a succession of government policies that have sought to control almost every aspect of their lives. It will be argued that Indigenous people have been dealt with in this way because of how the Australian nation developed. It will be demonstrated that Australia adopted the classical European model of the nation, which resulted in the dominant Anglo-Celtic culture imposing its cultural values, norms and practices throughout its territory to the exclusion of Indigenous cultures.

In 1972 as a response to Australia's changing views on its history and relationship to Indigenous people, demonstrated in the success of the 1967 referendum, the Whitlam government instituted what was seen a radical shift in Indigenous policy away from assimilation to one of self-determination. Thus acknowledging the need, and right, of Indigenous people to be able to determine their own lives.

Nevertheless, the thesis will argue that the change was more cosmetic than substantial and will through an analysis of five governments show that control has remained a primary concern. This was demonstrated when the 1992 High Court *Mabo* judgement overturned the doctrine of *terra nullius*, but failed to fundamentally alter the exercise of power over them. As a result of this continuing control and disempowerment Indigenous people remain unable to determine their existence according to their own cultural values, norms and practices. The thesis will further argue that the Australian nation needs to be re-imagined and reconstituted in an inclusive way that will accommodate Indigenous self-determination.