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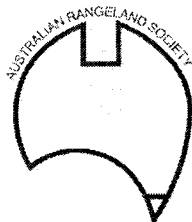
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The Australian Rangeland Society

RIGHTS TO THE RANGELANDS: EUROPEAN CONTESTS OF POSSESSION IN THE EARLY 20TH CENTURY

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Competition over rights to Australia's rangelands is an issue of national prominence illustrated by recent disputes over native title and between governments and pastoralists over the regulation of land clearing.

An understanding of European ideas about rights to the rangelands in the early twentieth century exposes roots of today's conflicts. Contests between European individuals, groups and governments over the rangelands reflected the idea that the land needed to be 'productively' used for its occupation to be legitimate and demands for more equitable access to its resources. Disagreement about the rights conferred by diverse tenures was a product of this conflict.

A central theme of nineteenth century Australian history has been the fight over rights to grazing land between squatters and colonial governments. Eventually, the basic right of occupation was established, at least in the south-east and squatters were legitimised as licensees and lessees. State governments have continued to use leases to assert various levels control over access and use of the rangelands.

The early twentieth century saw continued dispute among Europeans over rights of access to the rangelands between large and small settlers and between the landed and the landless. The inappropriate imposition of closer settlement and agricultural enterprises, an outcome of this conflict, often led to landuse that was disastrous for the land and those who used it. The career of the pastoralist Sidney Kidman also illustrates tensions between the landed and landless, and the perceived inseparability of 'productive' and 'legitimate' land use.

Around the beginning of the twentieth century, a growing body of knowledge about the environmental impacts of rangeland pastoralism accompanied drought and financial crisis. The NSW Royal Commission into the Condition of the Crown Tenants, appointed in 1900, is the most prominent articulation of this knowledge. In many parts of Australia the rights of lessees and the State were renegotiated to try to better match pastoralism with this knowledge.

Today, the history of the occupation and use of the rangelands is used by different groups to justify perceived rights to its resources. Rights to the rangelands are still legitimised culturally as well as by the narrower prescriptions of the law. As social values change, different interests in the rangelands need to be accommodated. A better awareness of past ideas about the rights to the rangelands may help, in a small way, to reconcile competing interests – if only by reminding us that these rights have always been contested and renegotiated.