

NEW STEWARDSHIP OF COUNTRY

NELSON QUINN

Law Futures Centre, Griffith University, Law School Building, Nathan Campus, 170 Kessels Road,
Nathan, Queensland 4111 Australia

Correspondence: Nelson Quinn, n.quinn@griffith.edu.au

ABSTRACT: The Royal Societies of Australia webinar series recognises that we need a new approach to our land and seascape stewardship if we are to recover from past degradation and prosper in the future. We have to work with history — the Aboriginal foundation, our modern production systems and our laws and institutions. We can succeed if we adopt a custodial approach to land and sea — ‘caring for country’ — as our highest priority, so we safeguard the effective functioning of our ecosystems. We will need changes to our laws and institutions, and active intervention in our land and seascapes with public support, as we transform our society to reflect this new model of stewardship. There are many things we can do now as part of this transition, as individuals, governments, businesses, educators and land and sea managers.

When the earth is spoiled, humanity and all living things are diminished. We have taken too much from the earth and given back too little. It's time to say enough is enough. Today's announcements won't solve everything. But with the right mix of political commitment and community support we can ensure that our country is simply the best in the world. This is our country, our future. I give my commitment to you, kids, that my generation will hand on to you a better country, a brighter future. (Prime Minister Bob Hawke, 1989)

The land, and how we treat it, is what determines our human-ness. Because land is sacred and must be looked after, the relation between people and land becomes the template for society and social relations.

The world is immediate, not external, and we are all its custodians, as well as its observers. A culture which holds the immediate world at bay by objectifying it as the Observed System, thereby leaving it to the blinkered forces of the marketplace, will also be blind to the effects of doing so until those effects become quantifiable as, for example, acid rain, holes in the ozone layer and global economic recession. All the social forces which have led to this planetary crisis could have been anticipated in principle. (Mary Graham, 1999)

We have degraded our unique land and seascapes over the last 220-odd years. We have to change. Can we live with the rest of with nature peaceably? We have taken from nature relentlessly, for personal and immediate gain, with no thought for the consequences. And now we are paying for those consequences. But all is not yet lost.

We must recognise that we are part of nature and depend on nature for a huge range of contributions to our wellbeing. Those contributions come with ethical obligations just like those we have with each other. We envision a different future where we can use natural resources wisely without diminishing their overall abundance — a pragmatic approach to stewardship of nature. We will need transition and adjustment processes to achieve this, with ‘next steps’ being continuously developed and adaptively implemented.

Aboriginal practices developed over tens of thousands of years crafted today's land and seascapes. In the last two hundred years we have added production systems from overseas, often with too little regard for their impacts. Our laws, governing systems, many social institutions and our dominant economic relationships are inherited largely from Britain and other European countries.

Our future depends on how we build on our history — the Aboriginal foundation, our production systems and our laws and institutions — and not try to reverse history. Our new stewardship approach has to acknowledge that:

- economic activity based on current land uses (agricultural and pastoral, mining, infrastructure, urban settlements, cultural, recreation and nature conservation) will continue
- rural, remote and agricultural land management practices are by far the most important drivers of landscape health in Australia, with historic problems of environmental degradation driven by commodity market forces, business and government decisions and management, and changing patterns of production and consumption
- global changes (climate, biodiversity, landscapes, hydrology, pollution) will continue, with more extreme events and unpredictable outcomes.

We have seen social, economic and financial decline in too many of our rural communities, exacerbated by population decline in many of our remoter places.

We must change if we are to meet Bob Hawke's 1989 aspirations. We want to see transformation through to repair and restoration of our land and seascapes leading to greater social, economic and financial wellbeing, especially in rural and peri-urban communities. The task is too important to be left to market forces on their own. Neither can we rely on a patchwork of individual initiatives, for example, separate actions on floodplains, bushfire vulnerability and koala protection.

We cannot just vacate the land. People totally dominate environmental impact and it is therefore up to us to manage things so that the environment can function as it did 200 years ago. We must learn to manage with global changes, not deny them or fight against them.

The Royal Societies of Australia propose the following changes in outlook and action. Some changes may not be made easily or quickly, but there is much we can begin immediately.

1. The principle of obligation for custodianship of country

The custodianship of country involves maintaining a respectful, nurturing relationship with land, place and community to guarantee wellbeing for future generations. Collaborative and cooperative relationships to support custodianship are necessary for success. The custodial ethic 'emerges from an ancient reciprocal relationship with nature; an ethic of looking after, stewardship, caring for, and the obligation to look after Land that nurtures.' (Graham 2013: 2)

This custodianship approach has to be the foundation of our stewardship of country, with priority for support for country on ethical and pragmatic grounds (it is the right thing to do; we rely on it for daily living). We must be looking to the long term, thinking strategically. A society with a custodial ethic must do this. From this perspective, short-term tactics are of less consequence: it is important to keep the big picture in mind. Our identity needs to be defined by and embedded in our relationship to land and sea and by our relationship with other people.

We need to generate a sense of 'country' in the community so that 'country' is always the first consideration in our decisions and actions. We need a desire to thrive as our paramount consideration, with a goal of increased and continuing abundance of natural resources.

Many of our existing laws, practices and institutions will hamper achieving these aspirations, so we must change them.

2. Reform of our laws and institutions

Our institutions and laws need to support more direct citizen input into decision-making, effective rewards and incentives for improved caring for country and sea and more ground-level-based and community-driven action. We need experiments with public input into government and business processes. They need to address the key elements of democratic government — participation, openness and accountability.

The tests for all laws and their administration must be how they support caring for country and avoiding or preventing environmental harm. We cannot continue with laws that override custodial obligations to our land and sea. We need transitional support from the public to achieve sustainable approaches. Government and business must become more accountable for their activities that have environmental impacts.

3. What we can do now

We do not need to wait until everyone has accepted and understood the obligation of custodianship or until all our laws and institutions are reformed. We can act now, collectively and individually. Every small change we make adds to all the others — forming, eventually, big changes. We can act collaboratively, immediately magnifying the changes any one of us can make. Here are some examples.

Programs we want governments and businesses to support:

- detailed regional and catchment action plans that prioritise caring for country
- restore Landcare as the grass roots caring-for-country movement envisaged in 1989, with one community-driven system supported by governments
- revive cleaner production and energy efficiency programs
- improve waste management systems.

Educationists can:

- establish university departments/programs/chairs based on caring-for-country principles that have effective community outreach
- develop a social sciences school curriculum on understanding country — teach school kids 'how to think' and about local 'country.'

Land and sea managers can:

- incorporate local Aboriginal culture in land restoration and management
- weave local culture and non-Indigenous science into management and restoration processes
- focus repair and restoration on the unique and very special aspects of nature and culture in Australia.

We can all:

- constantly publicise good examples that prioritise caring for country
- foster collaboration and peer networks aimed at supporting caring for country
- practise continuous learning and improvement, preferably using quality management systems
- adopt environmental charters for our households, farms and businesses
- become better waste managers
- practise energy efficiency
- join supportive organisations
- participate in supportive events.

4. The future

The outcome we want is to enable ecosystems to function effectively for their own sake and for human wellbeing in the face of rapid environmental change.

The transition we require can be driven by:

- acceptance of the principle of obligation for custodianship of country (weaving of Aboriginal thinking and non-Indigenous thinking and practice in supporting ‘caring for country’ on ethical and pragmatic grounds)
- public money for public goods generated by private action (there are unresolved, but not insurmountable, definitional issues)
- polluter pays (compensating for environmental damage and its consequences, including for public health problems and loss of amenity: already a relatively unimplemented part of some laws, with foreshadowed implications for international trade)
- precautionary decision-making to protect from risk (sounds hard, but can be reduced to practical steps, such as basing action on preferred futures, the Aboriginal approach of ‘we are doing it for the next generation’)
- continuous learning and improvement (there are proven systems available now)
- environmental gain test for economic activities (already a relatively unimplemented part of some laws)
- catchment/regional/collaborative perspectives and action (this approach needs revival or refreshment, but does not mean individuals should not act: regional/catchment action plans fostered by government, community driven, and assisted by experts, are needed)
- transition/structural adjustment programs (we need new ones to meet modern needs)
- law reform, to entrench these propositions and make the safeguarding of effective functioning of ecosystems the overriding consideration in public and

private decision-making (otherwise specific laws and planning/development decisions trump environmental laws every time).

References

- Hawke, the Hon. R.J.L., A.C, 1989. Prime Minister of Australia, *Our Country Our Future: Statement on the Environment*, Australian Government Publishing Service, July 1989, iv
- Graham, M., 1999. Some thoughts about the philosophical underpinnings of Aboriginal worldviews, *Environment, Culture, Religion* 3(2): 105–118, 106, 117
- Graham, M., 2013. *The Concept of Ethics in Australian Aboriginal Systems of Thought*, http://colourise.com.au/wp-content/uploads/2015/08/Custodial_Navigator1.pdf