



Act 'helps business'



DESPITE sadness and despair it causes to many, the *Native Title Act* has helped boost Aboriginal business ventures, an RMIT researcher has concluded.

Dr Leonie Kelleher investigated disparate outcomes of the Act for Aboriginal business in her doctoral research.

Dr Kelleher, who is committed to working with the Arabunna People of Lake Eyre, concluded that 'despite the very serious problems and hardships it causes', the *Native Title Act* has led to the creation of new business ventures by Aboriginal people.

"I found that despite the tragedy for Aboriginal people that has resulted from Australia's *Native Title Act*, and the sadness and despair it causes individuals and families, Aboriginal people have – often against all odds – created new business ventures that could not have existed without it," Dr Kelleher said.

During her research, she considered different theories about business

entrepreneurship, such as Schumpeter's theory, which proposes that entrepreneurial opportunities emerge from a process of major destruction, irretrievably breaking an existing situation to enable something new to emerge.

The *Native Title Act* appears to have contradictory effects on Aboriginal business.

"Whilst not explicitly stated, the Act tends to operate so as to discriminate against Aboriginal business," Dr Kelleher said.

"It prohibits Aboriginal people from blocking competitors who wish to establish alongside them, with the only options being to negotiate certain conditions via complex agreements, or through the Native Title Tribunal."

But even if unsuccessful in a determination that native title exists, regulatory change alters the business setting in such a way that new entrepreneurship results.

"It is possible that this is because it forces together groups of people who would otherwise not communicate and, thereby, builds trust and alliances," Dr Kelleher said.

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