

**Gurindji People and
Aboriginal Self-
Determination Policy,
1973–1986.**

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A Thesis Submitted for the Degree of Doctor of Philosophy

Western Sydney University

December 2017

Dedication

To my parents, Russel Ward (1914–1995) and Barbara Holloway.

Acknowledgments

During the thirteen years since I first travelled to Kalkaringi and Daguragu, many people have assisted me to create this work. I owe special thanks to the people of those communities for sharing their history with me. Notably the late Billy Bunter, Susan Cebu, Brenda Croft, Judith Donald, Paddy Doolak, Rosaleen Farquharson, Roslyn Frith, Gus George, the late Harry George, Michael George, Oscar George, Dianne King, Marjorie King, the late Helen Morris, Michael Paddy, Martin Pelasko, Maurie Japarta Ryan, George Sambo, William Smiler and family, Jimmy and Bidy Wavehill and Violet Wadrill have each contributed to my understanding of the Gurindji past.

Similarly, thanks are also due to many former public servants, mostly of the Welfare Branch and/or Department of Aboriginal Affairs, for developing my understanding of Aboriginal self-determination policy as it was understood and practiced within the bureaucracy: Gordon Bauman, Graham Castine, Harry Con Foo, Barrie Dexter, Ted Egan, Norm Faint, Barry Hansen, Bill Gray, Ray Hempel, Trevor LaBrooy, Barry Lamshed, John Millhouse, Ted Milliken, Gavin Perry, Ian Pitman, Colin Plowman, Brian Radunz, Len Richardson, John Rutter, Tony Scott, Essie Warmuth and Kirk Whelan.

This thesis is an academic artefact, created with the close collaboration and advice of my supervisorial team. For their unstinting support and considered input, Professor Tim Rowse and Dr Sarah Irving-Stonebraker of Western Sydney University deserve much gratitude. Professor Gillian Cowlshaw of the University of Sydney also provided astute advice in the project's early stages. Various administrative staff at Western Sydney University, in particular Dr Wayne Peake, made the requirements of my candidature both understandable and manageable. Dr Brian Devlin read and commented on sections of the text, as did Dr Maria Brandl. In addition, Associate Professor Jackie Wolfe (University of Guelph) unexpectedly provided useful insight. Two linguists of the Gurindji language, Dr Felicity Meakins and Erika Charola, were also unfailingly helpful responding to my queries about orthographies, maps and much else.

With its beautiful grounds and strong history of supporting incisive research regarding the Northern Territory, the North Australian Research Unit of the Australian National

University has provided a very pleasant and well-maintained environment in which to work. Credit is due to John Nai-Smith and David Williams for this. Thanks especially to my NARU colleagues for the distractions and to Dr Will Sanders for alerting me to NARU's opportunities.

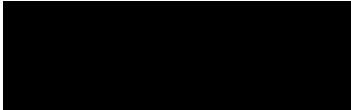
For the provision of context and 'insider' support along the way, I would especially like to thank these fellow travellers and recent survivors of postgraduate study: Alex Di Giorgio (UTAS), Rohan Fisher (CDU), Jason Gibson (Monash), Kirsty Howey (USYD), Megg Kelham (WSU), Jan Richardson (Monash), Alex Roginski (ANU), Leon Terrill (UNSW), and Penny Taylor (UTAS): you understand. By providing that understanding and much more, my then partner Trang Dang (Griffith) assured and supported me towards the finishing line.

Rob Wesley Smith deserves my grudging thanks for providing an inexhaustible supply of useful documents and disrespectful ribbing throughout the process. Rob Oke, Vincent Lingiari's 'first mate' in the south, also supported my research from the outset, read drafts of this thesis and more. Les Thomas of Monash University Publishing generously agreed to the use of his maps in the thesis.

Last but not least, I am lucky enough to have had the support of my family in my pursuits to date, including this one.

Statement of Authentication

The work presented in this thesis is, to the best of my knowledge and belief, original except as acknowledged in the text. I hereby declare that I have not submitted this material, either in full or in part, for a degree at this or any other institution.

A solid black rectangular box used to redact the signature of the author.

Charlie Russel Ward

(Signature)

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Abbreviations

AACM — the Australian Agricultural Consultancy Management Company. An advisory group formed in Adelaide in 1965 by Philip Young and Newton Tiver. The company quickly grew, aided in part by contracts with government agencies such as the DAA. By the mid-1980s, AACM employed up to sixty consultants on agricultural projects in more than twenty developing countries.

ABSCHOL — from ‘Aboriginal Scholarships’. Abschol was a student body established under the auspices of the National Union of Students in 1951 to boost Indigenous enrolments in tertiary education. Abschol’s mandate expanded to encompass broader pro-Aboriginal causes throughout the 1960s and early 70s, when ‘branches’ operated on many university campuses. In 1969 the Gorton Government began its own Indigenous scholarship program, rendering Abschol’s administration of its own scholarship program redundant.

ABTF — The Aboriginal Benefits Trust Fund (ABTF) was a Commonwealth Government fund established by Minister for Territories Paul Hasluck in 1952. Under the terms of the ABTF, companies mining on Aboriginal Reserves were to pay royalties to the Fund for the use of Aboriginals, although at that point they owned neither the reserve land nor the minerals contained therein.

ADC — the Aboriginal Development Commission. The ADC was established in 1980 by the Fraser Government. It absorbed some ‘development’ functions from the DAA, including pastoral operations. The Commission assisted Aboriginal people to acquire land, to engage in business enterprises, and to obtain finance for housing and other needs.

AIATSIS — the Australian Institute of Aboriginal and Torres Strait Islander Studies (originally known as the Australian Institute of Aboriginal Studies, or AIAS), was established in Canberra in 1964. The Institute is Australia’s foremost resource for information about the cultures and societies of Aboriginal and Torres Strait Islander peoples.

ALFC — the Aboriginal Land Fund Commission was an impartial and expert statutory body established by the Whitlam Government under the terms of the *Aboriginal Land Fund Act*

(1974). The Commission was established to provide a means by which non-reserve land might be purchased for Aborigines. The need for such purchases had been originally flagged by former Prime Minister William McMahon at the behest of the CAA.

ALP — the Australian Labor Party is a major political party founded in the 1890s by striking pastoral workers. Historically, the party's principal focus was upon the rights of workers and it remains closely aligned with various labour unions.

ALRA — *Aboriginal Land Rights (Northern Territory) Act*. ALRA provides the basis upon which Aboriginal people in the Northern Territory can claim rights to land based on traditional occupation. Although the Whitlam Government appointed Justice Woodward to chair the Aboriginal Land Rights Commission and develop the Act, ALRA was passed eventually by the Fraser Government on 16 December 1976.

BTEC — Brucellosis and Tuberculosis Eradication Campaign. A national initiative that successfully eradicated tuberculosis and brucellosis from Australian cattle between 1970 and 1997.

CAA — The Council of Aboriginal Affairs (1967–76) was established by the Government of Harold Holt in response to the 'Aboriginal' referendum of that year. Three members comprised the Council—H.C. 'Nugget' Coombs, Barrie Dexter and W.E.H. Stanner. The Council's purpose was to provide policy advice on Aboriginal issues directly to the office of the Prime Minister. Its recommendations were broadly resisted by successive Coalition Governments until the election of the Whitlam ALP Government in December 1972.

CLC — Central Land Council. Established as a statutory body in 1976 under the *Aboriginal Land Rights (Northern Territory) Act 1976 (ALRA)* to represent the land-related interests of traditional owners of the southern part of the Northern Territory.

CDEP — Community Development Employment Projects. A federal government-subsidised employment scheme established in 1977 to bolster the lack of employment opportunities for Aboriginal people. Via CDEP, participants sacrificed their right to Unemployment Benefits, the total of which was paid to organisations plus capital costs, so that they might administer CDEP programs in which a subsidised allowance was paid to staff.

CLP — The Northern Territory Country Liberal Party is an Australian Northern Territory political party affiliated with both the National (formerly ‘Country’) and Liberal Parties of Australia. The CLP was the dominant force in NT politics from its inception in 1974 until the turn of the century.

DAA — the Department of Aboriginal Affairs was a Commonwealth agency formed in 1972. Notwithstanding the creation of the Aboriginal Development Commission in 1980 (which assumed land and development functions from it), the Department was responsible for administering the nation’s Aboriginal affairs until 1990.

DE(NT) — the NT Division of the Commonwealth Department of Education. DE(NT) held responsibility for schooling children in the Northern Territory after the Education Branch of the Northern Territory Administration (in the Commonwealth Department of the Interior) was decommissioned by the Whitlam Government in 1973. DE(NT) thus operated in remote NT communities prior to the transferral of this responsibility to the NT Department of Education (NTED) after Territory Self-Government.

DCGC — the Daguragu Community Government Council. DCGC was established in 1983, taking over responsibility for the provision of some municipal services at the Wave Hill Welfare settlement and Wattie Creek from the Department of Aboriginal Affairs. From that time until its abolition in 2008, DCGC was the Gurindji local government body administering services to and (via an elected council board) guided by the people of Kalkaringi and Daguragu.

DPP — the Northern Territory Department of Primary Production was established in 1979 and took responsibility for managing and supporting the NT’s rural industries.

FCAA/FCAATSI. Federal Council for Aboriginal Advancement/The Federal Council for the Advancement of Aborigines and Torres Strait Islanders. The FCAA was established in 1958 in Adelaide, merging a number of organisations lobbying for Aboriginal rights. In 1964 it changed its name to the ‘Federal Council for the Advancement of Aborigines and Torres Strait Islanders’. From its inception until its demise in 1978, FCAA/FCAATSI comprised Aboriginal and non-Aboriginal activists working together for the improvement of conditions for Aboriginal people.

GDT — ‘GDT’ was the registered cattle brand used by the Muramulla Company to identify their cattle. GDT stands for ‘Gurindji Daguragu Territory’.

MLA — A Member of the (NT) Legislative Assembly (See NTLA).

NACC — the National Aboriginal Advisory Consultative Council. The first government-created body of elected Aboriginal representatives to provide advice to the Commonwealth. Established by the Whitlam Government in 1973.

NGO — A Non-Government Organisation. NGOs may be privately or government-funded. They continue to play a large role as service providers in Aboriginal affairs in Australia, as intended by the Whitlam Government (1972–75).

NLC — Northern Land Council. Established as a statutory body in 1976 under the *Aboriginal Land Rights (Northern Territory) Act 1976 (ALRA)* to represent the land-related interests of traditional owners of the ‘Top End’ of the Northern Territory.

NTDCD — the Northern Territory Department of Community Development. The NTDCD was formed after Self-Government in 1978. Its responsibilities included social welfare and local government.

NTED — the Northern Territory Education Department took responsibility for the provision of school education in the NT under the terms of NT Self-Government from the Commonwealth Department of Education (NT Division) in 1979.

NTG — the Northern Territory Government was formed after the Fraser Government’s *NT Self-Government Act* was passed in 1978. The NTG replaced the NTLA and assumed many functions of a state government, directly funded by the Commonwealth.

NTLC — Northern Territory Legislative Council. The NTLC was a partly-elected governing body of the Northern Territory from 1947 until its replacement by the fully elected Northern Territory Legislative Assembly (NTLA) in 1974.

NTLA — The Northern Territory Legislative Assembly is a unicameral (‘one-house’) legislature formed after the 1974 federal election. Members with full voting rights at a federal level oversaw the transition of the Northern Territory to Self-Government in 1978.

NTSG — Northern Territory Self-Government. In 1978, under the Commonwealth's Northern Territory Self-Government Act, the Northern Territory Legislative Assembly assumed the power to make its own Acts of Parliament. Although the Commonwealth retained a right of veto, the increased political and financial 'rights' which the NT accrued under the Northern Territory Self-Government Act are popularly understood as conferring the Territory's status as a 'state-like', 'self-governing' jurisdiction in its own right.

NUAUS — the National Union of Australian University Students. Established in 1937 at Adelaide University to represent the interests of tertiary students, the NUAUS campaigned for a variety of causes, particularly in the 1960s. The NUAUS established Abschol (see above).

OAL — Office of Aboriginal Liaison. The OAL was established within the NT Chief Minister's Department after Territory Self-Government at the behest of its first Chief Minister, Paul Everingham. In addition to emphasising the importance of education and training, which Everingham believed were key to Aboriginal self-management, the new OAL acted to address a wide range of issues troubling Aboriginal communities.

QC — Queen's Counsel. Senior lawyers appointed by the legal profession in various Commonwealth countries, including Australia.

TB — a colloquialism for tuberculosis.

TMPU — Town Management and Public Utility. Town Management and Public Utility functions were transferred to the new Northern Territory Government under the terms of the *NTSG Act* on 1 July 1979. TMPU became an important funding stream in the local government Community Government Councils established soon afterwards under the 1978, *NT Associations Incorporation Act (AIA)*.

VRD — Victoria River Downs station adjoins the Daguragu Land Trust. VRD is owned by the Hooker Pastoral Co. and was originally more than 20,000 square kilometres in area. VRD and the surrounding area, including Wave Hill Station and the Gurindji's land, is often referred to as 'the VRD area'.

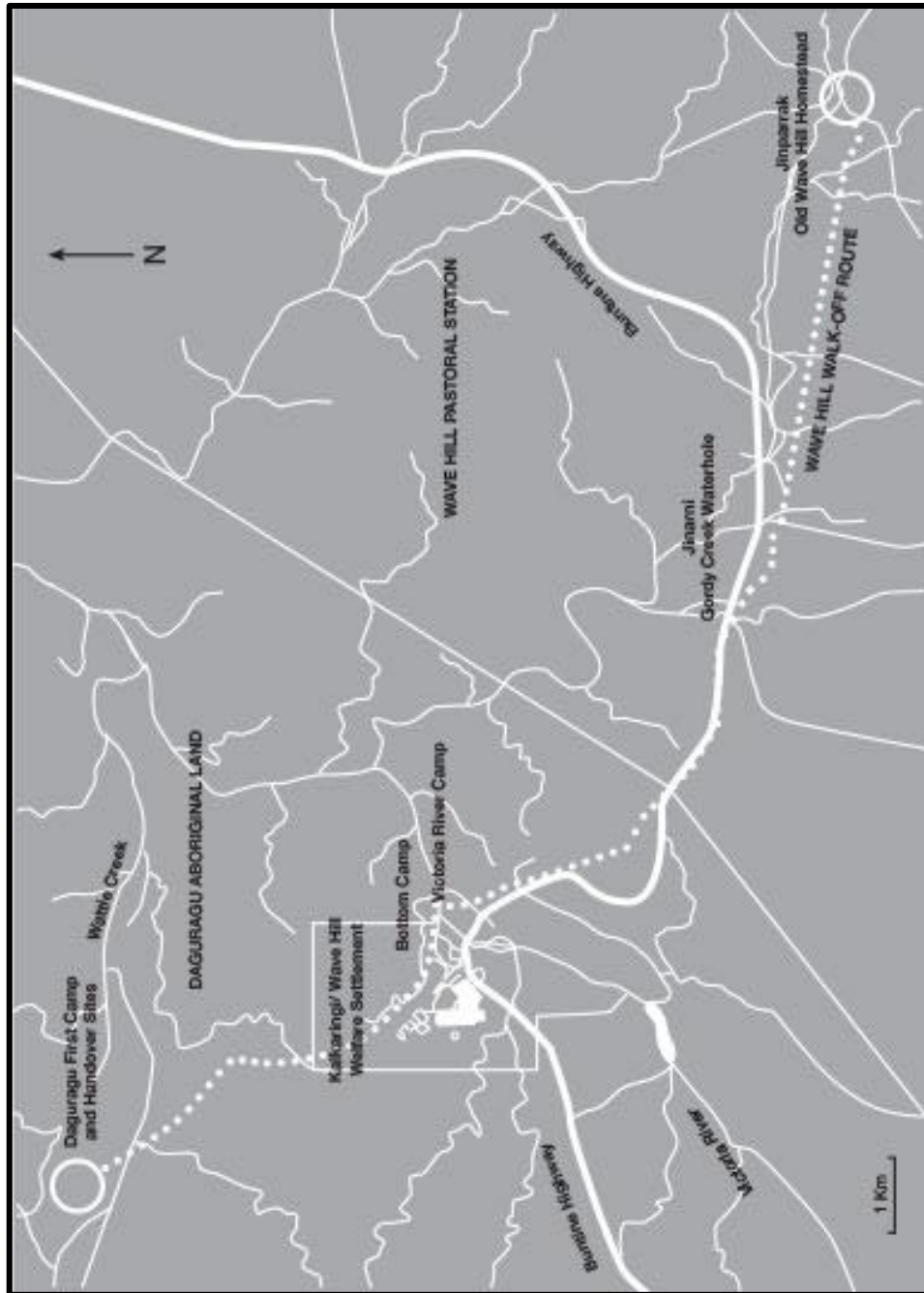
Maps



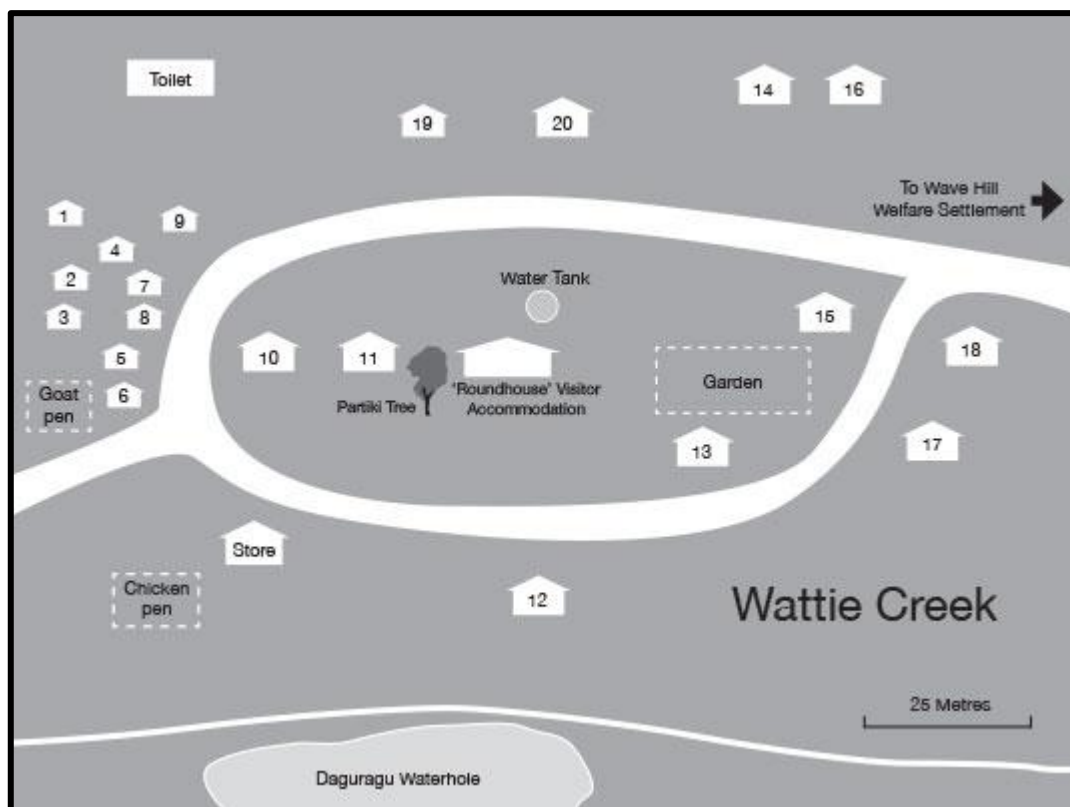
Map 1. Wave Hill Area, Northern Territory of Australia. (Courtesy of Les Thomas)



Map. 2. Approximate country of Gurindji and surrounding language groups. (Courtesy of Felicity Meakins: Meakins and Nordlinger, 2014).



Map 3. Wave Hill Walk-off Route. (Courtesy of Les Thomas)

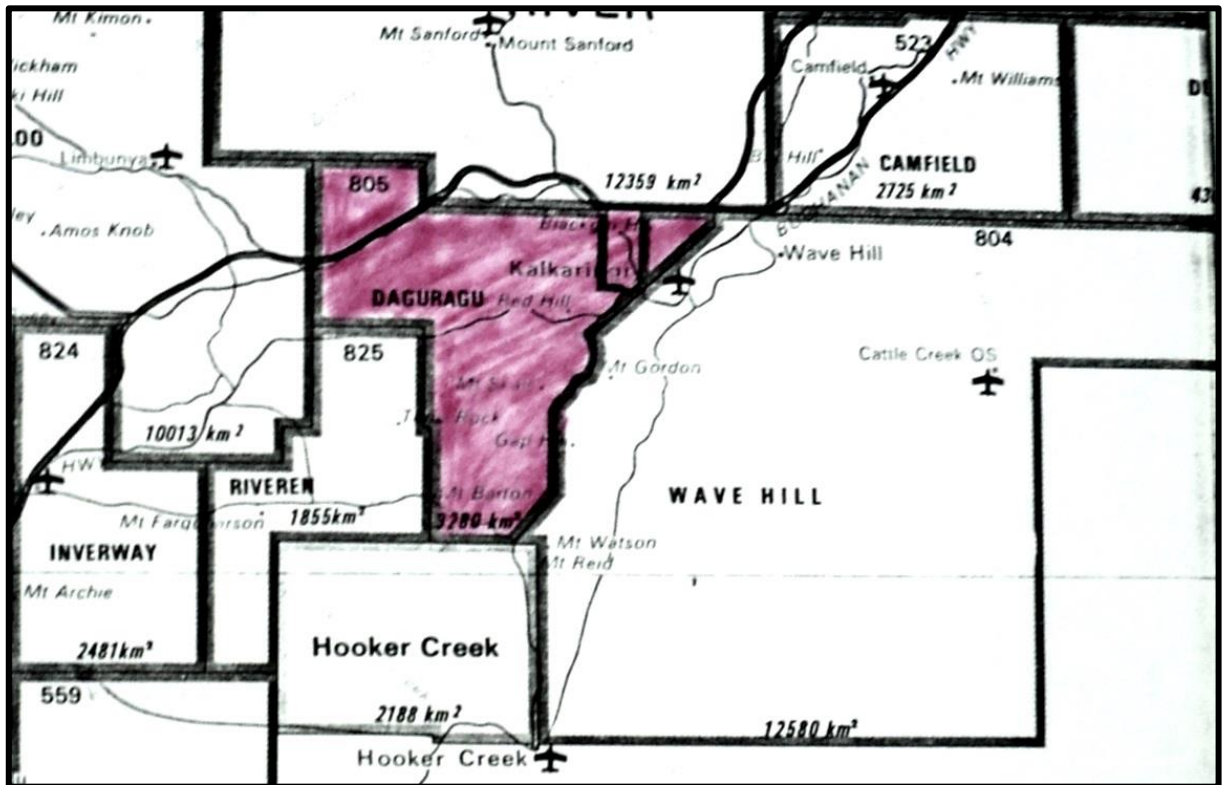


Map 4. Wattie Creek Village, October 1970. With thanks to Hannah Middleton. (Courtesy of Les Thomas)

KEY: Gurindji Camps (2–18 people)

1. Horace Wulmun, 2. Barry Kadija (ex-Victoria River Downs), 3. Lupngiari (Captain Major), Amy Wurrumak, 4. Freddy Algy, 5. Pincher Nyurrmiarri, ‘Big’ Blanchie Bulngari, 6. Vincent Lingiari, ‘Little’ Blanchie Jingaya, 7. George Nidgi, Marie Djaban, 8. Steven Ngalngayarri, Vera Dulngarri, 9. Nugget Jinyal, Alice () 10. Jerry Rinyngayarri, Melva Nanaku, 11. Tommy Wodjabunga, 12. Long Jack Jurumbak, Elsie Likapal, 13. Donald Nangiari, Kitty Nanaku, 14. Snowy Yalugura, Theresa Yupuny, 15. Mick Rangiari, Lizzie Wapngarri or Ngilyawarru, 16. Hobbles Danayarri, Lizzie Wartalilla, 17. Long Johnny Kijngayari, Polly Lajayi, 18. (Wanga) Bill Nurnngayarri, Mildred Jiwij, 19. Abschol House 1., 20. Abschol House 2.

NB: In some cases the names of individuals may be misspelt, missing or wrongly included. In these instances, I apologise to the families of those concerned.



Map 5. Local land tenure, 1975. Daguragu Pastoral Lease 805 (formerly part of Wave Hill Pastoral Lease 529), is shaded in pink. This area was subsequently the subject of the Gurindji’s *ALRA* Land Claim. The inset square within P/L 805 contains the Gurindji’s earlier Special Purpose Lease (SPL 353) surrounding Daguragu homestead. Source: NTAS, NTRS 246, PL, Part2.

Abstract

In 1973, a newly-elected Australian Labor Party government led by Gough Whitlam described its new Aboriginal Affairs policy as one of Aboriginal self-determination. The policy proclaimed its intention to assist Aboriginal groups to achieve their own goals, and used the Northern Territory (over which the Commonwealth then had full control) as a proving ground for its implementation. Subsequently renamed self-management by the Fraser Government (1975–83), the policy was adapted in small but significant ways by every federal and Northern Territory Government in the period of this study (1973–86).

The thinking of those who had formulated self-determination policy had been influenced by the situation and ambitions of the Gurindji people. The group had come to public attention following their Wave Hill Walk-off protest action of 1966, led by Vincent Lingiari. In the years afterwards, Lingiari and other Gurindji leaders articulated a number of goals, the achievement of which they saw as fundamental to their society's wellbeing and viability. Those goals were: official recognition of their traditional rights to land; their operation of a cattle enterprise on that land; their establishment of an independent community there also; and the operation in that community of a 'two-way' school.

This thesis recognises an apparent confluence of shared intentions among Gurindji leaders and government agencies in the self-determination era, and describes a zone of parallel Gurindji and government activity: 'Gurindji self-determination'. Finding that three of Gurindji self-determination's four goals were not or only fleetingly achieved, the task of this thesis is to identify the causes of this broad failure and singular success. To do this, the thesis draws on detailed empirical data, the policy history of the preceding decades, anthropological and ethnographic studies, and political theory.

This thesis finds that Gurindji self-determination's failure was caused by inchoate and emergent differences between the aims and methods of government agencies and the Gurindji. Equally, young Gurindji people's social reform agendas were an important and unanticipated contributor to the failure of Gurindji self-determination. Increased cash incomes and broader policy shifts associated with 'equal rights' enabled younger Gurindji to conduct this reformation.

Introduction

This thesis attempts to explicate the outcomes of the Aboriginal self-determination policies initiated by Australian governments in the 1970s–80s for the Indigenous Gurindji language-speaking group of the Northern Territory of Australia. Equally, it seeks to articulate the parallel social ambitions of Gurindji people, and their creative responses to government activity. By these means, this work shows how broadly speaking, the anticipated outcomes of self-determination policy and the goals of Gurindji elders failed.

Once predominantly residents of Wave Hill cattle station, the Gurindji people are renowned for the action initiated by their male leaders on August 23 1966: the Wave Hill Walk-off. Today, Gurindji people predominantly live at Daguragu and the neighbouring community of Kalkaringi, both situated on their traditional land some eight hundred kilometres south of Darwin. (See Map 1).

Key to this thesis' findings are the two communities' disparate origins and modes of development. Both communities obtained their enduring form, their names and basic demographic composition during the 1970s, and were profoundly influenced in other ways by that era's government policies of Aboriginal self-determination and self-management.

The Gurindji were a gerontocratic, and if not strictly patriarchal, then a politically androcentric society. To an unusual extent among Aboriginal groups, an individual—Vincent Lingiari—was acknowledged as the Gurindji's final arbiter, though he included and relied upon a small coterie of others in his decision-making. The goals of these men and those goals' mediation by the Australian state are the topic of this thesis.

The Gurindji leaders consisted mainly of the sons of two families: 'Long Johnny' Kijngayari and his brothers Pincher Nyurmiyarri and Mick Rangiarri, and brothers Jerry Rinyngayarri and Donald Nangiarri. Of these, only Nangiarri and Rinyngayarri were traditional patrilineal 'owners' of Daguragu. Nangiarri and Rinyngayarri relied on Lingiarri, Rangiarri, Nyurmiyarri, Kijngayari and others to 'manage', or supervise and organise ritual for that country. The roles of these four men as 'managers' or 'workers' was inherited by virtue of their marriages to a group of 'owner' women that included three sisters—'Big Blanchie' Bulngiarri (Pincher Nyurmiyarri's wife), her sister 'Little Blanchie' Jingaya

(married to Vincent Lingiari) and Rangiarri's wife, Lizzie 'Ngilyawarru' Wapngarri.¹ Sandy Moray (Tipujurn) was another traditional owner of the Daguragu/Wattie Creek area, but died in the late 1960s. Moray had nominated the site for occupation.² These traditional owners of the Wattie Creek area were among the 'track mob' who established the village of Wattie Creek/Daguragu, yet collectively the group's traditional lands stretched for hundreds of kilometres beyond the boundaries of Wave Hill Station. For clarity regarding place names, the following table provides an overview of the naming of the two Aboriginal communities on which this thesis is focused.

Wattie Creek/ Daguragu		Wave Hill Welfare Settlement/ Kalkaringi	
Wattie Creek	1967–1972.	Wave Hill Welfare Settlement	1956–1973
Daguragu	1973–present	Libanungu	1973–1976
		Kalkaringi	1976–present

Table 1. Common names of the predominantly Gurindji communities at Wave Hill.

Commonly conceived of as a long-term industrial action, the Wave Hill Walk-off comprised the Gurindji leaders' renunciation of the pastoral-industry dictated terms under which they and their forebears had lived and worked since the late 19th Century. The elders' motivation for this act also entailed a number of nascent collective aims by which they sought to ensure the long-term integrity and wellbeing of their society. At the community they founded for this purpose in 1967 (then known by European Australians as Wattie Creek), the self-styled 'track mob' sought to regain control of their traditional land and to create an autonomous community and cattle operation.³ After five years' governmental indifference and/or hostility to their 'separatist' agenda, they were officially supported to do so under the ALP's policy of Aboriginal self-determination after the Australian Labor Party government of Gough Whitlam was elected in December 1972. In a rare confluence of

¹ The English words 'manager', or 'worker' and 'owner' have been adopted by *Ngumpit* to broadly convey the complementary nature of their customary relationships of intermarriage in relation to land, ceremony and each other. See Patrick McConvell, 'Neutralisation and Degrees of Respect in Gurindji', *The Languages of Kinship in Aboriginal Australia*, Sydney, *Oceania Linguistic Monographs* (1982) 86–106, pp. 93; Lyn Riddett, Personal Communication, 20 September 2014.

² Minoru Hokari, 'From Wattie Creek to Wattie Creek: An Oral Historical Approach to the Gurindji Walk-Off', *Aboriginal History*, 24 (2000), 98–116, p. 103; Michael George, Interview by Charlie Ward, Kalkaringi, 27 October 2010.

³ For a detailed account of these events including many statements from their Gurindji protagonists, see Frank Hardy, *The Unlucky Australians*, Sydney, Nelson, 1968 (2006 edn, Melbourne, One Day Hill).

governmental intentions with publicly articulated, collective Indigenous aspirations, government fieldworkers implementing self-determination policy attempted to assist Gurindji people to achieve their leaders' aims. As was the case in other parts of Australia's north and centre, the results of this undertaking were unexpected by both their local Indigenous and governmental protagonists.

In the Gurindji's case, the practical forms which their non-Indigenous support and their own efforts took were complicated by local circumstances. For several decades prior to the 1960s, Australian governments had maintained a regional presence at the Wave Hill Welfare Settlement, situated eight kilometres from Daguragu. At the time of the Wave Hill Walk-off, the Welfare Settlement was administered by the Northern Territory Administration of the Commonwealth Department of the Interior. The Settlement, as it was known, then comprised a small school, a police station and a Welfare Branch ration depot. Twenty modern houses were built there by the Gorton Government in 1969, and then under the social policies of the Whitlam and Fraser Governments, the Settlement expanded massively. As this thesis describes, the proximity of the two communities and Kalkaringi's continuing status as the regional locus of governmental and non-Indigenous power complicated the efforts of Gurindji leaders and their government interlocutors to realise 'Gurindji self-determination' at Daguragu.

In 2004, I was employed by Daguragu Community Government Council as a planning consultant, and I have enjoyed intermittent professional and research engagements with Kalkaringi-based organisations and Gurindji people in the years since. The Walk-off leaders' historic, proactive assertions of independence and autonomy created a type of foundation mythology which Daguragu and Kalkaringi's Gurindji residents mostly seem to enjoy and promulgate. However, by the time of my employment and presence among the Gurindji the Walk-off leaders' descendants had largely disengaged from their communities' managerial and political processes. Hence after living and working at Kalkaringi and studying the group's famous Wave Hill Walk-off for a year in 2004, the commonly triumphal rendering of Daguragu's origins raised more questions for me than it answered.

To understand the evolution of the Gurindji people's incongruent situation, I felt I needed to understand not only the Gurindji communities' origins but their subsequent development. This led me to research and write my Masters' thesis, titled: 'Tracking Wave

Hill: Following the Gurindji Walk-off to Wattie Creek, 1966–1972’.⁴ That project left me with much unused research material and the substance of my curiosity unassuaged. For these reasons I formulated the questions at the heart of this thesis and resolved to answer them as a doctoral project. Although my focus has expanded and shifted marginally at times, this doctorate has been guided by my desire to answer the following questions:

- Was the Australian government’s vision of a self-determining Aboriginal constituency realised by the Gurindji?
- Conversely, was the realisation of the Gurindji vision regarding their independent homestead, their school, land rights and cattle enterprise thwarted or supported by the actions of the public service charged with operationalising self-determination?
- Furthermore, how influential were changes within Gurindji society on the outcome of these interactions?

As I will show in this thesis, on numerous occasions in the late 1960s and early 70s, the senior men of Daguragu iterated their desire to self-manage, or at least manage on their own terms, what I term the pillars of Gurindji self-determination: a Gurindji cattle company, their community of Daguragu, their land rights, and their anticipated school. I therefore correlate Gurindji self-determination with Gurindji independence. But what was the elders’ vision of their ‘independence’ exactly? As I understand it, the primary instantiation of Gurindji independence sought by the elders was that Gurindji people should occupy all the primary, in-community positions involved in operationalising each of the four pillars, as well as the attendant physical and menial roles. This extended to management: not only did they intend for their main services to be operated by Gurindji people, they also sought to avoid the influence at Daguragu of European Australians (*‘kartiya’*) over their affairs, either from afar or by visiting authorities. For this reason among others, they also sought to control the access of *kartiya* to their community. In summary, Gurindji independence may therefore be glossed at this point as a physical lack of *kartiya* at Daguragu, and their general absence from Gurindji affairs, regarding the four ‘pillars’ of Gurindji self-determination in particular.

Was this independence attained? Was Gurindji self-determination a success? Regarding three of the four measures—a cattle enterprise, Gurindji schooling and Gurindji local government—I have judged the answer to be negative, or at least ‘not for long’. Why

⁴ Charlie Ward, ‘Tracking Wave Hill: Following the Gurindji Walk-off to Wattie Creek, 1966–1972’, Unpublished Masters Thesis (Flinders University, Adelaide, 2012).

then, did these three pillars of Gurindji self-determination fail? My argument is that in all these matters, dissociative intergenerational Gurindji social dynamics and systematised misunderstandings between Gurindji leaders and their government interlocutors effectively derailed Gurindji self-determination's potential to succeed. In contrast, Gurindji land rights, the fourth pillar, can be regarded as an enduring success. The reasons for this anomaly are many, but I will show that most significantly, the possession of rights differs categorically from the responsibilities entailed by the operation of the enterprises, organisations and services required by the Gurindji's proposed cattle operation, their school, and their independent homestead.

The process of writing this thesis has been unusual in that I have produced a book during my candidature which draws upon much of the same research as that which informs my doctorate. *A Handful of Sand: The Gurindji Struggle, after the Walk-off* (Clayton, Victoria, Monash University Publishing, 2016) comprises my account of the Gurindji people's engagement with settler society, focusing particularly on their then leaders' efforts to realise their social aspirations for the group at Daguragu in the 1967–86 period. My periodisation and approach to these issues in this thesis differs significantly from the book's, however. While readers will at times recognise events depicted in *A Handful of Sand*, there I have largely constrained myself to chronology-based description. In contrast, in this thesis I provide the argument and information necessary to properly contextualise the developments I describe at Wave Hill. I then interpret and explicate them within the framework of the arguments I advance in Part One.

As I have foreshadowed, two parts comprise this thesis. Part One provides the background, context and analysis that is necessary to comprehend developments I describe in Part Two, the 'Zone of Enablement' at Wave Hill in which Gurindji elders and public servants sought to realise the pillars of the elders' vision. Similarly, in Part One, I argue that 'Gurindji self-determination' was influenced profoundly by Gurindji people's dissociative social dynamics in the period, and I illustrate the implications of that dissociation for the Aboriginal Affairs bureaucracy and for Gurindji elders in Part Two. Here, it is only necessary to state that the 1970s created opportunities for (particularly younger) Gurindji individuals to force disaggregative social change that they had long desired, and that this had serious implications for self-determination policy's communalising agenda, and that of Gurindji elders.

In **Chapter One** of this thesis, I provide the legislative and political background to the Whitlam Government's policy of Aboriginal self-determination and its ideological successors, thereby describing the Commonwealth and Northern Territory governmental frameworks and ideological environment relevant to this inquiry. **Chapter Two** describes the other protagonists of 'Gurindji self-determination'—primarily the group of Gurindji stock workers and their families who conceived and led the Wave Hill Walk-off, but also members of other Aboriginal groups residing at Kalkaringi. In **Chapter Two** I make the case that neither the Whitlam Government nor Gurindji elders knew which methods they would require to achieve their social aspirations for Gurindji society. I argue that although the methods of both parties were significantly inchoate, sufficient congruence between governmental and Gurindji aspirations may be discerned to formulate 'Gurindji self-determination' as a subject/object of inquiry. **Chapter Three** then provides a more detailed history of the origins and intentions of self-determination policy as it was formulated by the Council of Aboriginal Affairs (1966–76) and the Whitlam Government (1972–75), showing how both the newly-created sector of Aboriginal organisations and the Department of Aboriginal Affairs were given responsibility for remedying Aboriginal disadvantage by operationalising the policy. It then describes how remote social and employment realities forced the Fraser Government and the Northern Territory's Everingham Government to adapt their self-determination policies during the late 1970s in key ways, while largely seeking to retain the policy's earlier rhetoric. Building on the work of other scholars, **Chapter Three** also demonstrates that new governmental rationalisations of Aboriginal collectivity were self-determination policy's definitive trait. Drawing upon political theorist Chandran Kukathas' notion of dissociation as a 'right' within pluralistic liberal democratic nations, I then show how self-determination policy's communalising intentions were both powerfully resisted, and adapted in unforeseen ways, by Gurindji and other Aboriginal individuals. **Chapter Four** builds on the preceding chapters to explain why, when the cumulative effects of social liberal policies in the 1950s–70s at Wave Hill culminated in young Gurindji people's receipt of increased cash incomes provided by the social policies of the Whitlam Government, younger Gurindji individuals found it useful to dissociate from the older generation in unprecedented ways. I show that this process of intergenerational dissociation was also assisted by increasing exposure to 'western' culture and alcohol. In Chapter Four I also draw on the sociological concept of 'social closure' to demonstrate that Gurindji people employed a range of techniques to enable their 'disappearance' from the space as governable subjects of policy.

In **Part Two** I show how the dynamics and factors I have articulated in Part One affected the efforts of both Gurindji elders and their bureaucratic interlocutors to realise the main pillars of the elders' social vision at Wave Hill: Land Rights; the Muramulla Cattle operation; Gurindji-controlled schooling; and most importantly, the independence of their homestead and later community, Daguragu. **Chapter Five** describes the Gurindji elders' famous campaign for their land rights. It also shows why categorical and practical differences between the exercise of legal rights and the operational requirements of the other pillars of their social vision ensured that the Gurindji's possession of land rights by the *Aboriginal Land Rights (Northern Territory) Act 1976* was an anomalous success. I show that these categorical and practical differences are demonstrated by the Gurindji elders' apparent belief that when the Muramulla Company received significant government funding and a pastoral lease in 1975, that they possessed the property rights they aspired to. The rights of a pastoral lessee allowed them to grow a large herd of cattle and to employ their own young men to work their stock: crucial elements of their social vision. **Chapter Six**, which with Chapter Seven analyses the Gurindji elders' Muramulla cattle company, shows how and why this misapprehension came about: how successive governments supported Aboriginal groups' cattle-related entrepreneurial ambitions, and why that aim was central to the elders' vision of ongoing Gurindji social and economic maintenance. While Chapter Six provides the reader with an account of the Muramulla Company's fifteen-year history, it is in **Chapter Seven** (Muramulla II), that I analyse and explicate the employment, communication and governance problems that would complicate and eventually thwart the Company's operation as a vehicle for the Gurindji elders' plans.

In **Chapter Eight**, my focus shifts to the educational and pedagogical trope of the elders' social vision. There, I provide evidence that Gurindji elders saw their management of a primary and perhaps secondary school at Daguragu as a key component of their vision for Gurindji social and cultural maintenance. Unlike the other elements of the Gurindji elders' vision explored in Part Two, Gurindji people were unable to attempt this experiment: a school at Daguragu was never built. Chapter Seven thus explores the reasons for this failure of federal and Territory governments and the Walk-off leaders, and its implications for the elders' social project.

The Gurindji elders' ultimate aim was to make an autonomous Gurindji enclave at Daguragu, sustained by their cattle operation. It is thus to Gurindji independence that this thesis's analysis finally cleaves. Treating 'independence' as the intended outcome of the composite elements of Gurindji self-determination which I have already addressed,

Chapter Nine is primarily descriptive, laying the groundwork for what follows. It describes relevant intentional statements by the Gurindji, and illustrates the thinking behind incorporative and communalising governmental responses to this aim. To demonstrate the continuing though frequently unaligned efforts of the elders and their government interlocutors to realise an independent Gurindji society, Chapter Nine provides a description of the first three local council-type bodies created by DAA officers at Wave Hill under the rubric of self-determination. I argue that these bodies failed to engage the Gurindji's political leadership because their structures failed to acknowledge the practices and plural sources of Aboriginal power at Wave Hill; an error whose remedy I show in **Chapter Ten**. There, I demonstrate how a Daguragu-based council incorporated in 1977 managed to recognise Wave Hill's extant Aboriginal power dynamics, and how that body and its successor comprised the Australian state's most effective effort to actualise Gurindji self-determination. In Chapter Ten I show too, though, that the Council's Aboriginal management was badly compromised by insufficient and mostly inadequate non-Indigenous support. I also argue that the dissociative agenda of young Gurindji adults and elements of Gurindji socialisation rendered professional Aboriginal peer-management untenable. With these factors limiting the functionality of the Council and Gurindji people's engagement with it, I show how the idiosyncrasies of 'adapted' Aboriginal self-determination policy characterised the operations of both the Daguragu Council (1977–1982) and the Daguragu Community Government Council (1982–86). Having demonstrated how and why 'independence' of the type envisioned by the Walk-Off leaders was never realised, the body of this thesis ends.

The **Conclusion** summarises the insurmountable difficulties faced by 'Gurindji self-determination's' protagonists, and places the dissociative Gurindji social developments of the period within their ethnographic, historical, and nation-wide context. Finally, a broader analysis of the independence envisioned for the Gurindji by their government interlocutors concludes the work.

A Note on Methods and Methodology

By combining my own historical assessment with extant anthropological and political theoretical analyses, this study contributes to current understandings of a government policy. It does so by contextualising my own oral historical and archival research regarding the Gurindji group's social and political dynamics in the period with anthropological

literature regarding the social structure of other traditionally-inclined Aboriginal Australian groups in remote Australia. I demonstrate that the Gurindji people's apparent responses to self-determination policy in the period were motivated by their own social priorities, and that liberal government policies and economic developments in the 1950s–80s, including self-determination, created the preconditions which enabled Gurindji people to achieve their individual rather than collective goals.

To uncover source material that might illuminate and profitably inform my analysis of events at Kalkaringi and Daguragu in the period, I have employed several orthodox methods of historical research. Predominantly, this has consisted of reading government-produced archival records held by the National Archives of Australia's Darwin repository. Small though important additions to this material include government land administration records held by the Northern Territory Archives Service (NTAS) and the current NTG Department of Infrastructure, Planning and Logistics. Oral History interviews recorded by the NTAS Oral History Unit were also very useful, particularly regarding the operation of the Muramulla Company and Daguragu Community Government Council in the 1980s. The private collections of former public servants and activists have provided me with important, unofficial perspectives on events at Kalkaringi and Daguragu, as have the interviews I have conducted with a large number of non-Indigenous and Gurindji individuals who were involved with 'Gurindji self-determination'. Records created by Kalkaringi's Baptist Ministers, now held by Global Interaction, also enabled me to incorporate Christian perspectives on alcohol use by Gurindji people, and Gurindji social dissociation.

As readers might note, the firsthand reports of Gurindji individuals are largely lacking from this list. While primary sources of information on Gurindji self-determination have been plentiful, the archive informing this research predominantly reflects the views of non-Indigenous government and non-government staff, and this archive therefore does not necessarily provide an accurate representation of Gurindji views. Unfortunately, non-Indigenous voices are heavily over-represented. The disparity between amply documented non-Indigenous views and poorly documented Gurindji ones has significant implications for my analysis. Before detailing the methodological steps I have taken to ameliorate it, I will briefly outline the reasons for its existence.

Unlike those *kartiya* in the period who were attempting to create a historical, self-determining Gurindji subject, my study has the great benefit of hindsight. The advantage of being able to interpret the opinions of the Gurindji's non-Indigenous interlocutors by contextualising them with others is considerable, however my analysis is unavoidably

compromised by its reliance on scant and tendentious representations of Gurindji people. This situation may be attributed to both the Gurindji leaders' illiterate status and the articulative practices of government. This thesis will show that the leaders' illiteracy had a critical effect on their responses to the opportunities and responsibilities that self-determination policy offered.

The elders' illiteracy has also affected this analysis in significant ways. Unlike the voluminous documentary archive I have collated detailing non-Indigenous public servants' endeavours, which I have frequently been able to supplement with oral history interviews conducted with those same public servants, no equivalent resource produced by or for Gurindji leaders exists. English was the third or fourth language of most of these men, and they did not write. Almost without exception, the elders' words were recorded in the language of the dominant culture. This occurred because they were summarised, evoked and occasionally transcribed in English, by European Australians. So that this study would not be unduly compromised by the omission of the Gurindji leaders' 'authentic' voices, I have had to rely on my critical incorporation of relevant secondary (non-Indigenous) written transcripts and summaries, of statements made by Gurindji men in interviews, meetings and consultations. I have been unable though to supplement these sources with my own oral history interviewing of the period's Gurindji leaders. Bar one, the leaders of the Wave Hill Walk-off were deceased by the time I began my research. The disparity in this regard between Lingiari's coterie and their urban, non-Indigenous governmental advisers, whom I interviewed in great numbers, is pronounced. In general, it is explained by the fact that the Gurindji leaders were not only much older than their record-keeping *kartiya* interlocutors during the historical period under review, but that they also had a far shorter life expectancy.

Regarding the opinions of Gurindji women or 'new generation' Gurindji, the situation is more complex. Scarcely any extant primary evidence from these groups or their 1970s antecedents exist from which I might elucidate an account of the younger or female Gurindji's worlds in those years, in English or otherwise. Those with the means to do so saw no reason to identify or record the opinions and beliefs of the male Gurindji leaders' wives or sisters, or of the young men and women reshaping Gurindji society, whose in/activity and opinions largely and paradoxically excluded them from the self-determining Gurindji subject sought by government bureaucrats. As such, the materials I draw on to support my thesis regarding the younger Gurindji's approach to their elders' collective political aims in the period are meagre, though they include my interviews of that

generation's Gurindji leaders (mostly female), who came of age in Daguragu and Kalkaringi, after the Walk-off.

The question of Gurindji peoples' attitudes to, and abilities regarding, their own self-management also raises methodological issues. In my explication of 'Gurindji self-determination', what is the unit of measure by which 'self-determination' should best be assessed? The Aboriginal 'community' had been chosen by the Whitlam Government as its primary subject/object of self-determination, yet bureaucratic experience and subsequent analysis has shown that 'communities' can be viewed in a number of ways: as ensembles comprising traditional owners, and/or housing and infrastructure, community councils, and/or co-residents.⁵ An equivalent problem therefore confronted the staff of the DAA: who or what is an 'Aboriginal community'? The incommensurability and contradictions of such groupings belied a common supposition of bureaucrats in Aboriginal Affairs: that the residents of a community were or would become socio-politically harmonious and homogenous. Experience has repeatedly revealed this assumption as erroneous.⁶ Does the term 'community' have utility as a marker of Gurindji self-determination, then? This is a problem of representation that has political and narrative implications. As noted already, the origins and founding principles of Kalkaringi and Daguragu differed fundamentally, and were at times overtly oppositional. Although the interaction of 'the Gurindji' and the state transformed both communities into governmental artifices, it was how this occurred that illuminates each community's heterogeneity and the divergent, even contradictory ways in which 'Gurindji self-determination' was enacted. 'Self-determination', in other words, always demanded that the loose idea of a Gurindji 'community' be given operational meaning in various contexts: the 'homestead' of Daguragu, or the settlement of Kalkaringi, or the Muramulla Company, for instance.

⁵ The indeterminability of who or what an Aboriginal 'community' refers to has been discussed by many writers: See Barry Smith, 'The Concept "Community" in Aboriginal Policy and Service Delivery (Darwin, Dept. of Social Security, North Australia Development Unit, 1989); Elspeth Young and Kim Doohan, *Mobility for Survival: a Process Analysis of Aboriginal Population Movement in Central Australia* (Australian National University, North Australia Research Unit, Darwin, 1989); Tim Rowse, *Remote Possibilities: the Aboriginal Domain and the Administrative Imagination* (North Australia Research Unit, Casuarina, NT, 1992), pp. 22–25.

⁶ Often such assumptions are guided by a belief in the strength and cohering effects of 'traditional' links between residents of a community and the country on which the community is located. In the face of community disharmony, this is seen as the result of the breakage of those links by colonialization. See for instance, Sarah Davies, 'Appropriate Planning for Aboriginal Self-determination' (Unpublished PhD Thesis, University of New South Wales, Sydney, 1995), pp. 44–58.

In preference over a chimeric, undefined Gurindji ‘community’, the unit of analysis I have adopted in this work has been ‘the Gurindji’. As described in Chapter Two, this descriptor is the gloss commonly applied to the core group, later self-described as the ‘track mob’, which left Wave Hill Station in 1966 and which later sought to establish an independent homestead at Wattie Creek. The focus of this work is therefore predominantly on the efforts of these people themselves to realise their own self-determination. Because ‘self-determination’ is ultimately a form of governance or quasi-governance however, any attempt to effect this style of self-rule requires of its protagonists (and their analysts) a subject/object. In the case of the Gurindji, this was predominantly the ‘community’ of Daguragu, which for various reasons I, like many of the Gurindji’s governmental interlocutors in the 1970s, choose to describe as a ‘homestead’. The repossession of their land and the operation of a cattle enterprise are also significant amongst the vehicles by which the track mob sought to operationalise their independence, and they are therefore also the subjects of my analysis in Chapters Five, Six and Seven respectively.

Further complicating the Gurindji’s self-determination at Daguragu, and therefore this analysis, is the fact that it could not be affected in isolation, due to a range of factors—as the track mob and their DAA advisors discovered. Firstly, the region’s administrative centre was at nearby Kalkaringi, and the Gurindji’s government interlocutors were also responsible for supporting that settlement’s self-determination. Secondly, the smallness and isolation of both populations determined that it was uneconomical financially and in terms of administrative and human resources for the two populations to be governed separately—although this was briefly attempted. Thirdly, the proximity of the two settlements and Kalkaringi’s status as the local service providing centre meant that by choice or necessity, residents of Daguragu—for whom Gurindji leaders were largely responsible—were often at Kalkaringi. As were a number of Warlpiri families who also resided at the ex-Welfare Settlement. These factors therefore required Gurindji self-determination’s proponents to take responsibility for the management of Kalkaringi also.

Amidst the powerful processes of change that occurred in Kalkaringi and Daguragu during the 1970s and 80s, I posit that Daguragu’s *raison d’être*—the ‘track mob’s’ control over the terms of their own existence—became even more important to local people after the *kartiya*-led development of Daguragu’s housing and infrastructure. While participation in their own self-directed, small scale community development initiatives had provided many of the group with a sense of purpose and pride in the late 1960s and early 70s, by the end of that

decade, Daguragu's development had largely become the preserve of government and its quasi-governmental Aboriginal sector subsidiaries. This thesis argues that ironically, as a means of re-asserting control over their circumstances, Daguragu's residents withdrew from that process of development, including the programs, courses, training and other practices of the non-Indigenous domain.

To this point I have been discussing the challenge of developing an accurate and plausible account of Gurindji self-determination, as the group's elders might have recognised it. Yet this group were more amenable to interlocution by those agents of the state engaged in that endeavour than some of the other Aboriginal residents of Wave Hill. What of the individualistic and dissenting responses of Gurindji youth, resisting both their leaders' and governments' political imperatives? For purposes of historiographical explication, the Gurindji's conduct of 'official' self-determination-type activities and their own 'traditional' cultural and recreational activities were almost mutually exclusive. Very few records of unofficial, ceremonial and/or private Gurindji activities exist, and therefore as an historiographical undertaking, my assessment of *how and when* Gurindji people were able to exercise their autonomy in ways that were significant to them is conjectural—except when they did so in relation to the activities, organisations, businesses and programs deemed significant by their recordkeeping, non-Indigenous interlocutors. This inquiry is therefore affected by the same problem of articulation which hampered the efforts of Gurindji elders and the Gurindji's interlocutors alike: that of identifying and cultivating a self-determining Gurindji subject. For the staff of the DAA and Wave Hill's Aboriginal organisations, a narratable social actor of this type was imperative to justify and rationalise their work. Similarly, my historical analysis of Gurindji self-determination presupposes a narratable Gurindji subject, yet even cursory extant written accounts show that Gurindji people adopted a diverse range of attitudes regarding the collective aims of their elders.

For the reasons I have outlined above, my assessment of the extent and parameters of the lived domain that Gurindji people maintained 'outside' of the realm of governance is conjectural, in that elements of my argument about endogenous dissociative factors impeding Gurindji self-determination have been gleaned by reading the archive for its gaps and elisions. The motivations of intergenerational differentiation among the Gurindji, as its protagonists understood them, are ones I must largely adduce. To remedy these limitations, I draw on ethnographic analyses of other remote Aboriginal groups in the period, particularly those describing elements of Aboriginal community life conducted beyond the influence of policy. My assertions about Gurindji social dynamics are therefore based on

the assumption that they were largely equivalent to those observed in other remote Aboriginal groups, notably those of Wik and Pintupi people.

Note to the reader

As can be expected of a region and a formative period in which various Indigenous and non-Indigenous individuals, groups and agencies interacted closely, the politics of Wave Hill resulted in a complex process of naming and re-naming local places. A note of explanation is therefore required regarding the names used in this thesis. The European name of ‘Wave Hill’ was applied to the pastoral lease and operations of William Buchanan by stockman Sam Croker in 1882.⁷ In the century that followed, it became common for local Aboriginal people and European Australians to refer to the internally situated (now neighbouring) ‘communities’ of that area by the same name as that used for the area itself: Wave Hill. In this thesis then, when referring to *both* Kalkaringi and Daguragu (or the Wave Hill Welfare Settlement and Wattie Creek, as they were known in the late 1960s and early 70s), I term them Wave Hill’s communities, or simply ‘Wave Hill’. I use the name ‘Wave Hill Station’ when referring to the eponymous, then Vestey Company-owned cattle enterprise which the majority of Gurindji people left in 1966.

In contrast to the Gurindji’s later government interlocutors, I also describe the settlement established at Daguragu by the Aboriginal workers who left Wave Hill Station a ‘homestead’ rather than a ‘community’. To name the site of the Gurindji elders’ desired independence a ‘homestead’ rather than a ‘community’ is more accurate in two ways. Firstly, I believe that the vision the Gurindji leaders sought to create at Daguragu was inspired by the large homesteads which they had seen throughout their working lives. Secondly, more than a community, a ‘homestead’ accurately describes Daguragu’s status as the residential hub of a pastoral lease.

Well-informed readers will also note that although the Wave Hill Welfare Settlement was officially renamed ‘Libanungu’ by the Whitlam Government in 1973, I do not use this name in this thesis. Because the name never gained popular currency among residents and was abandoned by officials in favour of ‘Kalkaringi’ in 1976, I have chosen not to use ‘Libanungu’ for the sake of clarity.

⁷ Bobbie Buchanan, *In the Tracks of Old Bluey: The Life Story of Nat Buchanan* (Rockhampton, Central Queensland University Press, 1997, 2006 ed), pp. 104–105.

Also, the distribution of government funding comprises an important part of the history of Gurindji self-determination, and this analysis therefore makes reference to financial figures. Dollar amounts are provided in their historic value, followed by their current (2017), approximate equivalent. This amount is provided in brackets in each instance. In other words, financial values in this book have been cited in the following form: \$AUD original amount (\$AUD 2017 value). These figures have been calculated using the Australian Bureau of Statistics' Australian Consumer Price Index Calculator.⁸

Finally, in light of the many varied non-Indigenous actors in the story of Gurindji self-determination, and their frequently uniform, cumulative effects on Gurindji people, at times in this text I use the same descriptor for them as the Gurindji themselves: *kartiya*.

⁸ Australian Bureau of Statistics' Australian Consumer Price Index Calculator, *ABS Online* <<http://www.abs.gov.au/websitedbs/d3310114.nsf/home/Consumer+Price+Index+Inflation+Calculator>> [accessed 28 March 2017].

PART ONE: Actors and Arguments

Ch. 1 The Political and Legislative Landscape

Gurindji people were the intended subjects of many reformist government policies and pieces of legislation in the 1973–86 period. Their responses to these policies are the subject of this thesis. To chart the ways in which the remedial intentions of government officers and various agents of the state affected the Gurindji's affairs, it is thus necessary to consider the policy intentions of government, the mutable political environment, and legislation of particular relevance to the Northern Territory's remote Aboriginal people in the period.

This chapter is thus divided into two parts. As the Commonwealth Government administered the Northern Territory directly from 1911–1978 and self-determination policy originated under its authority, the Commonwealth Government's activity is the preserve of the first. The first part will describe the three federal governments to hold office in the 1973–86 period: Gough Whitlam's Australian Labor Party (ALP) Government (1972–75); the Fraser Coalition Government (1975–83); and the ALP government of Bob Hawke (1983–86), and their activities in the domain of Aboriginal affairs. These include the Commonwealth's development of self-determination and self-management policies, the bureaucratic apparatus it employed to implement the policies, and important pieces of related legislation, such as the *Aboriginal Land Rights (Northern Territory) Act 1976 (ALRA)*.

The Northern Territory attained Self-Government in 1978. As the Gurindji were (and are) also subject to the policies and legislation of the Northern Territory legislature regarding remote Aboriginal people, equivalent developments in Territory politics and administration must also be considered. These will be described in the second part of this chapter.

1.1.1 Commonwealth Governments and Self-determination, 1972–75

At the Launceston conference of the ALP in the winter of 1971, the party adopted a suite of progressive policies aimed at improving the position of Aborigines in

Australian society. Most of these policies were based on the recommendations of the Council for Aboriginal Affairs, which had long been ignored by the incumbent Coalition McMahon Government and its predecessor.¹ The election victory of the ALP under Gough Whitlam's leadership on 2 December 1972 after twenty-three years of coalition rule thus re-organised the national debate on Aboriginal issues, and the subjection of the Gurindji people to progressive 'self-determination' policies began soon afterwards. In the following chapter, I will provide a brief genealogy of these policies' Australian development.

Upon taking office, Prime Minister Whitlam acted immediately to create a new Ministry of Aboriginal Affairs, and appointed a long-term activist and former teacher, Gordon Bryant, as its Minister. Whitlam named an ex-diplomat and member of the Council of Aboriginal Affairs (CAA) Barrie Dexter, as the secretary of a large new Department of Aboriginal Affairs (DAA). To students and academics gathered at Monash University in 1973, Dexter used the (CAA-drafted) words of former Prime Minister McMahon to illustrate the Commonwealth's shift away from assimilation-oriented policies. Stating that the new government's policy initiatives were 'based on recognition of Aboriginals as a distinctive cultural and ethnic group with the right to determine its own future', Dexter went on:

[...] Previously an overall goal, namely 'assimilation' was set, and policies and programs were designed to achieve it. Now we no longer presume to know either the destination or even the direction.²

In the same month, the Prime Minister outlined his vision of the government's new policy, highlighting its intentions to remedy Aboriginal people's lack of economic and political power. According to Whitlam, the goal of his government's Aboriginal policy was 'to restore to the Aboriginal people of Australia their lost power of self-determination in economic, social and political affairs'.³ He went on:

¹ Barrie Dexter, *Pandora's Box: The Council for Aboriginal Affairs, 1967–76* (G. Foley and E. Howell, eds.), (Southport QLD, Keeiara Press, 2015), pp. 337–339.

² Barrie Dexter, 'The Commonwealth Department of Aboriginal Affairs—Its Functions and Underlying Principles: An Address at a Seminar on Aboriginal Affairs, Monash Centre for Research into Aboriginal Affairs, 9 May 1973', in *Seminar on Aboriginal Affairs* (Monash Centre for Research into Aboriginal Affairs 1973), p. 1.

³ Edward Gough Whitlam, 'Statement by the Prime Minister, the Hon. E. G. Whitlam, Q.C., M.P., to the Ministerial Australian Aboriginal Affairs Council in Adelaide on 6 April 1973', (1973).

My government is anxious that 200 years of despoliation, injustice and discrimination have seriously damaged and demoralised the once proud Aboriginal people. The government [...] accepts responsibility for their active and progressive rehabilitation [...]. We will not rest until they have taken up, as a distinctive and honoured component of Australian society, the position to which their rights as the first Australians entitles them.⁴

It is worth noting that in this initial framing, Whitlam emphasised the new policy's 'rehabilitative' and 'restorative', or remedial intentions. The markers which he deemed necessitated this were not overtly named in this speech, but from the Department of Aboriginal Affairs' subsequent foci, we can infer that economic and cultural marginalisation and relatively high unemployment in comparison to the greater population were high among the issues that authorities believed warranted such attention. I term this 'restorative' impulse, justified by the Keynesian precepts of Whitlam's social policy, one of remedial liberalism in this thesis.

Whitlam's vision was complex, if not contradictory. Noting that his government intended 'to assume full responsibility for policy in respect of Aboriginal Affairs' from the states, he announced that it would also 'seek to devolve [responsibility for implementation] upon a wide range of Commonwealth, state and local authorities, as well as upon organisations of Aborigines themselves'.⁵

The new government would focus its commitment through activity in five areas. Land rights, a topic of high importance to the Gurindji, was named as a key focus. The Prime Minister thought that land would provide Aboriginal people 'with a base for their economic and social development', while Barrie Dexter also believed that 'in Aboriginal Affairs, the land issue is fundamental'.⁶ The inclusion of Aboriginal opinion in decision-making, as conveyed by Minister Bryant's proposed National Aboriginal Consultative Committee (NACC), was to be a definitive trait of the Whitlam Government's new agenda, as was bilingualism in education and the promotion of Aboriginal languages. The government also announced that the

⁴ *ibid.* p. 2.

⁵ *ibid.* p. 2.

⁶ Australian Institute of Aboriginal and Torres Strait Islander Studies (hereafter AIATSIS), *Jeremy Long Papers*, Manuscript Collection, 'CAA to Minister, Draft', CAA 1970-73, Box 5, Folder 50; Whitlam, *op. cit.*

incorporation of Aboriginal groups was crucial to its vision. Whitlam envisaged that Aboriginal corporate bodies would ‘form consultative council[s] with which the government will confer on matters affecting Aborigines’, and Dexter similarly intended that the same bodies would become the vehicle by which Aboriginal people would ‘achieve their social and economic goals’.⁷ Lastly, Whitlam’s agenda included its intention to ratify *Convention No. 107 (Indigenous and Tribal Populations)* of the International Labour Organisation. All the foregoing would be supported by a massive increase of funding for ‘programmes of socially valuable special work projects, vocational training, and grants and loans in support of enterprises’.⁸

To achieve this extensive reform agenda, the Whitlam Government employed what Indigenous policy historian Tim Rowse has described as a ‘communalising’ rationality.⁹ In addition to the new government instrumentality of the Aboriginal company, a new governmental denomination of Aboriginal sociality was created, if not clearly defined: the Aboriginal ‘community’. Former government settlements and church missions, and the Aboriginal people that inhabited them, were reimagined in this way, and staffed by Department of Aboriginal Affairs ‘community advisors’. Whereas the assimilationist policies of preceding coalition governments had focused on the integration of Aboriginal individuals with the Australian mainstream, under self-determination, significant emphasis was placed on encouraging those individuals to ‘develop’ communities, with which they were encouraged to identify.¹⁰ Self-identification of Aboriginal people as members of a national pan-Aboriginal demographic was also encouraged and steps were taken to mould Aboriginal people as a political constituency. As anthropologist Gillian Cowlishaw describes, under the new policy, ‘Aboriginality was not now to be broken up into autonomous self-policing individuals, but into autonomous self-policing communities’.¹¹ In other words, self-determination policy signalled a denominative shift in governments’ approach to

⁷ Whitlam, *op. cit.*; *Long Papers, op. cit.*

⁸ Whitlam, *op. cit.*

⁹ Tim Rowse, ‘Culturally Appropriate Indigenous Accountability’, *American Behavioral Scientist*, Vol. 43, No. 9 (2000) 1514–1532, p. 1515.

¹⁰ For a convincing problematisation of these assumptions, see Patrick Sullivan, *All Free Man Now: Culture, Community and Politics in the Kimberly Region, North-western Australia* (Aboriginal Studies Press, Canberra, 1996), p. 11.

¹¹ Gillian Cowlishaw, ‘Erasing Culture and Race: Practising “Self-Determination”’, *Oceania*, 68 (1998) 145–169 (p. 150).

Aboriginal Australians. I shall return to this theme, for it had important implications for the social project of the Gurindji elders.

Exactly *how* the Whitlam Government would implement its new policy had to be resolved. Plans were made within the DAA eight weeks after its inception to convene a small group of staff and other experienced field workers. Their purpose was to ‘consider the approaches, methods and techniques which will need to be adopted to implement policy directives in the manner expected by the new government’.¹² On the DAA’s behalf, the Australian National University’s (ANU) Centre for Continuing Education (CCE) facilitated a series of seminars in a spirit of open inquiry and experimentation in the small township of Batchelor.

High among the government’s proposed new ‘approaches, methods and techniques’ were those belonging to the study of community development, a technique of social work. Community Development was then a relatively new field, hitherto driven predominantly by practitioners in the United States and Britain. In Australia, social work in Aboriginal contexts had been performed mostly by Methodist Church practitioners in the southern cities.¹³ Some of these individuals, such as Rev. Jim Downing, Ken Nowland and Rev. Bernie Clarke, had employed Community Development methods on church-administered settlements in the Northern Territory.¹⁴ The term ‘self-determination’ itself had been introduced as early as 1969 by Jim Downing to describe a strategy of encouraging Aboriginal governance capacity through communication, consultation and community development.¹⁵

Similar though more prescriptive experiments had already been conducted on government-run Aboriginal settlements by the Northern Territory Administration (NTA) throughout the 1960s. Aboriginal ‘village councils’ were then common in the NTA’s Welfare Branch and mission settlements alike and it was officially

¹² AIATSIS, *Jeremy Long Papers*, ‘Proposed New Policy Outline’, ‘Batchelor Training Seminar’, Box 5, Folder 48.

¹³ See, for example: Jim Downing, *Ngurra Walytja: Country of My Spirit* (Darwin: North Australian Research Unit, Australian National University, 1988), p. xi; Ted Noffs, *Wikipedia*, http://en.wikipedia.org/wiki/Ted_Noffs. Accessed 7 June 2013.

¹⁴ Ken Nowland, *Self-Determination—Is It Happening? : Kimberley 1984, Nungalinga Occasional Bulletin; No. 28* (Casuarina, N.T: Nungalinga College, 1985), front matter; Bernard Clarke, *Larrpan Ga Buduyurr: The Spear and the Cloud* (Tranmere, South Australia, 2010), p. 144.

¹⁵ Jim Downing, ‘Consultation and Self-Determination in the Social Development of Aborigines’, in *A Question of Choice: An Australian Aboriginal Dilemma* ed. by Ronald M. Berndt (Nedlands, W.A: University of Western Australia Press, 1971), p. 61.

acknowledged that ‘Aborigines are showing a great interest in [the councils’] operation, and are participating actively in managing settlement and mission affairs’.¹⁶ Nonetheless, the adaptation of community development methods by the Whitlam Government’s ‘people-focused’ departments was a radical philosophical departure from the paternalist precepts underlying the integration-oriented policies of the NTA.

In contrast to the assimilationist views of many Native Affairs Branch and early Welfare Branch staff, the DAA’s CCE trainers were informed by the writings of radical Latin American and American theorists such as Paulo Freire, Saul Alinsky, Jack Rothman and Daniel Thursz, and the work of these authors was known to at least some senior DAA staff.¹⁷ Alinsky was a pioneer of the post-World War II Chicago school of community organising, a milieu now credited with underwriting much of modern political ‘grassroots’ activism.¹⁸ The relevance of these theorists’ ideas of social empowerment—with their origins among the vastly divergent circumstances of Brazilian campesinos and urban African Americans—to Australia’s remote Aboriginal groups such as the Gurindji, remained to be seen.

In accordance with the emancipative precepts of community development, the ‘syndicates’ of the DAA’s Batchelor seminars decided that after the initial phases of self-determination’s implementation, the Department’s new field staff would no longer be needed.¹⁹ The premise that a measure of self-determination’s success should be its agents’ withdrawal was reaffirmed in a DAA seminar on community development in November 1977.²⁰ More broadly, it was departmental policy that the

¹⁶ *Department of Territories Annual Report 1964–65*, cited in Peter Loveday, ‘Local Governance in Aboriginal Communities from the Assimilation Period to the 1970s’, *That Community Government Mob’: Local Government in Small Northern Territory Communities*, ed. by Jackie Wolfe, (Darwin, Northern Territory, Australian National University, North Australia Research Unit, 1989), pp. 13–35 (p. 17); Murray Seiffert, *Gumbuli of Ngukurr: Aboriginal Elder in Arnhem Land*, (Brunswick, Victoria, Acorn Press, 2011) p. 193.

¹⁷ AIATSIS, ‘Community Development 1973-74’, MS 2534, Box 6, Folder 60.

¹⁸ See Elizabeth Sommerlad, *A Training Course in Community Development for Field Workers in a Tribal Aboriginal Context*, Occasional Papers in Continuing Education, No. 6 (Canberra: Centre for Continuing Education, Australian National University, 1975), p. 11; Saul Alinsky, *Rules for Radicals: A Practical Primer for Realistic Radicals* (New York: Random House, 1971).

¹⁹ This decision was also arrived at subsequently in a community development seminar held by the DAA in November 1977. See Elizabeth Sommerlad, ‘Community Development in the Northern Territory’, *Aboriginal News*, 1, 5 (1974), pp. 18–19; Department of Aboriginal Affairs, *DAA Annual Report 1977–78* (Canberra, Australian Government Publisher, 1978), p.1.

²⁰ *DAA, op. cit.* p. 12.

entire DAA would withdraw from Aboriginal communities and eventually disband when Aboriginal residents were able to successfully manage their own affairs.²¹

While it was intended that the Department's Community Advisors would use a community development, capacity-building approach in their work with Aboriginal people, the administrative means by which the DAA chose to support its activity (and engage Aboriginal residents) was via funded, activity-based projects in communities. These projects were to be formulated on an individual basis, through processes of close consultation and collaboration with local leaders and residents. In terms of their intended outcomes, the Department classified them as either 'social' or 'economic', and established eponymous funding streams accordingly.²²

The Department deemed 'social' projects to be those with intangible, or at least less measurable, outcomes. These were frequently intended to improve the social and/or cultural wellbeing of participants, and included outcomes such as non-commercial gardens or art and craft workshops. 'Economic' projects, on the other hand, were those designed to produce an economic income *inter alia*, and the Gurindji people's Muramulla Cattle Company would become an example. In practice, many DAA projects produced both economic and 'social' outcomes for their Aboriginal participants, though not necessarily those intended by officials. How Departmental staff framed, developed and delivered these projects, with (or without) Aboriginal participation at Wave Hill, and the effects of these activities, are topics I shall explore in Chapters 6–7 (on the Muramulla cattle project) and Chapters 9–10 (on the establishment of 'representative' local governance bodies).

In addition to the 'soft power' of community and economic development-inspired programs, the Whitlam Government shared the CAA's opinion that Aborigines required special legislation to advance their interests. Extant Acts of association were deemed inadequate, for example, to support the government's vision of incorporated Aboriginal groups representing their members' interests in the community at large and liaising with government. At the same time as the Whitlam Government took action to create Aboriginal Land Rights and land fund legislation (processes I shall describe later in this chapter) then, it also sought advice on drafting special legislation, by which groups of Aboriginal people might incorporate.

²¹ DAA, *op. cit.* p. 2.

²² Darwin, NTAS, Barry Hansen [former DAA (NT Division) Economic Section head], Interview Recorded by Charlie Ward, September 2012, NTRS 3609, BWF 39.

These developments had great potential relevance for the Gurindji: as governments from this point attempted to involve Gurindji people more in managing their own affairs, public servants put considerable effort into formulating ‘Aboriginal’ organisations. By doing so, the state sought to solicit and create (according to its own measures) a representative, authentic—and most importantly, an accountable—Aboriginal constituency. The Whitlam Government’s main endeavour in this regard was to draft the *Aboriginal Councils and Associations Act (1976)*, or ACAA, which was passed into law by the Fraser Government and enacted on 26 January 1977. Although Gurindji organisations were not incorporated under the ACAA but under pre-existing legislation (and later, under other, Northern Territory laws), Whitlam and Fraser’s ACAA heralded the beginning of a longstanding trend by which, for various purposes, subsequent governments attempted to create an Aboriginal legal subject ‘legible’ to the state. The responses of Gurindji people to these governmental overtures and their effects on the Gurindji’s own self-determination goals in the 1973–86 period will be discussed in Chapters 9–10.

Although the Whitlam Government achieved much in the way of social reform, by 1975 high levels of unemployment and inflation and a huge budget deficit had damaged its popularity.²³ A shambolic image of the government was effectively cultivated and exploited by the ambitious new leader of the Opposition, Malcolm Fraser. At his direction, in mid-October 1975 the Liberal-National coalition refused to pass the government’s money bills in the hope of forcing the Prime Minister to an election. When Whitlam refused to go to the polls, his government was dismissed by the Governor General John Kerr, on 11 November 1975. Malcolm Fraser was endorsed by Kerr as a ‘caretaker’ Prime Minister until an election could be held; when this occurred on 13 December 1975, the Liberal-National Country Party Coalition won overwhelmingly.²⁴ Whitlam had been resoundingly rejected by Australian voters. The ‘Dismissal’, as it became known, remains the only constitutional crisis in the history of Australia’s federation.

²³ ‘Australian Political Chronicle, July-December 1975’ *Australian Journal of Politics and History* (22, 1, 1976) 74–130, p. 77–78.

²⁴ Australia, Parliament, *Federal Election Results 1901–2010*, Research Paper No. 6 (2011–12), www.aph.gov.au/About_Parliament/Parliamentary_Departments/Parliamentary_Library/pubs/rp/rp1112/12rp06, Accessed 12 November 2013.

As highlighted by the Fraser Government's subsequent passage of Whitlam's *ACAA* and *ALRA* legislation, much of the impact of the Whitlam Government's self-determination policy occurred as a result of the bipartisan support Whitlam's reforms garnered from subsequent federal governments, after his own term in office.

1.1.2 The Aboriginal Land Fund Commission and the Aboriginal Land Rights (Northern Territory) Act 1976

When the Whitlam Government introduced its new participatory policy for Aborigines in December 1972, issues of land were critical to the government's reform program and the aims of Gurindji elders. So that I may explain the effects of the former on the latter in Chapters 5–7 of this thesis, I will now outline relevant aspects of the federal government's activity regarding Aboriginal land and land rights in the period.

Days after Whitlam's election, the CAA's Nugget Coombs suggested to the new Prime Minister that a Royal Commission into Traditional Aboriginal Land Rights should be held.²⁵ Whitlam accordingly appointed Justice Edward Woodward to lead an enquiry.²⁶ Woodward was a former QC who had represented Yolngu plaintiffs in their ground-breaking Supreme Court challenge to prevent mining on Yolngu country in north-east Arnhem Land, by recognition of their traditional rights (*Milirrpum v Nabalco Pty Ltd*, 1971). Woodward's brief was not to establish whether, but *how* the traditional rights of Aboriginal people over land could be incorporated into extant Australian law and tenure. During the commission's hearings, Gerry Brennan QC presciently advised Justice Woodward that:

This [the 'Woodward Report'] will for all time mark the high-water mark of possible Aboriginal aspirations. Whatever your Honour does not recommend in favour of Aborigines at this stage will never be granted.²⁷

In his Second Report (1974), Woodward's recommendations—which were accompanied by drafting instructions later accepted by the Whitlam Government—included the following:

²⁵ Tim Rowse, *Obliged to Be Difficult: Nugget Coombs' Legacy in Indigenous Affairs* (Cambridge University Press, 2000), p. 117.

²⁶ Sir Edward Woodward, *One Brief Interval: A Memoir* (Carlton, Vic: Miegunyah Press, 2005), pp. 97–106, p. 133.

²⁷ Cited *ibid.*, p. 141

The transfer of Aboriginal reserves and missions [and other designated areas] to full Aboriginal ownership; the establishment of land trusts to hold title, and Land Councils to consult with Traditional Owners and other Aboriginal people and to help in all things to do with land; the payment of mining royalties to Aboriginal people; the requirement of permits to have access to Aboriginal land; the purchase of more cattle stations; the leasing of land in towns for a [range of] purposes; and the leasing of village areas for Aboriginal communities living on cattle stations.²⁸

When the Whitlam Government was dismissed on 11 November 1975, the *Northern Territory Land Rights Bill* containing these recommendations was before parliament, requiring its last reading. The bill lapsed when parliament was dissolved, and among the members of the CAA, who saw the Council's work towards land rights as its primary purpose, there was a sense of terrible disappointment.²⁹

Despite the unpopularity of *ALRA* among sections of the Coalition's support base, the incoming Fraser Government promised to support the Bill's passage, and tabled it before federal parliament for a second time in June 1976. The Liberal party had promised that it would continue Whitlam's policies unaltered, but in Fraser's new version of the Bill, the powers proposed by Woodward for the Land Councils were radically curtailed, and their proposed powers transferred to the Minister and the DAA. New Aboriginal Affairs Minister Ian Viner suggested specifically that instead of the Land Councils, Aboriginal Legal Services could prepare land claims.³⁰ The right of Aboriginal people to claim land on a 'needs' basis, as well as on the grounds of traditional rights, had also been removed from Fraser's version of the bill. The previously recognised rights of Traditional Owners to veto mining and to claim 'town' land were also lacking.³¹

²⁸ Justice Woodward, *Second Report, April 1974* (Canberra, Government Press, 1975), cited in Ross Howie, 'Northern Territory', in *Aboriginal Land Rights: a Handbook*, ed. by Nicolas Peterson (Canberra: Australian Institute of Aboriginal Studies, 1981), pp. 28-52, (p. 29).

²⁹ Barrie Dexter, in 'Seminar of the Fortieth Anniversary of the 1967 Referendum: Transcript, 22 June 2007', (Parkes, Canberra: Office of Evaluation and Audit (Indigenous Programs), Department of Finance and Administration, 2007), p. 9.

³⁰ Hon, Ian Viner, cited in Geoff Eames, 'Land Rights or a Sell Out? An Analysis of the Aboriginal Land Rights (Northern Territory) Bill, 1976' (Alice Springs, IAD Press, 1976), p. 7.

³¹ Eames, *ibid.*, pp. 8-9.

Fraser's revised bill aroused strong opposition among pastoralists, fishermen and miners—those with commercial interests in the Territory's land and seas. From other quarters, some missionaries and anthropologists criticised it because they felt it compromised the interests of Aborigines.³² Elements of the bill were condemned by County Liberal Party (CLP) members of the Northern Territory Legislative Assembly (NTLA). The criticisms made of it within the Assembly played to the fears and misconceptions of the NT's non-Indigenous residents.³³ These arguments are explored more in Chapter Five. While Aboriginal Land Rights was hotly and publicly contested by the Aboriginal Land Councils (represented by the CLC) and the NT's CLP politicians, the broader debate was informed by the vexed relationship between the legislatures of Canberra and Darwin.

After much acrimony, the *Aboriginal Land Rights (Northern Territory) Act 1976 (ALRA)* came into effect on 26 January 1977. Under the terms of the legislation, the Territory's Aborigines would be able to make land claims before an appointed Land Rights Commissioner, who would be able to advise the Minister to award the claimants a new type of inalienable tenure created under the terms of the Act: Aboriginal freehold title. This title, once awarded, would be vested on behalf of Traditional Owners in special Aboriginal Land Trusts that would be administered by the Central and Northern Land Councils.³⁴ The NT legislature remained resistant to the powers vested in the Commonwealth and the Land Councils under the Act, and as a result, conflict between Darwin and Canberra legislators over land rights continued until the mid-1980s. Negotiations about the Territory's Self-Government were also affected by the dispute, as I shall explain later in this chapter.

While the Woodward Royal Commission's work was underway during 1973–74, the Whitlam Government was also busy designing the means by which non-reserve land might be purchased for Aborigines. At the behest of the CAA, the need for such purchases had been originally flagged by former Prime Minister William McMahon,

³² Geoff Eames, 'The Central Land Council: The Politics of Change', in *Aborigines, Land and Land Rights*, ed. by Marcia Langton and Nicolas Peterson (Canberra: Australian Institute of Aboriginal Studies, 1983), pp. 268–277, (p. 273).

³³ Northern Territory, Legislative Assembly, Hon Rupert Kentish, *Parliamentary Record—First Assembly. Part One—the Debates*, 18 November 1976 (Darwin, NTLA Printer, 1977), pp. 826–827.

³⁴ Two other Land Councils, those of the Tiwi and Anindilyakwa peoples, were inaugurated subsequently.

and the desirability of their proper conduct was now highlighted by the Department of Aboriginal Affairs' inept handling of such matters. The solution chosen by the Whitlam Government was the establishment of a fund to be managed by an impartial and expert statutory body—the Aboriginal Land Fund Commission (ALFC). This body was created under the terms of the *Aboriginal Land Fund Act (1974)*, as I shall describe in Chapter Five, and one of the ALFC's first jobs was to fund the purchase of the Gurindji's excision from Wave Hill Station.³⁵

1.1.3 The Fraser Government and Self-management, 1976–83

Although it continued many of the Whitlam Government's Aboriginal Affairs policies in little-altered form, certain differences in ideological (and hence financial) emphasis and administrative method distinguished the Fraser Coalition Government's approach from that of its predecessor. Arguably, it was also during the Fraser Government's tenure that the practical limits of self-determination policy's implementation became clear. Upon taking office, Fraser's immediate goal was to reduce what he saw as the previous government's waste and profligacy, not least in the Department of Aboriginal Affairs. To initiate this process, Fraser ordered a review of the department's expenditure by David Hay, a former Administrator of Papua New Guinea. In combination with the proposed 'trimming' of \$7 million (\$43 million) from the DAA budget in the 1976–77 financial year—immediately evidenced by 'austerity measures' resulting in the closure of facilities on bush communities—rumours about the extent of government funding cuts abounded.³⁶

But what were the new government's broader policies for Aborigines? Surprisingly, for it resisted progressive reform during the Gorton–McMahon era, Fraser's Liberal Country Party Coalition was broadly sympathetic to Whitlam's 'self-determination' policy, though it didn't proclaim itself as such. Instead, the government branded its own approach one of 'self-management'. This, it said, was designed to 'develop Aboriginal self-sufficiency and [...] represent initiatives that Aborigines themselves believe will enhance their dignity, self-respect and self-reliance'.³⁷

³⁵ See Ian Palmer, *Buying Back the Land: Organisational Struggle and the Aboriginal Land Fund Commission* (Canberra, Aboriginal Studies Press, 1988), p. 42.

³⁶ David Broadbent, 'The Blacks Take a Battering', *The Age*, 2 December 1976.

³⁷ Cited in *Department of Aboriginal Affairs Annual Report 1975–76*, Australian Government Publishing Service, Canberra, 1976), p. 5.

Further, like Whitlam's ALP, the Coalition recognised that 'Aborigines must play a leading role in their affairs'.

'Self-management' differed markedly from the coalition's 'Assimilation' policies of the previous decade. Much like 'self-determination' before it, Fraser's policy recognised the unique culture(s) of Aboriginal people, and aimed to foster this recognition among the public, in part by introducing 'Aboriginal history and culture [in all Australian schools] as a full subject in education programmes [from] primary school onwards'.³⁸ As I have described, the new government also intended to continue the Whitlam Government's work towards land rights, promising that 'traditional Aboriginal owners [will] gain inalienable title' to their lands.³⁹ In this thesis I shall argue that with small though important changes of ideological emphasis, Fraser's self-management policy was a continuation of the self-determination policy he inherited upon taking office.

Despite his party's pro-Aboriginal rhetoric, Fraser's appointment of a junior non-cabinet minister, the solicitor Ian Viner, reflected the fact that the government no longer saw Aboriginal Affairs as a priority. Tellingly, the suggestions that Aborigines comprised something of a 'special case' that flowed freely during the Whitlam Government's first year ceased. Now, expenditure on Aborigines would not be apportioned to remedy their relative disadvantage, but merely assessed 'within the context of overall budget allocations'.⁴⁰ Fraser hastened the Department's return—as one journalist put it—to 'the fringe settlements of the bureaucracy'.⁴¹

The direct, extensive influence of Fraser's self-management policy on the Gurindji's affairs was relatively brief. As a result of the Northern Territory Legislative Assembly's accumulation of powers (culminating in the Territory's Self-Government in 1978), most functional responsibilities for Aboriginal communities were transferred to the new Northern Territory Government less than three years after Fraser came to power. In terms of the Gurindji's affairs, the only notable exception to this was that responsibility for funding their Muramulla Gurindji Cattle company was retained by the Commonwealth. In 1980, many 'commercial'-type functions supported by the

³⁸ *ibid.*, p. 7.

³⁹ *ibid.*, p. 6.

⁴⁰ *ibid.*, p. 5.

⁴¹ Bruce Juddery, 'Disillusionment Likely Among Aborigines', *Canberra Times*, 2 July 1976.

Department of Aboriginal Affairs were transferred to a new Commonwealth statutory body, the Aboriginal Development Commission.

1.1.4 The Aboriginal Development Commission, 1980

In November 1978, Prime Minister Malcolm Fraser replaced his Aboriginal Affairs Minister Ian Viner with another West Australian solicitor, Fred Chaney. At the time of the transition, the Aboriginal Affairs portfolio was undergoing significant change. The DAA had been the subject of considerable discontent from various quarters throughout its existence, and the Fraser Government's response was to restructure. According to Chaney, the government's intention was to establish a new statutory commission that would conduct several 'development'-type functions hitherto undertaken by the DAA, the Aboriginal Land Fund Commission and/or the Aboriginal Loans Commission (ALC).⁴² The resultant body would be known as the Aboriginal Development Commission (ADC), and it was designed to offer the government tighter controls over funding *and* a greater say to Aboriginal people about the direction of government activity.⁴³ The ADC was headed by the senior Aboriginal bureaucrat Charles Perkins and was designed to assist the self-management and self-sufficiency of Aboriginal people through land acquisition, business enterprises, and housing.⁴⁴ The majority of its Commissioners' positions were reserved for Aboriginal people, and under the *Aboriginal Development Commission Act 1980*, the powers of the Minister were curtailed.⁴⁵ From 30 April 1980 when the *ADC Act* came into effect, government-funded commercial enterprises (such as the Gurindji's Muramulla Company) came under the domain of the new ADC. By this time DAA founding secretary Barrie Dexter had resigned. The Department's new Secretary Tony Ayers oversaw the transfer of responsibilities to the ADC.⁴⁶

⁴² Hon FM Chaney, 'Establishment of the Australian Aboriginal Development Commission [...], Press Release, 2 September 1979.

⁴³ Lyndall Ryan, 'Aboriginals and Islanders', in *From Fraser to Hawke*, ed. by Bryan Head and Allan Patience (Melbourne, Longman Cheshire, 1989), pp. 394–408 (p. 405).

⁴⁴ *Department of Aboriginal Affairs Annual Report 1983–84*, (Australian Government Publishing Service, Canberra, 1984), pp. 9–10.

⁴⁵ 'Aboriginal Development Commission', *Aboriginal News*, Vol. 3, No. 9 (Canberra, Department of Aboriginal Affairs, 1980), p. 3.

⁴⁶ Ryan, *op cit.*, p. 404.

1.1.5 The Hawke Government, 1983–86

On 5 March 1983, the Fraser Government lost power to the Australian Labor Party led by Bob Hawke, and Aboriginal Affairs Minister Fred Chaney was replaced by the ALP's Clyde Holding. The Hawke Government announced a return to 'self-determination' policy and a large increase to funding for Aboriginal groups, though in practice little of Fraser's policy regime was changed during the Hawke Government's first and second terms.⁴⁷ In light of this and the fact that most responsibilities for Territory Aborigines had been transferred to the NTG, the Hawke Government's Aboriginal Affairs policies were of marginal importance to the Gurindji.

1.2.0 Northern Ambition: the Rise of the Northern Territory Government

Like other residents of the Northern Territory, Gurindji people these days are 'governed twice', by the Commonwealth and Northern Territory Government, but until 1978 this was not the case. From 1911–1978, the NT was federally administered, though during this time it accrued more 'state-like' powers at the behest of its Commonwealth-appointed administrators and elected representatives in the federal parliament, particularly after World War Two. The Territory's increasing executive independence culminated in 1978, when it became a self-governing (though largely federally funded) entity with its own judiciary and independent legislature. As a result of this accretion of power during the period of this study, the Gurindji were increasingly affected by the policies and legislation of the NT's Darwin-based Legislative Council (1947–74), its Legislative Assembly (1974–78), and finally, its unicameral Parliament (1978–). Like many of the other processes of social, economic, political and technological change which I argue shaped the response of Gurindji people to self-determination policy, this transfer of power to Territory authorities reached its apogee during the period of this study. As I will argue in Chapters 9–10 of this thesis that the increasing executive 'reach' of NT legislators had a critical impact on the Gurindji's achievement (or not) of their self-determination-like goals, it is necessary to explore these governmental developments and their political context here.

⁴⁷ 'Aboriginal Land Rights', Statement by the Minister for Aboriginal Affairs, the Hon. Clyde Holding MP, 18 March 1986 (Canberra, Australian Government Printer, 1986), p. 1.

Tensions between Darwin and the then new Commonwealth Government began in 1911, when South Australia ceded responsibility for Territory affairs to the Commonwealth.⁴⁸ From this time until the Federal Government's 'second tier' Northern Territory Legislative Council (NTLC) was created in 1947, the NT was controlled by Canberra's legislation. Perceptions in the Territory of federal interference were later exacerbated by the structure of the NTLC itself, which comprised a mix of (federal) government-chosen members and popularly-elected representatives.⁴⁹ To remedy the perceived meddling of their ill-informed and distant Commonwealth masters, northern politicians promoted greater executive independence for the NT. Increasingly, 'Self-Government' for the Territory, or even statehood, were the foci of Territorian ambition, and when the Whitlam Government came to power in 1972 it established a Parliamentary Joint Committee on the Northern Territory (PJCNT) to investigate how progress towards these goals should proceed.⁵⁰

The Joint Committee found that the first step for the Northern Territory to assume greater control over its affairs should be for its Legislative Council to transition into a Legislative Assembly (NTLA), which would be entirely elected by NT voters.⁵¹ A federal bill was passed in 1974 to put this into effect. To contest the first NTLA election on 19 October 1974, members of the NT Country and Liberal parties formed a coalition affiliated with their national counterparts. The resulting amalgam, the Country Liberal Party (CLP), returned 90% of its candidates, while the NT branch of the ALP failed to win a single seat.⁵² The CLP won multiple and successive elections subsequently, and the party's long-term domination of the NTLA provided conservative interests with a stronger platform to assert their authority over the Gurindji and other Aboriginal groups.⁵³

⁴⁸ Dean Jaensch and Deborah Wade-Marshall, *Point of Order!: The Legislative Assembly of the Northern Territory, 1974-1994* (Darwin: Legislative Assembly of the Northern Territory [and] North Australia Research Unit, Australian National University, 1994), p. 1.

⁴⁹ Alastair Heatley, *Almost Australians: The Politics of Northern Territory Self-Government* (Darwin: North Australia Research Unit, Australian National University, 1990), p. 29.

⁵⁰ *ibid.*, p. 33.

⁵¹ Jaensch and Wade-Marshall, *op. cit.*, p. 11.

⁵² Alastair Heatley, "And Then There Were Two": The 1977 Northern Territory Legislative Assembly Election', in *Monographs Political and Historical*, ed. by F.H. Bauer (Darwin: North Australian Research Unit, Australian National University, 1978), pp. vii-124, p. 16.

⁵³ See Diane Perche, "Dialogue Between Past and Present: Policy Evaluation and History." *Australian Journal of Politics & History*, 57/3 (2011) 403-419, pp. 413-414.

During the remainder of the NTLA's first term (1974–77), CLP leader Dr Goff Letts led negotiations with Canberra about increasing executive power for the Territory, and tensions between federal politicians and their NT counterparts continued. After Letts lost his seat in the second NTLA election of August 1977, he was replaced as leader by a brash 35-year old lawyer, Paul Everingham. Under Everingham, the CLP-dominated Assembly maintained pressure on the Federal government to further the Territory's constitutional development. The wishes of the Assembly were realised when the Commonwealth government passed the *Northern Territory (Self-Government) Act* in 1978.

1.2.1 Northern Territory Self-Government, 1978

The passage by the federal parliament of the *Northern Territory (Self-Government) Act 1978* (hereafter the *NTSG Act*) marked the culmination of a decades-long campaign. Although the NTLA had already accrued the power to 'make laws for the peace, order and good government of the Territory' upon its inception in 1974, Self-Government conferred further (but not total) 'executive authority' and other responsibilities upon it.⁵⁴ Under the *Self-Government Act*, the NTLA assumed the power to make its own Acts of Parliament but remained subservient to the Commonwealth, which retained a right of veto.⁵⁵ Control of Aboriginal Affairs, uranium mining and national parks remained in Canberra under the *Act*, but confusingly the work of the Commonwealth departments of Health and Education, then active in Aboriginal communities, was transferred to their NTG equivalents.⁵⁶ Responsibility for essential and other services in remote communities were also transferred. Although the Commonwealth's role in Aboriginal communities was greatly reduced, federal bureaucrats stipulated that NT policies must 'pay due regard to Aboriginal views, needs and circumstances'—though what this meant was not defined.⁵⁷

The impact on the Gurindji of these and other simultaneous administrative changes regarding Aboriginal communities in the Territory was significant. While the

⁵⁴ Canberra, NAA, 'Background Material—NT Self-Government [...]', *PM's Visit to NT 24–27 April 1978*, A1209, 1978/1050, Part 2.

⁵⁵ Jaensch and Wade-Marshall, *op. cit.*, p. 15.

⁵⁶ Heatley, *op. cit.*, 1990, p. 120.

⁵⁷ NAA, A1209, 1978/1050, Part 1, *op. cit.*

federal government was ‘devolving’ some powers to the new NTG under the requirements of Self-Government, the federal Department of Aboriginal Affairs was also ‘devolving’ power to Aboriginal communities—as intended by its self-determination and self-management policies. Hence on 1 July 1978—the same day as the Northern Territory assumed Self-Government—many administrative functions at Wave Hill, for instance, were handed over from the DAA: not to the NT Government, but to Daguragu Council.⁵⁸

The NTG also took responsibility from the Commonwealth for the provision of essential services in remote communities on 1 July 1979, and the Majority Leader (and now Chief Minister) of the NT, Paul Everingham, lobbied hard for Town Management and Public Utility (TMPU), housing, cultural, recreation and sporting functions to be transferred to his government also.⁵⁹ The last of these were transferred from the Commonwealth to NTG control in 1980. As a result, from this time Aboriginal community councils received a significant proportion of their (federally-sourced) funding directly from the Northern Territory Government; a development which made them increasingly dependent on it. Regardless of the new NTG’s espousal of its belief in Aboriginal ‘self-management’, federal authorities were ‘profoundly suspicious’ of its attitude towards Aborigines.⁶⁰

Like other endeavours requiring co-operation between the NT’s previous legislatures and the Commonwealth, the official transfer of responsibility for essential services in Aboriginal communities from the DAA was marked by conflict, this time in the form of an argument between Chief Minister Everingham and Fraser.⁶¹ In light of the Everingham Government’s newly-enhanced powers and the challenges these created for Gurindji leaders then endeavouring to contribute successfully to ‘their’ community organisations, the new Northern Territory Government’s approach to Aboriginal affairs also requires analysis here.

⁵⁸ ‘Internal Audit Appraisal, Wave Hill Community’, 27 September 1978, Richardson Personal Collection, p. 1.

⁵⁹ Heatley, *op. cit.*, 1990, p. 120.

⁶⁰ In 1978–79, of the \$375,800 (\$1.87m) received by Daguragu Council, \$132,000 (\$657,000) was received from the NT Government. ‘Internal Audit Appraisal’ *op. cit.*

⁶¹ Heatley, 1990, *op. cit.*, p. 91.

1.2.2 The Northern Territory Government and Aboriginal self-management, 1978–86

On coming to office on 13 August 1977, Everingham's CLP majority found itself in an awkward position. Compelled for political reasons to limit the scope, if possible, of its federal counterpart's locally unpopular federal Aboriginal Land Rights legislation, the Everingham Government was also aligned with, and required the support of, the same government that introduced the new law. This created something of a double-bind. Also, navigating the tension between local anti-Aboriginal rights sentiment and—especially after Self-Government in July 1978—fulfilling its duties towards the Territory's Aboriginal citizens created a separate, though related, set of political problems. As I will show in this thesis, the efforts of NT CLP governments to navigate these issues both influenced and complicated their involvement in Aboriginal affairs between 1978 and 1986.

Perhaps for the sake of expedience, the Everingham Government announced its support for the federal policy of self-management early in its incumbency. For the new Chief Minister, like Malcolm Fraser, the emphasis was to be on the practical and economic 'self-reliance' and 'self-sufficiency' of remote Aborigines.⁶² According to policy analyst Will Sanders, Everingham saw:

[...] self-management as Aboriginalisation of the workforce in government and government-supported activities in those areas which impinge on the lives of Aborigines, and which in the past have been undertaken largely by whitefellas. [...] For the government it ultimately means that that no longer will whitefellas be needed to support the servicing of Aboriginal communities. This is the self-reliance.⁶³

At Everingham's behest, an Office of Aboriginal Liaison (OAL) was established within the NT Chief Minister's Department. In addition to emphasising the importance of education and training, which Everingham believed were key to Aboriginal self-management, the OAL acted to address a wide range of issues. To

⁶² Will Sanders, 'From Self-Determination to Self-Management', in *Service Delivery to Remote Communities*, ed. by Peter Loveday (Darwin, North Australia Research Unit, Australian National University, 1982), pp. 4–10, p. 7.

⁶³ *ibid.*, p. 10.

improve relationships between Aboriginal people and the police, for example, the OAL collaborated with the Territory's Whitlam Government-created Aboriginal Legal Aid services, and established a Liquor Commission that would take into account the wishes of local stakeholders, including Aboriginal groups, in its efforts to regulate the Territory's liquor trade. Annual conferences in which senior NTG public servants and OAL staff liaised with Aboriginal leaders and community council staff were also held.⁶⁴

At the same time, the NTG rhetorically promoted self-determination and self-management's standard themes—the Aboriginalisation of community councils, those councils' concurrent assertiveness against domineering whites, and bilingual education.⁶⁵ Yet other factors complicated the CLP's delivery of its self-management policies. Differences of opinion and operational styles between Office of Aboriginal Liaison staff (tasked with promoting self-management within the NTG) and the NT Department of Community Development (whose job it was to implement most NTG policy in Aboriginal communities) undermined the government's activities. Similarly, without a designated functional department for Aboriginal Affairs, many of the Everingham Government's professed goals for Aborigines were promoted within 'universal' policies, and/or were to be self-administered by Aboriginal groups lacking the requisite resources. As I will show, at times Aboriginal decision-making, the overarching goal (and operational method) of self-management and self-determination policy, was subsumed by other considerations within the NTDCD and other NTG departments.

In light of the complex political and operational environment confronting the Everingham Government, it is unsurprising that critics discerned a disingenuousness to the Chief Minister's positions on 'Aboriginal' issues. Like the Fraser Government's interpretation of Whitlam's self-determination policy, Everingham's reframing of self-management included subtle shifts in emphasis that allowed for government activity on Aboriginal communities to vary quite significantly from 'official' policy

⁶⁴ See, for instance: Department of the Chief Minister, Office of Aboriginal Liaison, *Conference of Council Presidents and Aboriginal Community Advisers, Kormilda College, Darwin June 1982*, (Northern Territory Government Printer, 1982).

⁶⁵ *ibid.*

aims. According to the ALP MLA for the Victoria River, Jack Doolan, Everingham made:

[...] statements to the press and the Assembly which purport to indicate that he has a genuine concern for the Aborigines in the Northern Territory, yet he continues to instruct officers of the [NTG's] departments to oppose the concept of land rights. [...] It is my belief he is the prime mover and the chief instigator of most of the racial tension that has been occurring in the Territory.⁶⁶

The Everingham Government's stance towards the federal government's implementation of *ALRA* remained openly antagonistic. The alienation of pastoral leasehold land by Aboriginal groups under the Act caused the Everingham Government special concern.⁶⁷

After Paul Everingham resigned on 16 October 1984 to pursue a career in federal politics, Ian Tuxworth became the second Chief Minister of the Northern Territory, and the policy direction of his government (October 1984—May 1986) in Aboriginal affairs varied little from that of his predecessor. Although the NTG's aspirations in Aboriginal Affairs were more commonly implied than stated, the Everingham and Tuxworth Governments remained nominal proponents of 'enabling' Aboriginal policies. The outcomes, though—and even, to an extent, the intentions—underlying the NTG's 'self-management' policies during 1978–86 were ambiguous. These dynamics were constitutive of the 'adapted' form of self-determination policy that I argue was adopted in the period.

1.2.3 The NTLA, the NTG and Aboriginal Land Rights, 1977–86

To understand the means by which the Gurindji achieved their land rights victory (the topic of Chapter Five), it is necessary to explore related, contemporaneous political and policy processes in the NT. When the Fraser Government's *Aboriginal Land Rights (Northern Territory) Act 1976* came into effect on 26 January 1977, the

⁶⁶ Northern Territory Legislative Assembly Parliamentary Record, Third Assembly—First Session, Volume XIV, Hon. Jack Doolan, 18 November 1982 (Darwin, NTLC Printer, 1983), p. 3264.

⁶⁷ 'Everingham and Aboriginal Pastoral Leases', *Central Australian Land Rights News*, No. 11, December 1979 (Alice Springs, Australia, Central Land Council); Chris Budden, *A Question of Balance: A Reply to the Territory Government's Campaign to Change the Aboriginal Land Rights (NT) Act* (Darwin, Concerned Citizens for a Proper Perspective on Land Rights), September 1983, pp. 8–9.

acrimony among NT Country Liberal Party politicians that had accompanied its development intensified. The CLP NTLA majority were strident in their opposition to the Act and chose to prioritise perceived ‘Territory interests’ over political loyalties.⁶⁸ Attempting to harness widespread fears among non-Indigenous Territorians that *ALRA* would introduce a form of ‘apartheid’ to the NT, the NTLA moved to draft its own ‘complementary’ legislation to diminish the *Act*’s powers.⁶⁹

The first land claim under *ALRA* was heard at Borroloola in October 1977, and an inordinate amount of the Northern and Central Land Councils’ energies that year were spent defending their legislative charter. Country Liberal Party legislators argued that the Land Councils’ white advisers were manipulating Aboriginal people for their own, supposedly socialist, ends.⁷⁰ It was understood by the Land Councils that the CLP’s complementary legislation, if passed, would wrest control over entry to Aboriginal land, sacred sites, pastoral properties and ‘wildlife and the territorial seas’ from the Commonwealth, rather than let that authority pass to Aboriginal Traditional Owners recognised by the Act.⁷¹ The CLP’s proposal to delegate decision-making powers about the right of entry to Aboriginal land to an NTLA-appointed council of ‘authorised Aboriginals’ was particularly objectionable to the Land Councils.⁷² In contrast to the CLP though, the NT branch of the Australian Labor Party saw land rights as a federal responsibility, and opposed Everingham’s lobbying Canberra on the issue.⁷³

Exacerbating this thinly-disguised contest over the NT’s land base was the long-term power struggle between Darwin authorities and the federal government described earlier in this chapter. Although the relationship of the two legislatures had improved somewhat since the demise of the Whitlam Government, it remained parlous.⁷⁴ Such

⁶⁸ Northern Territory, Legislative Assembly, Hon Rupert Kentish, Hon Goff Letts, Hon James Robertson, Hon Ron Withnall, Hon Eric Manuell, *Parliamentary Record—First Assembly. Part One—the Debates*, 17 March 1977 (Darwin, NTLA Printer, 1978), pp. 147–152.

⁶⁹ ‘Petition on Land Rights’, *NTN*, 17 February 1977, p. 2; ‘Calder Warns on Apartheid’, *NTN*, 17 March 1977, p. 2.

⁷⁰ NTLA, 17 March 1977, *op. cit.*

⁷¹ *Central Australian Land Rights News*, No 6, February 1977 (Alice Springs, Australia, Central Land Council), p. 9.

⁷² Northern Territory, Legislative Assembly, Hon Eric Manuell, *Parliamentary Record—First Assembly. Part One—the Debates*, 5 May 1977 (Darwin, NTLA Printer, 1978), pp. 272–273.

⁷³ See Northern Territory, Legislative Assembly, Hon. Jon Isaacs, *Hansard: Second Assembly—First Session, Part One—the Debates*, 9 May 1978 (Darwin, NTLC Printer, 1979), p. 905.

⁷⁴ Northern Territory, Legislative Assembly, Hon James Robertson, *Parliamentary Record—First Assembly. Part One—the Debates*, 17 March 1977 (Darwin, NTLA Printer, 1978), p. 147–151.

accusations about federal indifference or ignorance on land rights and other issues were common.

After Paul Everingham's election as Majority Leader of the NTLA Second Assembly on 13 August 1977 (and his Chief Ministership under the terms of Self-Government soon afterwards), the campaign of the CLP to undermine the powers won by Aboriginal people over land under *ALRA* intensified—even as Everingham publicly declared that 'without land rights, self-management and self-sufficiency for Aboriginals are merely empty phrases'.⁷⁵ Evidence of the new NTG's intentions were displayed in March 1979 when it rezoned large areas of land around the Territory's major towns, in some cases doubling their size.⁷⁶ The government claimed that the move was merely to provide for future population growth, but to many observers, the primary effect of Everingham's gazettals was that they prevented the areas being claimed under *ALRA* by virtue of Aboriginal traditional rights. To many, it was a declaration by his government of a campaign to frustrate and resist Aboriginal aspirations to land. Although such actions directly contradicted the political impulse underlying the federal government's support of Aboriginal Land Rights in the Territory, the Fraser Government lacked the will to force a confrontation on the issue.⁷⁷

In the early 1980s, the campaign of the Northern Territory Government to weaken the powers of the federal government and Aboriginal Land Councils as bestowed by *ALRA* continued.⁷⁸ In November 1982 the NTLA passed a resolution detailing its concerns about the federal Act. In this the NTLA emphasized the fact that some land being claimed under *ALRA* was set aside for public purposes such as National Parks and stock routes; that under the *Act* an increasing amount of land in the Territory could potentially revert to administration by the Commonwealth; and that 'the open-ended nature of the claim system' led to the 'opportunity for repeat claims'.⁷⁹ Also high among Chief Minister Everingham's concerns—which were

⁷⁵ Cited in 'Mudbra Land Claim [sic]', *Land Rights News*, No. 27, September 1979, p. 3; Hon Paul Everingham, 'After Land Rights...Self-reliance', *Aboriginal News*, Vol. 3, No. 6, 1979, p. 5.

⁷⁶ Neil Naessens and Rob Chalmers, 'New Row on NT Land', *NTN*, 7 March 1979, p. 1.

⁷⁷ NTAS, Hansen, *op. cit.*

⁷⁸ Alastair Heatley, 'Aboriginal Land Rights in the Northern Territory' in *Interest Groups and Public Policy* ed. by Roger Scott (South Melbourne, Vic: Macmillan, 1980), pp. 37–68.

⁷⁹ 'Legislation Relating to Land for Aboriginals', *Resolution passed by the Legislative Assembly on 24 November 1982* (Darwin, Northern Territory Government Printer, 1983).

aired in national newspaper advertisements and via an address at the National Press Club—was that the *Act* diminished the NT's development and business potential.⁸⁰ These concerns were shared by Ian Tuxworth, Everingham's successor. As a result, the NTG wished to replace inalienable freehold Aboriginal title (as awarded under *ALRA*) with perpetual lease title similar to pastoral properties purchased on behalf of Aborigines—such as the Daguragu leasehold.⁸¹

Such were the attitudes of the NTG to *ALRA* and Aboriginal Land Rights in the Territory in the mid-1980s. Further consideration here of the NTG's land rights politics in the period is unwarranted: the Gurindji people were awarded inalienable freehold title under *ALRA* in May 1986, the point at which this study ends.

1.2.4 The NTG's Community Government Scheme (1986)

As I shall show in Chapter Ten, of greater consequence to the Gurindji's self-determination-type aims than the NTG's Land Rights-related activity during the late 1970s and early 1980s was that legislature's reforms to the administration of local government. Conducted under the name of 'Community Government' by the Gurindji's intermediaries in the NT Department of Community Development, these reforms were the latest in a succession undertaken to develop local government arrangements in the Territory.

Residing in far-flung church-run missions, Welfare Branch settlements and (more recently) DAA-administered pastoral lease excisions, many Aboriginal people in the NT had already been subject to similar experiments in governance. As a part of the paternalist regulation of their affairs by the Commonwealth or Christian missions in the 1960s, authorities of the NTA's Welfare Branch and missionaries had created—and in most cases subsequently restructured—a number of local, community council-type representative bodies in Aboriginal settlements. As a result of federal self-determination and self-management policies, this activity had intensified in the 1970s. Increasingly, council-type groups were being incorporated by government officials for local Aboriginal decision-making and co-operative commercial activity purposes.⁸² Various pieces of legislation were used, including the *NT Associations*

⁸⁰ Central Land Council, *Aboriginal Land Rights in the Northern Territory: 'A Question of Justice'* (Alice Springs, Central Land Council, September 1982).

⁸¹ Budden, *op. cit.*, p. 1.

⁸² Loveday, *op. cit.* p.16–19.

Incorporation Ordinance (1963), and later the Whitlam and Fraser governments' *Aboriginal Councils and Associations Act (1976)*.

When the Everingham Government inherited responsibility for local government after the *NT Self-Government Act* was passed in 1978, its concerns about the delivery of municipal services extended beyond issues of community governance on Aboriginal settlements alone. In locations as varied as Darwin, remote 'mixed' towns like Kalkaringi and small Aboriginal communities like Daguragu, the NTG found that discrepancies between extant council-like bodies and the fact that none had been designed for 'full' municipal functions were problematic. As a result, the CLP embraced the idea of developing legislation to standardise the diverse assortment of council-like associations then comprising the Territory's local government sector, and divest more power to it.⁸³

Complete uniformity, the Everingham Government decided, would be inappropriate. Two types of local government authority would be created. One, for the Territory's medium to large towns, would involve full municipal government. The second would be promoted for use in small to medium Aboriginal population centres of 80 to 1,400 people, and be known as 'community government'. It was touted that Community Government legislation allowed Aboriginal communities a greater degree of choice regarding the functions they wished to perform, and the conditions they would perform them under.

The Community Government provision for Aboriginal communities was contained in Part XX of the *NT Local Government Act (1978)*, which eventually passed into law, with revision, as Part VIII of the *NT Local Government Act (1986)*. While Part XX of the 1978 Act was inoperative for some time, its advocates maintained that its purpose was to give councils incorporated under it an increased ability to choose the functions and powers they employed, the form of their own elections and structure, and the boundaries of their municipal areas.⁸⁴ Although the increased powers bestowed under Part XX of the NTG's 1978 Act and Part VIII of the 1986 *Local Government Act* were merely modified

⁸³ Previously, the CLP had dismissed the possibility of introducing uniformity to the administratively and demographically diverse, isolated population centres of the NT via the generic type of legislation utilised in the states (e.g. Victoria's *Local Government Act 1958*). Hon Jim Robertson, cited in Jackie Wolfe, *'That Community Government Mob': Local Government in Small Northern Territory Communities* (Darwin: Australian National University, North Australia Research Unit, 1989), p. 37.

⁸⁴ *ibid.*

versions of the broader reforms the NTG sought to apply in larger, predominantly non-Indigenous Territory towns, in Aboriginal communities they were promoted as fulfilment of the NTG's policy of Aboriginal self-management.

As I have indicated, these measures were an interim step in the NTG's larger (and longer) process of local government reform. As the developmental phase of the reforms was completed and the *Local Government Act NT* (hereafter *LGANT*) was passed into law in 1986, when this study ends, the final outcomes of the reforms are beyond the scope of this thesis. Instead, what I am concerned with here is the relationship between the NTG's Community Government reforms at Wave Hill during 1978–86 and their effects on the Gurindji's contemporaneous self-determination-type goals. I shall examine this issue in depth in Chapter Ten.

1.2.5 Conclusion

In this chapter I have described some of the policies that Northern Territory and federal politicians and bureaucrats designed and implemented in the period of this study, and several pieces of related legislation. I have included these laws and political developments on the basis of their significant impacts, as I perceive them, on the Gurindji people's politics of enablement in the period. By doing so I have provided the governmental context necessary to understand the dialectic of a reformist Australian nation-state with the aspirational aims of Gurindji leaders at Kalkaringi and Daguragu. This exercise is essential to the arguments I shall develop in Chapter Three on the quotidian effects and overall purpose of 'incorporation' as a governmental technique at Wave Hill; in Chapters 9–10 on the efforts and outcomes of Gurindji leaders and public servants to create an effective Gurindji 'community'-type council; and similarly, in Chapters 5–7 on the interaction of the Gurindji gerontocracy and the state regarding the Gurindji's land and land use.

Ch. 2 Gurindji society and the goals of Gurindji elders

This work is a study of governmental and Gurindji interaction. Having described the relevant political developments in the period and related policies and legislature, it is now necessary to explicate the Gurindji subject of this thesis. With whom at Wave Hill was the government interacting? Who were the Gurindji and what did they want? I devote the first part of this chapter to describing the Gurindji group's social organisation, their social diversity, and their coexistence with neighbouring groups. Having defined my Gurindji subject, I then frame them as political actors in 'Wattie Creek's Founding Visions' and onwards by describing the Gurindji leaders' articulation of their 'community development'-type plans. These plans—recognition of their land rights, operating a cattle enterprise, overseeing a 'two-way' school in their own independent community—comprise the four pillars of what I term 'Gurindji self-determination': the zone of shared activity in which Gurindji leaders and public servants worked towards the achievement of the leaders' aims. The chapter ends by exploring both the apparent confluence between the aims of Gurindji leaders and those of Aboriginal self-determination policy, and the limitations of such a comparison. I argue that both Gurindji leaders and their government interlocutors brought erroneous assumptions about each other's goals and methods to the projects comprising Gurindji self-determination. We will see in Part Two of the thesis, 'The Zone of Enablement', that the outcomes of this for those projects were profound.

When non-Indigenous Australians began to perceive the capability of Aboriginal people to exercise political and economic power in the late 1960s and early 70s, outsiders knew little about the society or language of Gurindji people. One reason for this is that among Northern Territory Aboriginal groups, anthropologists had paid Gurindji people comparatively little attention. With few exceptions, this trend has continued in the intervening decades. My own enquiries with the residents of Kalkaringi and Daguragu have focused on historical and political, not ethnographic, matters. To formulate a classical Gurindji subject for the purposes of this thesis however, it is necessary that I

draw on the Gurindji ethnographic canon. Before doing so, it is necessary that I describe the fragmentary archive that informs it.

The attention paid by anthropologists to the Gurindji has been spasmodic and infrequent. In 1934, WEH Stanner spent a small amount of time with some Gurindji people, but he did not publish from his observations.¹ Mervyn Meggitt had a similarly brief stopover with some Gurindji people on Limbunya, a station neighbouring Wave Hill, in 1953, and produced five pages of ‘Notes’ about the Aboriginal people he encountered there. These appeared in the anthropological journal *Mankind*.²

In between these visits, two (later) well-known Australian anthropologists, Ronald and Catherine Berndt, conducted considerable ethnographic research with the Gurindji on Wave Hill Station in 1946. Commissioned by the Vestey Company to advise on how the health of the company’s Aboriginal workforce could be improved, the Berndts’ relationship with their employer deteriorated and the report they provided to the company was never published.³ With the exception of Catherine Berndt’s pioneering 1950 account of the ceremonial life of Gurindji women, *Women's Changing Ceremonies in Northern Australia*, nothing else was published from the Berndts’ study until 1987.⁴ The book by the Berndts that resulted then, *End of an Era: Aboriginal Labour in the Northern Territory*, was sociological rather than culturally ethnographic. By that time, the Gurindji’s Wave Hill Walk-off had brought them to national attention, and as a result their interlocutors’ interests were primarily political.⁵

¹ (Four decades after his visit, AIATSIS published a cursory account). See WEH Stanner, *Report on Fieldwork in North Central and North Australia, 1934–35* (Canberra, AIATSIS, 1979).

² Mervyn Meggitt, ‘Notes on the Malngjin [sic] and Gurindji Aborigines of Limbunya, N.W. Northern Territory’, *Mankind*; Sep 1, 1955, 5, 2 (45–50), pp. 48, 50.

³ A digest of the report was published contemporaneously, in which the stations and employing agencies that informed the Berndts’ research were dis-identified. See RM and CH Berndt, ‘Native Labour on Northern Territory Cattle Stations’, *The Aborigines’ Protector* (Association for the Protection of Native Races, Sydney, Vol. 2, No. 2, October 1946) 9–18; Geoffrey Gray, ‘Abrogating Responsibility? Applied Anthropology, Vestey’s, Aboriginal Labour, 1944–46’, *Australian Aboriginal Studies*, Vol. 2, 18–26.

⁴ Catherine H. Berndt, *Women’s Changing Ceremonies in Northern Australia* (Paris, Hermann, 1950).

⁵ In contrast, Gurindji leaders were very clear that they wished to teach *kartiya* about Gurindji culture. See Charlie Ward, ‘Following the Leaders: the Role of Non-Indigenous Activism in the Development of Wattie Creek, 1969–73’, *Journal of the Royal Australian Historical Society*, Vol. 100, Pt. 1, 2014, pp. 69–92 (pp. 84–86); Lyn Riddett, ‘“Getting Grown-up” at Wattie Creek’, *Overland*, 146 (1997), 68–71; ‘The Strike That Became a Land Rights Movement: A Southern Do-Gooder Reflects on Wattie Creek, 1966–74’, *Labour History*, 72 (May 1997) 50–65.

As authors of the only significant published description of the Gurindji, it is likely that the Berndts contributed to a perception that Aboriginal people with long cattle industry experience had ‘lost’ much of their traditional culture. Presented in the essentialist terms of the day, their published and personal observations on this topic may have dissuaded others in the discipline from studying the Gurindji.⁶ Catherine Berndt wrote in *Women's Changing Ceremonies* that ‘culture contact’s real and ultimate effects [on Gurindji culture] are proving on the whole to be discouraging and deleterious’.⁷ In *End of an Era*, the Berndts wrote of their perception forty years earlier that: ‘the local people thought of themselves as station people, well-versed in the ways of Europeans’, and that, “the practicality of continuing [‘ceremonies and rituals as part of the living culture’] was increasingly being questioned in a multitude of small ways”.⁸

The Berndts described a society that was not only adaptive and externally curious, but one characterised by internal tension. Both these traits were subsequently significant to Gurindji self-determination. In the Berndts’ anthropological accounts, younger Gurindji people can be observed interrogating their society’s social practices and values. This reformism and the social critique underlying it are indicators of long-running social tensions among young Gurindji regarding their elders. These tensions fuelled a major dissociative project which the younger generations enacted in the 1970s. I describe this project’s indifference to the communal self-determinative aims of Gurindji elders and bureaucrats in Chapters Three and Four, and show its profound effects on Gurindji self-determination in Part Two.

When Hannah Middleton, the only other anthropologist to live with the Gurindji people arrived in 1970, she did so through her contacts in the union movement, and had overtly political as well as ethnographic, interests.⁹ Middleton’s active contribution to the national Aboriginal Land Rights campaign while she conducted her fieldwork at Wattie Creek was in stark contrast to the Berndts’ earlier decision not to conduct political advocacy. In 1979, Middleton published a labour-historical, Marxist treatise of why the land rights campaign to which she had contributed had been defeated (as she saw it).¹⁰ In

⁶ Berndt, 1950, *op. cit.*, pp. 43, 67–69; Gray, *op. cit.*, p.35.

⁷ Berndt, *ibid.*

⁸ Berndts, 1987, *op. cit.*, p. 204.

⁹ Darwin, NTAS, Hannah Middleton, Interview Recorded by Charlie Ward November 2009, NTRS 609, BWF 2.

¹⁰ Hannah Middleton, *But Now We Want the Land Back- A History of the Australian Aboriginal People* (Sydney, New South Wales, New Age Publishers, 1977).

her book *But Now We Want the Land Back*, the Gurindji were not presented in ethnographic terms. For my purposes here, Middleton's published work on the Gurindji has been bolstered by my interview with her in 2009, ongoing personal communication, and unpublished reports produced at the time of her fieldwork.¹¹

The above account describes anthropologists' engagement with the Gurindji people predating the period of my study. Of greater use to me in informing my understanding of traditional and twentieth century Gurindji society have been the work of two 'outliers' of that discipline: the linguist Patrick McConvell, who lived at Daguragu in 1974–75, and who has since continued working with Gurindji people and publishing on the Gurindji language; and the economic historian Minoru Hokari, who quickly formulated a deep insight into Gurindji society and (oral) 'historiography' in the 1990s. Also of great use are the writings of the anthropologist Deborah Bird Rose, who through her work describing the Gurindji's consanguineous Ngarinyman neighbours at Yarralin, provides a detailed description of *Ngumpit*, including Gurindji, culture.¹²

A growing number of written materials co-authored by Gurindji individuals on physical or ecological aspects of Gurindji culture exist but are of little use to me in describing or formulating a rounded Gurindji subject for the purposes of this study.¹³ The transcribed testimony of Gurindji elders given during their Daguragu land claim (1981) comprises the bulk of verbatim written material dictated by Gurindji people about their cosmology, land and ceremonial life.¹⁴

2.1.0 Formulating a Gurindji subject

The Northern Territory was occupied by Indigenous people prior to the incursion of the European pastoral industry in Australia's north. In country near the headwaters of a river re-named by Captain J. C. Wickham after Queen Victoria, several groups speaking a language called Kurrurrinyji dwelt. Many Kurrurrinyji, or Gurindji people, as they are

¹¹ Hannah Middleton, 'The Gurindji at Wattie Creek', Abschol and the Anthropological Society of Victoria (Conference Proceedings, Melbourne, 9 December 1970); NTAS, Middleton, *op. cit.*

¹² Relevant work by these authors is listed in the bibliography of this thesis.

¹³ Gurindji women working with Summer Institute of Linguistics staff produced a series of Gurindji language 'readers' in the 1970s–80s that are held by the AIATSIS library, Canberra. See also Felicity Meakins et al., *Gurindji to English Dictionary* (Batchelor, NT, Batchelor Press, 2013).

¹⁴ Patrick McConvell and Rod Hagen, *A Traditional Land Claim by the Gurindji to Daguragu Station*, (Alice Springs, N.T., Central Land Council, 1981); *Daguragu Land Claim: Aboriginal Land Rights (Northern Territory) Act 1976* (Canberra, Australian Government, 1981).

commonly referred to now, lived around a tributary of the Victoria River that they knew as Jiyul, and were known as the Jiyiljurrung.¹⁵ Europeans later named Jiyul Wattie Creek. Other Gurindji groups such as the Pirlingarna and Yilyilyimawu people lived primarily on neighbouring stretches of the Victoria River.¹⁶

Surrounding the Gurindji were Malngin and Wanyjirra peoples, to the northwest and southwest respectively, and Bilinara and Ngarinyman people, both of whom lived to the Gurindji's north. Like the Gurindji, all these groups spoke their own dialect of the Ngumpit language subgroup.¹⁷ All Ngumpit people had extensive shared language and ceremonial responsibilities, and intermarriage was practised between them according to classificatory prescriptions which I describe below. The respective grammars and material cultures of Ngumpit groups are, and were, very similar.

After European settlement, the numbers of Ngumpit were reduced and neighbouring clans were compelled to reside semi-permanently on Wave Hill and other stations. As a result, many practical and even nominal distinctions between Gurindji people and their neighbours were subsumed, and 'Gurindji' came to refer to the people of a larger area.¹⁸

2.1.1 Classificatory social systems

By providing the following description of Gurindji cultural and linguistic practices, I intend to convey the relevant intrinsic cultural and social determinants of a Gurindji person's life during the period of my study. My description of these elements of culture as 'traditional' should not be taken to imply that they are no longer practiced, and/or that they are currently insignificant to Gurindji people. No research has been undertaken on these matters.

In Ngumpit society, an individual's interpersonal relationships are determined by their genealogical positions within a number of socio-religious systems. The patrilineal clan is the largest unit of social organisation. The males of each such clan are descended from a known ancestor or group of brothers.¹⁹ Traditionally, each such clan group was

¹⁵ McConvell and Hagen, *op. cit.*, p. 14.

¹⁶ *ibid.*

¹⁷ Felicity Meakins (Linguist of the Gurindji language), Personal Communication, 30 July 2015.

¹⁸ McConvell and Hagen, *op. cit.*, p. 12.

¹⁹ Patrick McConvell, 'Neutralisation and Degrees of Respect in Gurindji', *The Languages of Kinship in Aboriginal Australia* (Sydney, Oceania Linguistic Monographs, 1982) 86–106, p. 92.

responsible for the maintenance and health of their estate, or area of land, partially through the performance of songs and ceremonies associated with the ‘dreaming’ being(s) traversing their country.²⁰ The interpersonal relationships and ceremonial responsibilities of Gurindji individuals were and are determined by their genealogical positions within a number of socio-religious classificatory systems. Their membership of their patrilineal clan group determined each individual’s status as *ngurramala* (‘owners’) of their clan’s country, and that country’s songs. Each ‘owner’ group also required a group of male (matrifiliate) ‘policemen’ or ‘workers’ (*kurtungulu*) to organise the rituals associated with the *ngurramala* group’s estate and its dreaming knowledge.²¹ This system of mutual dependence and support (for each ‘owner’ was commonly a ‘worker’ for another clan’s country, and vice versa) was commonly repeated across the Northern Territory.²² In Aboriginal English and anthropological discourse (in which the translation is contested), the Gurindji’s *kurtungulu* are now commonly known as an area’s ‘managers’.²³

Coexisting with the binary social categorisation of ‘owners’ and ‘managers’ among the Gurindji is another, more differentiated, classificatory ‘skin’ system. In this, (variations of which were once found among Aboriginal groups all over the country), every individual is placed in a relationship type with others by virtue of their membership of various ‘skin’, or subsection groups. In the case of the Gurindji’s (*Ngumpit*) system, there are eight subsections, with a variant determined by gender. Subsection membership is determined by the subsection of the parent of the same sex.²⁴ Each ‘skin’ pair entails specific reciprocal economic obligations and rights for both parties, and a particular relationship expressed through behaviour and language. These relationship types include *mali* ‘avoidance’ relationships; joking relationships that include humorous obscenity; and sharing relationships. The form of the relationship between any two individuals is hence determined by the ‘skin’ group each belongs to.²⁵ Despite the demise of the Gurindji’s

²⁰ *ibid.*, pp. 92–93.

²¹ McConvell, *op. cit.*, p. 93.

²² L. R. Hiatt, *Arguments about Aborigines: Australia and the Evolution of Social Anthropology* (Cambridge, Cambridge University Press, 1996), pp. 31–32.

²³ Kenneth Maddock, “‘Owners’, ‘Managers’ and the Choice of Statutory Traditional Owners by Anthropologists and Lawyers”, in *Aborigines, Land and Land Rights*, ed. by Nicolas Peterson and Marcia Langton (ed.), (Canberra, Australian Institute of Aboriginal Studies, 1983), pp. 211–225.

²⁴ McConvell and Hagen, *op. cit.*, pp. 20–22.

²⁵ Richard Broome, *Aboriginal Australians: Black Responses to White Dominance*, 3rd edn (Crows Nest, N.S.W, Allen & Unwin, 2001), p. 20.

hunter-gatherer economy, these ordered patterns of domestic economic interaction persist (with modification) at Wave Hill in contemporary times.²⁶

It is the economic element of Aboriginal classificatory kinship systems which anthropologist Nicolas Peterson described as ‘demand sharing’ in the broader Australian context. Peterson argues that the importance of this system to Indigenous Australians is fundamental:

The central reason for the persistence of sharing in the Indigenous Australian context is that it underwrites a relational ontology in which sharing has a profound significance for the nature of personhood. The most important form of this sharing is demand sharing, that is responding to requests, which is intrinsic to the Indigenous domestic moral economy.²⁷

It is unnecessary to articulate the particularised form of demand sharing determined by each relationship pairing in Gurindji society here. For my purposes in this thesis, I merely wish to note that traditionally, the social and economic demands that Gurindji kinship placed on *all* individuals were prescriptive, particular and unavoidable, both determining significant life events such as the identification of a person’s potential marriage partners, and shaping quotidian aspects of social interaction.²⁸ In the relationship between an individual and her or his mother’s brothers, for instance, a Gurindji person was (and still is, in different ways) expected to demand food, money and/or property of them. According to Patrick McConvell, in the early 1980s:

[...] Such articles are sometimes returned but often they are not. The relationship is asymmetrical in that the [uncle] is supposed to tolerate such acts without retaliating or resisting, although it is appropriate for him to abuse the [niece or nephew] jokingly in strong terms.²⁹

By such means, classificatory ‘grandparents’, for example, might be expected to provide for their ‘grandchildren’ as a general principle, and as a vital obligation in certain

²⁶ Pers. Obs; Nicolas Peterson, ‘Demand Sharing: Reciprocity and the Pressure for Generosity among Foragers’, *American Anthropologist*, New Series, Vol. 95, No. 4 (Dec. 1993), pp. 860–874; Nicolas Peterson, ‘On the Persistence of Sharing: Personhood, Asymmetrical Reciprocity and Demand Sharing in the Indigenous Australian Domestic Moral Economy’, *The Australian Journal of Anthropology*, 24 (2013) 166–176.

²⁷ Peterson, 2013, *ibid.*, p. 167.

²⁸ Hiatt, *op. cit.*, pp. 43–46; McConvell, *op. cit.*, pp. 93–99.

²⁹ McConvell, *ibid.*, p. 97.

situations. The dictates of the kinship system allowed interaction and mixing between some (classificatory) individuals of the opposite sex, but not others. It should also be pointed out that in pre-contact times, Aboriginal people spent most of their time in small bands, so their classificatory ‘patrons’ were few. In contemporary settled life however, the number of individuals included in a skin system—and to whom a person is obligated—would commonly be far in excess of their extended family of biological relatives.

The Gurindji have modified demand sharing’s specific requirements to suit their changing circumstances: the exigencies of cattle industry work and life between 1882–1965, and ‘community’ life and politics after 1966.³⁰ Kinship-determined behaviour could be modified, but not abandoned. The particular rights and obligations determined by the classificatory system *comprised* Gurindji relationships. This is validated linguistically: the Gurindji language has no words for the overall *category* of skins, or subsections.³¹ This omission signifies the pervasiveness of the subsection system in all aspects of Gurindji life. During the period of this study (1973–86), younger Gurindji individuals with a ‘mali-rlang’ avoidance relationship—biological siblings, for instance—were attempting to moderate the terms of that avoidance in the more ‘liberal’ and novel circumstances of community life.³² The implications of this struggle for the collective agendas of their elders is a topic I shall return to later.

The social behaviour dictated by the Gurindji kinship system was (and is) of primary importance to Gurindji people.³³ An inverse corollary of this is that historically, when they dealt with Europeans not accorded a skin, local people were left without an apparent template for communication. In addition to the usual difficulties caused by lack of a common language, this left Gurindji people in a compromised position, dealing with *kartiya*. Similarly, when Gurindji individuals faced novel employment situations (such as those created by their participation in the new Aboriginal community organisations of self-determination), the interactions and/or exchanges this required differed radically from those dictated by Gurindji kinship. As a result, that system’s ubiquity—and the failure of the bureaucracy to adapt its modes of program delivery to accommodate it—

³⁰ See Darwin, NTAS, Gavin Perry, Interview Recorded by Charlie Ward, August 2014, NTRS 3609, BWF 61.

³¹ McConvell, *op. cit.*, p. 89.

³² Middleton, 1970, *op. cit.*, p. 7.

³³ The subsection system remains the primary determinant of Gurindji social life, though I infer that it has been modified over time to better suit modern circumstances. Meakins et al., *op. cit.*, p. 11.

complicated and undermined the Gurindji's efforts to achieve economic and political independence during 1973–86.

2.1.2 Status, age and knowledge

While their kinship system regulated interaction between individuals in classical Gurindji society, a legal and cosmological system of secret/sacred ceremonial knowledge underpinned it. The broad features of this system are those recognisable among other Australian Aboriginal groups. Religious knowledge was highly-valued, mostly gender-specific, and imparted to novitiates during rituals that marked each period of a Gurindji person's life.³⁴

Religious knowledge was also land-related. As has been documented of other Aboriginal groups, the cosmological realm was immanent to the Gurindji in their empirical landscape, and all Gurindji adults had a responsibility for nurturing and maintaining various tracts of land, and particular animals and/or plants within it, by ceremonial and practical means. Those with the most knowledge regarding these responsibilities (and the ceremonies by which that knowledge was gleaned) had a measure of authority over those younger (and less knowledgeable) than themselves.³⁵ The Gurindji's was, in effect, a gerontocratic society.

In the Gurindji world, over-arching social authority was wielded by older, socially mature men whose predecessors had imparted to them the most restricted of secret/sacred knowledge, via lengthy and physically exacting rituals.³⁶ Calling this clique a social 'elite', linguist Eric Kolig writes generally of Australian Aboriginal groups that:

[...] It was the task of the elite, with their knowledge, to see that the aberration was checked and rectified. Thus the power of the elite was vitally important, and the others freely bowed to it for their own good, since, as we remember, the aberration and violation of laws might jeopardise the cosmic status quo [...]. The sacred nature of the elite's power meant that opposition to that power, encapsulated in certain decisions, was sacrilegious and had to be dealt with accordingly.³⁷

³⁴ Debbie Bird Rose, *Dingo Makes Us Human: Life and Land in an Aboriginal Australian Culture* (Melbourne, Cambridge University Press, 1992), p. 114.

³⁵ Bird Rose, *op. cit.* p. 122.

³⁶ Erich Kolig, 'An Obituary for Ritual Power', in Michael Howard (ed.), *Aboriginal Power in Australian Society* (St Lucia, Queensland: University of Queensland Press, 1982) 14–32, p. 24.

³⁷ *ibid.* p. 23.

As interpreters (and often enforcers) of law, elders maintained their authority and that of Gurindji law in pre-contact times by punitive means involving social expulsion, controlled fighting and/or physical punishment.³⁸ Historian Richard Broome records that:

Many tribes practiced a form of settlement by ordeal in which, when tempers were cooled days after [a transgression], the injured party (under supervision of the elders) was allowed to throw spears at the alleged offender. Usually only a thigh or flesh wound resulted and then a dance of reconciliation followed to end the affair. In some groups, duels would be fought until blood was drawn, or in serious disputes, until a death resulted.³⁹

My conversations with Gurindji people and their interlocutors indicate that the Gurindji 'legal' system followed similar lines.⁴⁰ Such discipline, as I understand it, was usually enacted by older female relatives (in the case of female miscreants), or similarly by older men on errant boys.

In their many decades based on Wave Hill Station, the Gurindji were largely able to continue their most important ceremonies, and as a corollary, the authority of older men remained paramount. This was described to me by Gurindji elders Jimmy Wavehill and Michael George: on the station and in the stock camps, younger Gurindji were strictly controlled by both older Gurindji men—some of whom were promoted within the station's staffing arrangements as far as Aboriginal people were allowed—and European station management.⁴¹ Similarly, when the people conducted ceremonies on their traditional country in 'holiday' time during the wet season, the Gurindji elders' control of the young people was uncompromising.⁴²

³⁸ Danielle Loy (Dir.), *Bush Law* [featuring Billy Jampijinpa Bunter] (Sydney, Australian Broadcasting Commission, 2010); Department of Aboriginal Affairs, *Daguragu—Book of the Community* (NT Division of the Department of Aboriginal Affairs, 1977, p. 9; Darwin, NAA, 'Council Meeting [...] 15 May 1978', Wave Hill Social Club, E460, 1981/100.

³⁹ Broome, *op. cit.*, p. 24.

⁴⁰ Jimmy Mangayarri in Minoru Hokari, *Gurindji Journey: A Japanese Historian in the Outback* (Sydney, University of New South Wales Press, 2011), p. 237; Darwin, NTAS, Bryce Fardell, Interview Recorded by Charlie Ward, March 2010, NTRS 3609, BWF 13; Darwin, NAA, 'Disturbance at Wattie Creek', E460, 1978/1035.

⁴¹ In the male domain of the station's stock camps, the skills of the Gurindji stockmen were valued highly by all, which tended to reinforce the older men's standing among their sons and nephews. Jimmy Wavehill, Personal Communication, 11 July 2013; Interview with Michael George, 27 October 2010.

⁴² George, *ibid.*

Even during the Gurindji's decades in the mainstream cattle industry, those oppressed by the gerontocracy sought to take advantage of their changed conditions. As early as the mid-1950s, young Gurindji men on Limbunya, a station neighbouring Wave Hill, had become openly resistant to the physical ordeals associated with initiation, and argued with their elders that the wounds they accrued during such ceremonies interfered with stock work.⁴³ Nonetheless, the authority of older, over younger, Gurindji men (and similarly women) remained paramount, though contested, until at least the 1980s.

2.1.3 Gender and the Gurindji

Issues of gender differentiation inform my androcentric portrayal of the Gurindji people in this thesis, and effected the Gurindji's efforts to create an independent homeland in the 1970s. They therefore require addressing here.

As has been acknowledged of other Aboriginal groups, the classical knowledge and responsibilities of Gurindji men and women were distinct and complementary. According to Deborah Bird Rose, writing of *Ngumpit* people at nearby Yarralin:

[...] While men promote the value of their own knowledge and ritual, they do not do so by denigrating women's knowledge, and the reverse is equally true. The division of labour in daily life is clearly complementary and non-hierarchical; so too, in my experience, is the organisation of gender-specific domains.⁴⁴

Bird Rose summarises the gender relationship among the Gurindji's kin as one of differentiated interdependence.

As among their *Ngumpit* relatives, the economic, legal, religious and pedagogical roles of men and women at Wattie Creek/Daguragu differed. In 'public' situations and meetings with *kartiya*, men and women tended to gather separately.⁴⁵ Each gender also had their own secret/sacred ceremonies, sites and dreaming stories.⁴⁶ According to Catherine Berndt, Gurindji women were responsible for a large number of *tjarada* (*jarrata*) and *jawalju* ceremonies which were sponsored by Ancestral beings and often concerned with 'love magic'.⁴⁷ While *Jawalju* ceremonies were entirely secret women's

⁴³ Anthropologist Mervyn Meggitt was also given to understand that the number of old men skilled and authorised to make sacred objects was in decline. Meggitt, *op. cit.*, pp. 48, 50.

⁴⁴ Bird Rose, *op. cit.*, p. 28.

⁴⁵ John Hamilton, 'Dreamtime at Wattie Creek', *The Age*, c. June 1970.

⁴⁶ Berndt, 1950, *op. cit.*

⁴⁷ McConvell and Hagen, *op. cit.*, p. 53.

business, in many jointly-held ceremonies, women were both organisers and performers of the opening, ‘public’ phases.

The western concept of gender ‘in/equality’ among the Gurindji, and its relevance is a vexed one that has been long-discussed in the literature regarding other Australian Aboriginal societies.⁴⁸ While little has been written specifically on the status of men and women in Gurindji society, anecdotal evidence suggests that the situation conforms to that of other Australian Aboriginal language groups. As I have noted above, women had their own secret/sacred ritual responsibilities, and the maintenance of these was integral to the Gurindji social and cosmological order. This gave women a powerful footing in the valorised ceremonial domain. Girls were frequently promised to older men as marriage partners, though many were subsequently able to indulge in clandestine (or in some cases, eventually publicly sanctioned) affairs with men of their own age. Of other groups, some anthropologists have argued that there were advantages in this for the mothers of female children, and it appears likely that older Gurindji women were either supportive of the male gerontocracy’s management of female sexuality, or reconciled to it.⁴⁹

Regardless of Gurindji gender differentiation, the political authority of older, ritually-advanced men and their domination of public forums and interaction with *kartiya* was paramount. Senior men were the main decision-makers regarding matters affecting the group as a whole. As a corollary of this, and their ritual power, senior Gurindji males dominated collective social and discursive space; the voices of younger men, women and young women were subsumed. In 1970 for instance, young Gurindji men would not speak in a meeting of older men unless coerced by a classificatory uncle to do so.⁵⁰ As noted in the Introduction, Gurindji male dominance has important implications for this inquiry.

In writing about Gurindji people and their opinion(s), my reliance on a historical archive dominated by the voices of older men creates a number of problems. Regardless of the gender-differentiated society I have described above, very few archival materials

⁴⁸ Hiatt, *op. cit.*, pp. 63–70; Phyllis M. Kaberry, *Aboriginal Woman: Sacred and Profane* (London, George Routledge, 1939); Diane Bell, *Daughters of the Dreaming* (Minneapolis, University of Minnesota Press, 1993).

⁴⁹ Darwin, NTAS, ‘Child Bride Allegations’, Aboriginal Tribal Marriages, NTRS 366/P2, AD 82/0114; Discussion of the reasons for this support are given in Hiatt, *op. cit.*, pp. 69–70.

⁵⁰ Middleton, 1970, *op. cit.*, p. 8.

describing the position(s) of Gurindji women in the period exist; my oral history interviews with a small number of Gurindji women have done little to fill this gap. Some of the Gurindji-cultural reasons for this gender-imbalanced archive I have alluded to, though the effects of these have been compounded by extraneous factors.

To the Gurindji's European bureaucratic, media and activist interlocutors in the late 1960s and 1970s (who were themselves almost exclusively male and from another male-dominated society), the older Gurindji men's monopolisation of the group's public, English pronouncements matched the whites' expectations about social conduct. Due to this similarity between the two cultures, the Gurindji's (male) interlocutors made little discernible effort to obtain the opinions of Gurindji women or young people.⁵¹ The older Gurindji men's relative volubility and their interlocutors' sexism thus contributed to the archival creation of a apparently unitary, normative (senior male) Gurindji 'group'.⁵² As a result, in almost all 'representative' accounts of Gurindji opinion, the diversity of Gurindji society, and in particular the voices of women, were rendered imperceptible. A unitary 'Gurindji opinion' could be more readily harnessed by their governmental interlocutors to self-justify their own actions. This homogenisation suited the interlocutors' own political, bureaucratic or media-related purposes comprising self-determination policy's operationalisation.

During the self-determination/self-management period, female activists and (from the early 1980s) female bureaucrats began consulting with the Gurindji. The focus of these women (and that of some of their male counterparts) shifted towards advancing the development of a representative Gurindji 'community'. Questions of women's agency and the 'voice' of all Gurindji individuals became increasingly important to their interlocutors, and as a result the frequently divergent voices of Gurindji women became more discernible in their interlocutors' writing in the 1980s. Gurindji women also increasingly asserted themselves against the authority of older men at the same time.

⁵¹ Instead it is likely that they unwittingly reified the old men's status by exclusively soliciting their opinions. My thanks to Jan Richardson [Daguragu Council Clerk, 1985–86] for alerting me to these social dynamics.

⁵² It should also be noted that a differentiated Gurindji group was also counter-productive to the political agenda of the male Gurindji elders. This was recognised by both their supporters and the elements of the Northern Territory Administration that were resistant to the elders' aims.

2.1.4 The Gurindji and Indigenous others

This thesis will demonstrate that Gurindji self-determination was complicated by the diversity of its Gurindji subject. Yet in addition to the plurality of opinions and interests among Gurindji individuals, the dissenting voices and divergent interests of the members of other Indigenous groups on Gurindji land also complicated the community work of Gurindji elders and bureaucrats. Foremost among the Aboriginal ‘outsiders’ at Wave Hill were members of the neighbouring Warlpiri language group. The Warlpiri are a more numerous group than the Gurindji, and Warlpiri traditional country includes much of the Tanami Desert, to the south of the Gurindji’s lands (See Map Two).

Warlpiri families had made their own way to Wave Hill Station in the 1920s, particularly in the aftermath of the infamous Coniston Massacre in 1928, which occurred some four hundred kilometres to the south-east of Wave Hill Station.⁵³ This initial cohabitation of Warlpiri and Gurindji people was amicable, however some Gurindji people criticised Warlpiri people for their inability or unwillingness to fully adapt to the conditions of modern station life.⁵⁴ The group Vincent Lingiari led on the Wave Hill Walk-off in August 1966 included a number of Warlpiri families, and it is likely that these families were among the Warlpiri people who took up residence in the new houses built at the Wave Hill Welfare Settlement in 1969 (which the Gurindji ‘track mob’ refused to occupy), and who maintained a permanent presence at the Settlement (Kalkaringi) in the years afterwards.⁵⁵

The enduring presence of Warlpiri people in the county of their northern neighbours had also been guaranteed by the Commonwealth after World War Two, when the Native Affairs Branch of the Northern Territory Administration (NTA) established the Catfish Aboriginal Reserve in the upper Victoria River catchment in 1947. The reserve and its eponymous settlement (both soon re-named Hooker Creek, later Lajamanu) were established by the NTA to provide all the Aboriginal people in the region with alternative opportunities to those offered by the pastoral industry. In 1949, Native

⁵³ The massacre occurred near the present-day community of Laramba. Peter Read and Engineer Jack Japaljarri, ‘The Price of Tobacco: the Journey of the Warlmala to Wave Hill, 1928’, *Aboriginal History*, 2, 2 (1978) 140–148.

⁵⁴ Ronald and Catherine Berndt, *End of an Era: Aboriginal Labour in the Northern Territory* (Canberra, Australian Institute of Aboriginal Studies, 1987), p. 204.

⁵⁵ A census of Aboriginal residents of the Wave Hill Welfare Settlement taken in 1967 names approximately 20 individuals among 100 as being Warlpiri. Darwin, NAA, *Census Report Wave Hill 11*, E944.

Affairs staff therefore relocated scores of Warlpiri individuals to the new reserve from the Warlpiri's then home at Yuendumu, another government settlement some five hundred kilometres to the south.⁵⁶ This forced migration was repeated after many of the people affected returned to Yuendumu on foot on several occasions. Later they accepted their permanent residence at Hooker Creek, on Gurindji land. Few Gurindji individuals resided at the Hooker Creek Settlement, which was re-named Lajamanu in the 1970s.

Relations between the Gurindji and Warlpiri immigrants on the Gurindji's country in the self-determination era were peaceable, yet the permanent residence of Warlpiri families on Gurindji land at Lajamanu and the two groups' residence at Kalkaringi required considerable negotiation. As we will see in Chapter Nine, the law/ceremonial aspects of these negotiations were apparently resolved in 1974, however the practical implications of Warlpiri people living as 'immigrants' in a community over which Gurindji elders had responsibility remained problematic. We will see in the remainder of this thesis (particularly in Chapters Nine and Ten, which deal with the efforts of Gurindji leaders and their government interlocutors to create a representative Aboriginal political body), that the presence of Warlpiri individuals at Kalkaringi complicated such endeavours significantly.⁵⁷ A lack of responsibility for the behaviour of Aboriginal 'visitors' in the Gurindji communities impeded Gurindji elders' and bureaucrats' efforts to cultivate a cohesive collective social body at Kalkaringi and Daguragu. To the extent that self-determination policy sought to cultivate a series of cohesive Aboriginal polities, the heterogeneity of the Aboriginal population at Wave Hill was problematic.

As we have seen in this region, there is a general correlation between a group's shared language and the boundaries of the traditional country that those language speakers inhabit. Understanding this though does not tell us either how those groups are composed in regards of their members' traditional estates. Neither does it inform us of the issues that might arise when speakers of different languages lived together on a language group's country, as was evidently the case at Wave Hill after European settlement. The interrelationship of the Gurindji's social organisation and their responsibilities for and rights over land are therefore topics that we must consider here. Like any system of property law, the customary approach of Indigenous Australians to

⁵⁶ Peter Forrest, *Upper Victoria River District Historic Sites Survey* (National Trust of Australia, Darwin, Date Unknown), p. 64.

⁵⁷ Not least because those with cultural authority over Kalkaringi's Warlpiri residents—and their visitors—frequently resided at Lajamanu.

the recognition and allocation of land rights is complex. Indigenous people's customary practices of social organisation relating to their rights and responsibilities regarding land have also inevitably been affected by their radically changed circumstances resulting from colonisation.

The notion of the 'estate' as the primary unit of Aboriginal land tenure was first put forward by anthropologist WEH Stanner. Since the 1970s, anthropologists have acknowledged the estate as a common land denomination among Aboriginal Australian groups, with regional variations in the application of the concept, and substantial modification in its application post-settlement.⁵⁸ On each estate there are sites that the Traditional Owners are obliged to look after and this includes Traditional Owners having an acknowledged right to regulate others' access to estates and to their sacred sites. These points were made by Justice Woodward in his *Report on Aboriginal Land Rights*.⁵⁹ With variation from region to region of the relationship between sites and estates, and even the application of the estate concept itself, who may be said to possess an estate and how they do so are therefore matters requiring elaboration.

An authoritative account of Aboriginal social organisation regarding land is provided by anthropologist Peter Sutton in his work *Native Title in Australia*.⁶⁰ There, Sutton identifies 'clans' as the primary Aboriginal social grouping with landholding rights. In his *ALRA* report, Woodward advanced that membership of a clan was primarily determined by patrilineal descent, though this has been subsequently recognised as an inaccurate simplification. As I have mentioned, people with land rights bestowed by virtue of their patriline are referred to among the Gurindji as *ngurramala*. Although the clan denomination is recognised in much of Australia, one qualification of Woodward's proposal has been the acknowledgment of the secondary estate rights of the matriline group I described earlier: *kurtungulu*, 'policemen' or 'workers' to the Gurindji. The coexistence and interdependence of these social groupings indicate the plurality of Aboriginal rights to land: another fact recognised during *ALRA*'s operationalisation but not anticipated by the advice from Woodward. Regarding this plurality, Sutton argues that it is useful to distinguish between 'primary' and 'non-primary' forms of connection

⁵⁸ Peter Sutton, *Native Title in Australia: An Ethnographic Perspective* (Cambridge University Press, Melbourne, 2003), p. 69.

⁵⁹ Justice Edward Woodward, *Aboriginal Land Rights Commission: First Report* (Australian Government Publishing Service, 1973), p. 19.

⁶⁰ Sutton, 2003, p. 69.

or affiliation.⁶¹ Characteristically, the *realisation* of these rights are determined by virtue of context and negotiation, and among the Gurindji at least, ‘primary’ and ‘non-primary’ connections are ascribed equal importance. The classical ‘ideal’ is rarely expressed, but rather lends itself to constant adaptation.

How were these rights and relationships apportioned by the Gurindji then? Did Gurindji people’s agglomeration and partial containment for more than half a century on Wave Hill Station affect their land tenure? The Daguragu Claim hearings of July 1982 shed some light on these matters. In his resultant report, Aboriginal Land Commissioner Justice Toohey notes that “though there is a very real sense in which the Gurindji have a deep, general attachment to the land under claim, the area can also be seen in terms of smaller ‘estates’ for which local descent groups have particular responsibility”.⁶² One such descent group were Bilinarra speakers, members of which were named as Group 1 in the Daguragu Land Claim. This group’s land included much of the northern area of the claim. Although they had traditionally been socially separated from the Gurindji prior to settlement, the group’s numbers were subsequently depleted and its members identified increasingly with and among the larger Gurindji group.⁶³ In the case of ‘Group 12’ in the Land Claim, more radical accommodation to the exigencies of European settlement had been made. Due to Group 12’s almost ‘dying out’ for reasons unspecified in the Claim Book, the clan’s surviving membership at the time of the hearing consisted of a single female member. As this woman lacked children, the Group’s membership would conventionally have ended at this point, but the children of the woman’s mother’s brothers had in fact been admitted as members. Anthropologist Dr Robert Tonkinson, who advised on the claim, noted that while it was unconventional for individuals to claim primary responsibility for an estate on this basis, there were numerous grounds on which this could be done in ways ‘congruent with the Aborigine’s cultural values’.⁶⁴

As evidenced by these vignettes, Gurindji people were well-practiced at adapting their land tenure arrangements ‘among themselves’ to accommodate the dramatically changeable conditions of their lives in a postcolonial context. As Sutton describes, ‘classical forms of land use, such as foraging, [...] are sanctioned by custom but subject

⁶¹ Sutton, 2003, pp. 1–14.

⁶² Aboriginal Land Commissioner, ‘Land Claim by Gurindji to Daguragu Station’ (Australian Government Publishing Service, Canberra, 1982), p. 10.

⁶³ Sutton, 2003, p. 13.

⁶⁴ Sutton, 2003, p. 23.

to sometimes rapid transformations'.⁶⁵ Such accommodations show how mutability of tenure provided continuity and security both within and between remote Aboriginal groups.

In the case of the Gurindji regarding their Warlpiri neighbours at Hooker Creek/Lajamanu and those Warlpiri residing at Kalkaringi, we will see in Chapters Nine and Ten that these matters acquired some significance. Acknowledging that residents of Aboriginal communities in post-settlement Australia (such as Kalkaringi's Warlpiri) commonly live on country over which they do not hold customary rights, Sutton notes: 'It is possible for [...] this arrangement to be codified under an agreement or determination'.⁶⁶ In Chapters Nine and Ten, I will show that the exigencies of local governance as it was practiced in the self-determination era hastened such codification by Gurindji elders.

2.1.5 The 'New Generation'

As we can see regarding their land tenure and kinship arrangements, Gurindji life in the 1970s–80s was largely characterised by social change. The Gurindji's social organisation, gender-roles and political cohesion were challenged in unprecedented ways during the period of this study. As I will make clear in Chapter Four, the availability of cash and alcohol were important factors used by younger Gurindji to distinguish themselves from their elders and the social order they espoused. Another dynamic of the growing 'generation gap' among the Gurindji was apparent to Wattie Creek's elders by the late 1970s: the growing under-employment of young people. The reasons for this were many: the Gurindji population was getting younger—a trend that had only increased after their 1966 Walk-off—while access to unemployment benefits had simultaneously increased, largely removing purely financial incentives to work.⁶⁷ This 'new generation', as it eventually became known, was also attitudinally distinguished from its progenitors.⁶⁸ Significantly, the formative years of Gurindji elders—and most of their adult lives—had until this time occurred within the pastoral industry. That industry had placed many demands upon older Gurindji people, some of which had inculcated amongst them a positive attitude to physical labour. In contrast, for the young people who had come

⁶⁵ Sutton, 2003, p. 25.

⁶⁶ Sutton, 2003, p. 26.

⁶⁷ Hon Paul Everingham, 'After Land Rights...Self-reliance', *Aboriginal News*, Vol. 3, No. 6, 1979, p. 4.

⁶⁸ Minoru Hokari recorded the self-identification of the Gurindji 'new generation' in the late 1990s. When its self-identification occurred is unknown. Hokari, *op. cit.*, pp. 228, 240.

of age during the vastly altered circumstances of their society's occupation at Wattie Creek, the necessity of performing hard physical work had been removed, and for many its merits were not self-evident.⁶⁹ To the consternation of elders and advisers alike, such novel attitudes limited both the number of employees working for local businesses and projects, and the amount of work performed by those employees.

The rise of the Gurindji 'new generation' influenced both the ability of Gurindji leaders to advance their self-determination-type goals, and their ability to respond effectively to the federal and NT governments' self-determination and self-management policy initiatives. For these reasons, social change and gender differentiation among the Gurindji form an important part of the story I will narrate in Part Two of this thesis.

2.2.0 Wattie Creek's founding visions

In their early years at Wattie Creek, Vincent Lingiari, brothers Long Johnny Kijngayari, Pincher Nyurmiyarri and Mick Rangiari, and brothers Jerry Rinyngayarri and Donald Nangiari articulated a set of goals for their homestead and their people's future. As I also conveyed in the Introduction of this thesis, prior to and during the 1973–86 period, many of the goals or 'visions' described by these men remained consistent, and became subjects of the federal government's self-determination policies.

Before I outline these goals, some contextualisation is necessary. When and how the Gurindji leaders (and/or others) developed their collective aims has been the subject of extensive commentary and analysis, including my own.⁷⁰ During 1969–72, Gurindji elders and their supporters held increasingly detailed and complex discussions about realising the Aborigines' vision. The elders became increasingly proficient in communicating their goals in English (their third, fourth or fifth language), and their understanding of Australian political, parliamentary and legislative processes also increased—or so I surmise from the statements they recorded at that time. When, for instance, Lingiari directed activists to submit an application for a 'business development'-type special purpose lease to the McMahon Government on behalf of

⁶⁹ George, 2010.

⁷⁰ See, for example, Frank Hardy, *The Unlucky Australians*, Sydney, Nelson, 1968 (2006 edn, Melbourne, One Day Hill); Charlie Ward, 'Tracking Wave Hill — Following the Gurindji to Wattie Creek, 1966–72' (Unpublished MA thesis, Flinders University, 2012); Bain Attwood, 'The Articulation of 'Land Rights' in Australia: The Case of Wave Hill', *Social Analysis*, 44, 1 (2000), 3–39 (p. 5); Riddett, *op. cit.*

Gurindji leaders, he was cognisant of the broad differences between leasehold and freehold tenure.⁷¹ Similarly, the growing depth of Mick Rangiari's political analysis is shown by his contemporaneous opinion that the McMahon Government was attempting to undermine the land rights campaign associated with the Gurindji by delaying the supply of piped water to their camp at Wattie Creek.⁷²

When the self-determination policy period began in 1973, the Gurindji's leaders already held clear views about the features—some extant/traditionally-based, and some untested—of the society they wished to create.⁷³ It is necessary to provide evidence of these ambitions, for the means by which bureaucrats concerned with Aboriginal self-determination recognised the Gurindji's aspirations (or not), (mis)interpreted and apparently adopted them to justify federal and NT government program activity, are key themes of Part Two of this thesis. To understand the interpretation of Gurindji goals by their government interlocutors, we need to know who developed those goals and how they did so. In light of this, I will summarise the goals of Gurindji men as they articulated them in the period, and comment on the circumstances of their formulation.

2.2.1 Land and land rights

According to Gurindji accounts quoted in reportage after the Wave Hill Walk-off and in Frank Hardy's detailed contemporaneous book *The Unlucky Australians*, by the mid-1960s, Gurindji leaders were prepared to take action to access their traditional land.⁷⁴ On the advice of then shadow Attorney General Lionel Murphy, Hardy sent a petition to the Governor General Sir Richard Casey, requesting that the government return the Gurindji's land to them.⁷⁵ It was marked with an 'X' by Vincent Lingiari, Pincher Nyurrmiarri, Long Johnny Kijngayari and Gerry Ngalgardji. To compose the petition, Hardy, school teacher Anne Jeffrey and her Welfare Officer husband Bill had translated

⁷¹ Ward, *op. cit.*, pp. 80–83.

⁷² 'Gurindji Claim', *Identity*, January 1972, p. 10.

⁷³ Subsequent, evolving iterations of the Gurindji leader's ambitions from the 1973–86 period are described in the remainder of this work, particularly in Part Two.

⁷⁴ Minoru Hokari, 'From Wattie Creek to Wattie Creek: An Oral Historical Approach to the Gurindji Walk-Off', *Aboriginal History*, 24 (2000), 98–116, 'Gurindji Land Bid Rejected', *NTN*, July 1968; 'Gurindji's Walk out in Protest over Land Refusal', *Australian*, 12 July 1968; Bob Hobman, 'Talking it over with the Gurindji', *NTN*, 3 August 1968.

⁷⁵ 'Gurindji Petition to Lord Casey, Governor General, 19 April 1967, in Bain Attwood and Andrew Markus, *The Struggle for Aboriginal Rights: A Documentary History*. ed. by Andrew Markus (St Leonards, N.S.W: Allen & Unwin, 1999), pp. 223–225.

the Gurindji men's statements from Aboriginal English. Similarly, in *The Unlucky Australians* and his own newspaper reportage, Hardy articulated the desires of the Gurindji men regarding their land in written English by drawing upon tape recordings he made. What had Lingiari's coterie said to Hardy about land, though?

According to *The Unlucky Australians* (1968), Lingiari reported after the Walk-off that before his people's departure from Wave Hill he had 'Bin thinkin' this bin Gurindji country. We been here longa time before them Bestey mob'.⁷⁶ Apparently, Hardy also recorded Pincher Nyurrmiarri, saying unprompted, 'We want them Bestey mob bin go away from here [...]. This is our country, alla this country bin Gurindji country'.⁷⁷ Gurindji oral historical accounts created since this time have maintained that reclaiming their land was an intention of the senior Gurindji men that pre-dated the Walk-off by at least several years, after a long gestational phase.⁷⁸

In Hardy's account of the process by which the Gurindji's desire for land was first enunciated to, by and/or among whites at Wave Hill in the summer of 1966/67, he goes to some lengths to dissuade sceptical readers that he might have inspired the Gurindji's seemingly new desire for land himself. In *The Unlucky Australians*, Hardy professed his personal concern about such attributions, and relayed to his readers the summarised assurance Gurindji people used to assuage his own worry: 'Very good, right way to have we own land'.⁷⁹ Reassured of the Gurindji men's independent goal of land reclamation, Hardy attributed 'vaguely behind every thought [of the Gurindji] a desire to live alone in their own land'.⁸⁰ Bain Attwood has argued in a detailed review that Hardy understated his role in developing the Gurindji's germinal political program regarding their land rights.⁸¹

⁷⁶ I have reproduced Hardy's rendering of Gurindji pronunciation and Aboriginal English verbatim in the text. Hardy, 1968 (2006), p. 93.

⁷⁷ Hardy, *op. cit.*, p. 101.

⁷⁸ Darwin, NTAS, Vincent Lingiari, Interview Recorded by Ted Egan and Tim Bowden, 1979, NTRS 1942, CD 179.; Lyn Riddett, Letter to the Editor (unpublished), *The Australian*, undated (1971), Riddett personal collection.; Minoru Hokari, 'From Wattie Creek to Wattie Creek: An Oral Historical Approach to the Gurindji Walk-Off', *Aboriginal History*, 24 (2000), 98–116; Charlie Ward, 'Tracking Wave Hill — Following the Gurindji to Wattie Creek, 1966–72' (Unpublished MA thesis, Flinders University, 2012); Darwin, NTAS, Billy Bunter, Interview Recorded by Charlie Ward, October 2010, NTRS 3609, BWF 21.

⁷⁹ Hardy, *op. cit.*, p. 110.

⁸⁰ Hardy, *op. cit.*, p. 93.

⁸¹ Attwood, *op. cit.*, p.25.

Once the Gurindji leaders had revealed their desire for land reclamation to Hardy and other *kartiya*, men such as Mick Rangiari and Captain Major (Lupngagiari) reiterated it in press reports and national speaking tours during 1968–71. Informed by the statements of Gurindji elders, journalists and activists framed the Gurindji’s landless situation as the subject of a national campaign for Aboriginal Land Rights.⁸²

In the Gurindji leaders’ conversations with *kartiya* about their broader goals, land remained a consistent theme. As growing numbers of individuals participated in pro-land rights campaigning—frequently conducted on the Gurindji’s behalf—activists went to increasing lengths to ascertain that they had up-to-date and reliable information about the Gurindji leaders’ land-related (and other) intentions. This was achieved to their satisfaction by consultative visits to Wattie Creek, and after 1969, via communications from a number of literate live-in assistants who were tasked with conveying the needs of the Gurindji leaders.⁸³

In my assessment of the bureaucracy’s endeavours to assist the Gurindji to realise their vision in Part Two of this thesis, such issues of interpretation will be critical. The purpose the Gurindji leaders wished to put their land to—as acknowledged by their public service interlocutors—provides something of a case in point. That purpose was to manage their own cattle.

2.2.2 A Gurindji cattle operation

Presumably to denote their perceived similarity and equality with surrounding pastoralists, in 1967 Gurindji leaders asked Frank Hardy to write a sign for them in English. On it, he painted the words ‘Gurindji Mining Lease and Cattle Station’. Earlier, Lingiari had announced his plans: ‘What about them bloody cattle? That bin the main one. What I bin thinking is we buy few horses and few cattle. Later on we trap cattle [...]’.⁸⁴ Pincher Nyurrmiarri also thought the Gurindji could catch unbranded ‘cleanskins’ from their neighbours—a common practice in the industry—but Lingiari became wary of potentially violent, punitive repercussions if the Gurindji were accused of stealing stock from surrounding stations. Soon afterwards, he decided to ask the Northern Territory Administration for cattle instead: ‘we try to ask Welfare about pump and piping,

⁸² Ward, 2014, pp. 69–92.

⁸³ Ward, 2014, pp. 74–78.

⁸⁴ Hardy, *op. cit.*, p. 180.

cattle and horses'.⁸⁵ The Gorton Government's refusal to support the Gurindji in this way became well known, though their leaders remained fixed on establishing and keeping their own cattle herd.

In 1970, Pincher Nyurrmiyarri described the Gurindji's land-use intentions: 'We been trying to get this land back, you know, and put up block for live, and work the cattle and horses, so we can make money'.⁸⁶ The Gurindji's supporters mobilised to assist them to achieve this. Melbourne-based representatives of the student group Abschol conjectured that these would be significant undertakings, which they realised:

[would] require firstly the granting of land, and then massive, but by no means impossibly large, support in the form of loans and grants from the Commonwealth.⁸⁷

If the Gurindji could get title allowing them to operate and maintain a small horse paddock and living area, activists reasoned that the Aborigines might then be able to obtain government support for a cattle-focused business venture.⁸⁸ They assumed this would give the elders the opportunity to realise their stock-related desires. Individuals in Melbourne and Darwin worked towards achieving these goals, and in late 1970, Gurindji elders incorporated to form the 'Muramulla Gurindji Cattle Company'. As I have indicated, the elders were consulted and informed about this and other developments via their participation in many long meetings and correspondence translated for them into Aboriginal English. Nonetheless, they did not understand the full financial and legal ramifications of incorporation.⁸⁹ Guided by assurances from Muramulla Board members that they envisioned 'a big station [...] same as other people have got it', activists nonetheless lobbied politicians to support the Gurindji's strong, though little-defined, cattle ambitions.⁹⁰

This lobbying had far-reaching, consequences. Troubled by the situation of displaced Aboriginal groups like the Gurindji—or its own lack of perceived action—the

⁸⁵ Hardy, *op. cit.*, pp. 204, 205.

⁸⁶ See Pincher Nyurrmiyarri, *Pincher Numiari [sic] — Gurindji Plans and Attitudes: An Interview by Warwick Neilley* (Abschol and Save the Gurindji Campaign, 1970), p. 4.

⁸⁷ Rob and Kay Oke, Paul Fox, David Twitt, *What Now at Wattie Creek: Report of the Abschol Field Team* (Melbourne, National Union of Australian University Students, 1970), p. 6.

⁸⁸ Cited in Rob Oke to Min. Nixon, 11 November 1970, Oke Personal Collection.

⁸⁹ Ward, 2014, *op. cit.*, pp. 76–79.

⁹⁰ Committee of Muramulla Gurindji Company to Managing Director of Vestey's, 12 December 1970, Oke Personal Collection.

McMahon Government launched an inquiry into the situation of Aboriginal people on cattle stations, chaired by psychologist Cecil Gibb. Although the resulting ‘Gibb Report’ was ambivalent on the issue of the viability of a Gurindji cattle enterprise, the federal Office of Aboriginal Affairs advised the government that it should act to purchase pastoral land for Aboriginal groups.⁹¹ The Liberal Country Party Coalition was slow to act on this recommendation, but a policy of returning such land to Aboriginal groups was adopted by the Australian Labor Party at its annual conference of 1971. When the ALP won the federal election of 2 December 1972, purchasing land for a Gurindji cattle operation was one of its goals. Gurindji men had already installed a large amount of fencing (albeit illegally) to keep their cattle, and requested their Adelaide-based supporters to apply for a ‘Gurindji’ cattle brand.⁹²

As I shall show in Chapter Five, under the auspices of the Whitlam Government’s self-determination policy, considerable effort was invested in creating the means by which groups such as the Gurindji could acquire leasehold or Aboriginal freehold land to operate subsidised cattle businesses. This support was central to the efforts of the DAA and other agencies to create a self-determining Gurindji agent, though I will argue that the terms of support offered by the state for a Gurindji cattle enterprise were a reflection of bureaucratic and political exigencies rather than the Gurindji’s own aspirations. The economic and managerial dimensions of the cattle business model advanced at Daguragu under the auspices of self-determination policy were also poorly understood by Gurindji elders, and often its proponents.

2.2.3 ‘Two-way’ schooling at Daguragu

As encapsulated in the Gurindji elders’ statements I have quoted above, a school was central to their vision. Although Gurindji children had only been schooled at the Wave Hill Welfare settlement since a classroom was built there by the Welfare Branch in 1961, the elders valued education highly. ‘I bin thinkin’ we should build school at Wattie Creek,

⁹¹ HC ‘Nugget’ Coombs, *Kulinma*, (Canberra, Australian National University Press, 1978), p. 167; Cecil Gibb *et al*, *The Report of the Committee to Review the Situation of Aborigines on Pastoral Properties in the Northern Territory*, (Canberra, Commonwealth Government Printer’s Office, 1973), p. 88.

⁹² Ward, 2012, pp. 174–75.

[our] own Gurindji school maybe, later on', Lingiari said after the Gurindji's departure from Wave Hill Station. 'I got own teachers, Billy and Eddy', he continued.⁹³

To the elders, a school of their own would not only provide young Gurindji with the skills to manage the facilities (and provide the services) they envisaged at Wattie Creek; it would also bolster their own efforts to exert control over young men. According to Lingiari in 1967, the provision of extant European schooling at the Welfare settlement was detrimental:

'Nother thing worries me about them school childrens [...]. They come here [to the Welfare settlement] to [*kartiya*] school. Well I might say you gotta do this way, dance that way—and them poor silly bugger in [*kartiya*] school mightn't believe me, [...] so I gotta hab my school Wattie Creek, teach 'em proper Gurindji way.⁹⁴

According to then brick layer Alan Thorpe, when he was employed by Abschol to support the Gurindji at Wattie Creek in 1971, the elders there:

[...] Were always insistent that the kids were going to school. The kids would climb on the back of the [school] truck in the morning, and you'd see parents chasing them with a stick if they didn't get on. The old people of Wattie Creek realised that Aboriginal people needed to get an education, otherwise white people would be running things for them forever.⁹⁵

In a letter dictated in 1971 by Muramulla Company Director Donald Nangiari to Barrie Dexter (then a member of the Council of Aboriginal Affairs, and Director of its Office), Nangiari stated that he wished to send his daughter Judith and another girl to 'see what they can learn' in Sydney, and return to Wattie Creek to teach 'all children and middle-aged [...], so we can sign our name [...]'.⁹⁶ On the same day, Nangiari requested 'a teacher here for the little children [and] middle-aged people'.⁹⁷

⁹³ Hardy, 1968 (2006), p. 179.

⁹⁴ *ibid.*

⁹⁵ Darwin, NTAS, Alan Thorpe, Interview by Charlie Ward, January 2010, NTRS 3609, BWF 9.

⁹⁶ Nangiari to Dexter, 23 August 1971, Oke Personal Collection. At this time, Abschol was attempting to promote the introduction of compulsory subjects on *Ngumpit* culture into the national school curriculum, also at the request of the Gurindji. See Ward, 2014, *op. cit.*, pp. 69–92, p. 84–86; Lawson to Nangiari, 8 January 1972, Oke Personal Collection.

⁹⁷ Nangiari to Lawson [Abschol], 23 August 1971, Riddett Personal Collection.

Lingiari also recognised that the children of Wattie Creek would require vocational training. When discussing the independent small village he wanted to build, Lingiari said: ‘I send maybe four people to Darwin. Two girl, two boy. One girl make ’em nurse, one girl make ’em teacher, one boy make ’em doctor, one boy make ’em carpenter’.⁹⁸ A doctor and a nurse Health, education and trades/infrastructure: Lingiari’s list of professions reveals that the Gurindji elders had an accurate picture of the educational requirements that realising their independent society would require.

The frequency and detail of their entreaties about education conveys that the Gurindji did *not* want a school in the same way that they wanted a laundry, a mechanical workshop or even a clinic—aims they announced in 1970 but had little to say about afterwards.⁹⁹ Rather, Gurindji statements show that they identified the provision of western education at Daguragu to their youth—which they intended to supplement themselves with traditional lore and law—as integral to their plan of creating an independent Gurindji homeland for future generations.

Although they did not explicitly say so, we may confidently surmise that to the elders, teaching the students ‘proper Gurindji way’ meant teaching them in Gurindji language. We may also surmise that they foresaw their children’s instruction by non-Indigenous teachers in ‘*kartiya way*’ as occurring in English. When I gloss the elders’ educational vision as that of creating a ‘two-way’ school in this thesis, I am therefore referring to its bicultural and bilingual aspects. As we will see in Chapter Eight however, the elders’ envisaged combination of instruction in Gurindji and English only tangentially accorded with the Whitlam and Fraser Government’s later promotion of a ‘Bilingual education program’ in some remote Aboriginal community schools.

2.2.4 Wattie Creek/Daguragu, an independent homestead

According to numerous oral histories collected from Gurindji men in the late 1990s by Minoru Hokari, the independence of the Gurindji’s village was a definitive feature of the vision inspiring Gurindji leaders prior to their Walk-off from Wave Hill Station.¹⁰⁰ This is confirmed by older accounts. When the Gurindji leaders were camped adjacent to the Welfare Settlement in 1967, for instance, Frank Hardy was startled by the old men’s

⁹⁸ Hardy, *op. cit.*, p. 178.

⁹⁹ Middleton, 1977, *op. cit.*, p. 119.

¹⁰⁰ Hokari, 2000, *op. cit.*

rejection of any support, from the Welfare Branch or other Europeans. Mick Rangiarri made clear then that Wattie Creek was to be an autonomous Gurindji enclave:

Wattie Creek is own country. [...] We want to see white people clear right out of Wattie Creek. We do own business. [...] Only we say who can come there, that Bestey mob and Welfare not come there, only maybe one hour talk to we then go away. We work right way over there for wesel'.¹⁰¹

Vincent Lingiari expanded:

Wattie Creek is Gurindji country, we will live there. [...] We have to work properly. Like *kartiya*—only now for we sel'. [...] Work so we live good. Someone give you job, you do that job. Keep everything clean and tidy over there [...]. Children come to school every day. They bin grow up right way, read and write proper way. Later on, others come back from Camfield and Montejinnie [stations]. All Gurindji together in we own country'.¹⁰²

In 1967, Lingiari was optimistic about his people's anticipated autonomy:

I got ebrything now, I bin reckon. I got 'em [Gurindji] motor mechanic, got 'em own fencing contractor, got 'em own teachers, got 'em own sign, got own Jesus man.¹⁰³

I have argued elsewhere that in terms of their program of physical development for Wattie Creek, at this time the Gurindji were outward-looking, materialist, and aspirational.¹⁰⁴ Statements such as that made by Pincher Nyurrmiarri to Frank Hardy in 1967 confirm this:

We very happy back in we own country. We build 'em five house here, five more ober there [sic]. We fence 'em in horse paddock, build 'em airstrip, build 'em road, build 'em school, and maybe later on, proper press button toilet.¹⁰⁵

¹⁰¹ Hardy, *op. cit.*, p. 172.

¹⁰² Hardy, *op. cit.*, p. 171.

¹⁰³ Hardy, *op. cit.*, p. 197.

¹⁰⁴ Charlie Ward, 'The Gurindji Walk-off: Orality, Causality and some Counter-narratives from Wave Hill, 1966', School of History Seminar Series, Australian National University, 26 September 2012.

¹⁰⁵ Hardy, *op. cit.*, p. 196.

At the time, Nyurrmiarri and other Gurindji men had built the first five houses at Wattie Creek, relying only on a few tools given by outsiders. As Nyurrmiarri's use of the collective first-person pronoun here indicates, the Gurindji intended to realise their goals themselves, or with the minimum assistance possible. I shall argue in this thesis that the autonomy of the Gurindji elders' homestead—and any independent progress made towards it—was of equal or greater importance to them than the quotidian, physical measures of development favoured by government.

2.3 Self-determination Policy and Gurindji Goals.

Having outlined Aboriginal self-determination policy's origins and initial intentions in the previous chapter, we can see that Gurindji intentions were consistent with those of the government's policy. The Gurindji elders apparently represented an Aboriginal collective with an expressed interest in self-managing their economic, health and educative requirements. In many ways, the Gurindji represent the model of an aspirational Aboriginal group (Community Types Two and Three in Table 2), on which the policy was founded.

It is no accident that the Gurindji elders' goals were consistent and apparently aligned with those of Whitlam's ALP in 1973, as the Gurindji's situation had informed the Council of Aboriginal Affairs' policy development, and Labor had largely adopted the CAA's recommendations. In the remainder of this thesis, I thus refer to the Gurindji elders' 'self-determination-like goals', or even 'Gurindji self-determination'. My justification for doing so does not rely on evidence of Gurindji people using, or even being aware of the phrase 'self-determination', but rather draws on Gurindji statements about their aspirations of autonomy in the 1966–1982 period, and their willingness to accept government support ostensibly matching the achievement of those goals.

Their land, a self-managed cattle operation, school, and an independent homestead were the four pillars of the Gurindji leaders' vision. I have chosen to describe the Gurindji leaders' ambitions in this way—as comprising a vision, rather than a plan—because while the elders' sense of *what* they wished to achieve was clear, *how* they could do so was largely unknown to them. Their ignorance in this regard requires some explanation, because its repercussions were significant.

The Gurindji leaders' vision was of a novel hybrid homestead, in which *Ngumpit* and European modes of production and organisation were combined. Their decision to

include in this features that were extraneous or novel to their own experience—returning a profit on cattle, for instance, or operating a school—was presumably made on the basis of their observations of equivalent facilities and operations, mostly in the cattle industry. Yet in an important sense, their observation of these had been only partial. Like other Aboriginal people, the Gurindji elders had been employed only in subordinate roles that required no literacy (financial or otherwise), and only a modicum of numeracy during their lives in the cattle industry.¹⁰⁶ As leaders of a new type of Gurindji society, this compromised their position significantly.

The facilities on which Gurindji leaders modelled their own prospective *kartiya*-type operations were dependent upon the health of the international beef market and/or subject to the demands of federal government administration—facts of which they were unaware. These linkages and dependencies of Wave Hill and other stations were maintained by correspondence, financial transactions, reports, acquittals and inspections by governmental and other interlocutors, and were wholly outside the Gurindji's experience. What would have appeared to them as independent enterprises then, were in fact funded by absent company owners and/or subsidised and monitored by government agencies. The labour entailed by these operations was also necessary to operate the facilities the Gurindji elders wanted at Daguragu, though they had never done this kind of work themselves and its nature was not apparent to them.

The elders' situation while they were publicly articulating and refining their vision also diminished the likelihood that these dependencies and linkages would come to their attention. Living largely on their own terms, five miles from a remote government outpost (with a succession of handpicked 'helpers' effectively tasked with reducing their dependence on 'Welfare'), the Gurindji were then operating with a degree of independence from the state perhaps unequalled by any other Aboriginal group in Australia.

¹⁰⁶ See Lyn Riddett, *Kine, Kin and Country: The Victoria River District of the Northern Territory, 1911–1966* (Darwin, Northern Territory, Australian National University, 1990), p. 84; Berndts, 1987, *op. cit.*, p. 8; Ann McGrath, *Born in the Cattle* (North Sydney, Allen & Unwin, 1987), p. 104. For more information regarding the similarities (and differences) between the Indigenous experience of the pastoral industry in Australia's north, see Mary Anne Jebb, *Blood, Sweat and Welfare: A History of White Bosses and Aboriginal Pastoral Workers* (Perth, University of Western Australia Publishing, 2002); and Dawn May, *Aboriginal Labour and the Cattle Industry: Queensland from White Settlement to the Present* (Melbourne, Cambridge University Press, 1994).

If, as I contend, the previous curtailment of the Gurindji's professional experience and self-imposed isolation had obscured from them that the type of enterprises they wished to create—and upon which they would stake their highly-desired independence—was thoroughly embedded within the political economy of the Australian nation state, this raises a series of questions. How did the perceived and actual limits to Aboriginal independence afforded by self-determination and self-management policies differ from those anticipated by the Gurindji? Did the Gurindji's interlocutors perceive or acknowledge any discrepancy in this regard between the terms of self-determination policy and the Gurindji's vision? And as perceived and actual discrepancies between the Gurindji's vision and those inherent in the policy implemented by their DAA interlocutors were realised (or not) during the development of the Gurindji's community, what would the ramifications be for both parties, and for the community they collectively created? As noted, we are seeing that what the Gurindji wanted was consistent with government policy, but how they would get that remained an unanswered question. It would become apparent to staff in the Department of Aboriginal Affairs that self-determination policy simply presupposed capacities in Aboriginal people that the Gurindji lacked: an issue pertinent to my argument in the following chapter.

2.4 Conclusion

In the foregoing, I have expanded upon the rather normative and reductive representation of 'the Gurindji' employed in both historical media reports and my opening chapters. My purpose has been to describe the diversity of the Gurindji population and the complexity of their inter-related social, religious and 'legal' structures. When, later in this thesis, I examine this society's interaction with government agencies intent on assisting its 'self-determination', the information I have provided here will be essential to understanding the responses of, and social effects upon, Gurindji people. Similarly, the causes and symptoms of social change among the Gurindji will be rendered comprehensible.

My intention in this chapter has also been to establish that Vincent Lingiari and his coterie of male leaders were highly ambitious; that they held firm though untested ideas, which I have outlined, about the economic, social and political conditions of their future society. I have also attempted to show that they had identified several measures by which they believed that vision could be achieved. Those means, which were to them also measures of progress, were the return of their land, the possession and management of

their own cattle, the independence of their own homestead (including their control of the presence of ‘Welfare’ and Europeans), and a Gurindji-run school.

In theory, these elements of the Gurindji’s vision would all fall within the policy ambit of the new Whitlam Government-initiated self-determination policy in the early 1970s. Yet this policy, and the federal and NTG ‘self-management’ policies that followed it, were (or soon evolved to become) inherently contradictory, and apparently produced outcomes at odds with their rhetorically-stated intentions. To provide a fuller portrait of self-determination policy—before I show its effects on the Gurindji, and how it was co-opted by them and the governments committed to its execution—is therefore my next task

Ch. 3 Understanding a Liberalist Policy: Self-determination, co-option and retraction

In combination with the analysis of Gurindji social dynamics and aspirations provided in the foregoing, this Chapter renders Gurindji self-determination's un/realised forms (described in Part Two) comprehensible. Here I describe the ideological and theoretical dimensions of postcolonial governance within the Australian settler state relevant to my argument. To do this, I show how 'self-determination' (and its adapted version, 'self-management') became phrases used by governments and those in the Aboriginal domain to describe variable programs, policies and approaches constituting Aboriginal governance. Drawing on scholarly analysis, I elaborate my own definition(s) of self-determination in its various phases, and their points of intersection and elisions with the Gurindji people's aspirations. Accepting self-determination policy's portrayal as a 'communalising', incorporative rationality by Tim Rowse and others, I argue that instead, the effects of social differentiation on Gurindji self-determination were comprehensive. I then show that individualistic and generation-specific responses of remote Aboriginal people to their situation in the 1970s are rendered comprehensible by political theorist Chandran Kukathas's notion of the right of dis/association in a 'free society'. I show why Gurindji society was predisposed towards novel forms of differentiation, and how aspects of government social policy in the 1960s–70s (hastened by technological and cultural impacts) created the economic and legal conditions in which this could occur. The chapter concludes with my consideration of Gurindji people's use of dissociation as both a process with 'incidental' consequences for their self-determination, and as a tool of creative resistance used against the imposition of collective responsibility that the policy entailed. From this I develop the notion of 'disappearance' as a dissociative technique used by Gurindji people to render elements of Gurindji sociality and agency unresponsive to the influence of governments.

3.1 The Policy's Origins and Outcomes

Although self-determination was seen by its proponents as a radical departure from the assimilation policy that preceded it, both were strongly influenced by social liberalism. Aboriginal policy scholar Tim Rowse has pointed to the continuities between the two policies. To Rowse, self-determination represented the 'maturing of the governmental techniques of assimilation', in which the policy came of age.¹ Although assimilation policy initially denied equal rights to Aboriginal people, for the first time it had acknowledged their existence as individuals (and citizens) with the potential to hold equal rights, and gradually sought to bring about that formal equality.

In devising the NT's now-infamous *Welfare Ordinance 1953 (NT)*, senior public servant Paul Hasluck had been concerned to provide a non-racial legislative framework to administer the affairs of Aboriginal individuals with a view to their assimilation. According to political scientist Will Sanders, by describing the *Ordinance's* subjects as 'wards' rather than Aborigines, 'Hasluck intended to keep the way open for Aboriginal people to be treated, at least in principle, equally with other Australians'.² Under the *Ordinance*, 'special measures and tutelage applying to particular Aborigines would not be permanent and based on race, but temporary and based on need', Sanders writes. At the time the *Ordinance* was framed, the policy informing it was viewed as highly progressive. Under Assimilation, voting rights, welfare eligibility, equal pay and the right to drink were extended to Aboriginal people for the first time. Like the self-determination policies of Australian Governments which followed it, Assimilation policy was designed to foster a social, economic, discursive 'place' for Aboriginal people in the nation's public life and to recognise their culture and humanity, albeit by different means. In remote Australia, Assimilation's recognition of Aboriginal people's rights within the settler society's welfare, legal and economic systems created the pre-conditions that increasingly enabled them to resist or ignore traditional social prescriptions, with less likelihood of repercussion from traditionalist sources. In the Gurindji people's case, prior to 1966 they were shielded from the effects of these

¹ Tim Rowse (Ed.) *Contesting Assimilation* (Perth: API Network; 2005), p. 24.

² Will Sanders, 'An Abiding Interest and a Constant Approach: Paul Hasluck as Historian, Critic, and Reformer of Aboriginal Affairs', in *Paul Hasluck in Australian History: Civic Personality and Public Life*, edited by Tom Stannage, Kay Saunders, Richard Nile (University of Queensland Press, St Lucia, Qld, 1998) 106–118 (p. 110).

changes due to their physical isolation and economic integration within the pastoral industry.

By the early 1960s, the race-based exceptionalism that Assimilation policy was designed to gradually extinguish had been problematised by a small but growing protest movement comprised mostly of non-Indigenous, urban activists. These activists largely agreed with Assimilation policy's aims of formal equality, but complained that governments were too slow to implement it. Their nascent movement was increasingly concerned that the treatment of Aboriginal Australians paralleled that of Black South Africans and African Americans in the USA.³

Later in the 1960s, most Australian governments and their advisors were cognisant of these criticisms and as a result removed or downplayed assimilation's focus on cultural similarity as the policy's end goal. While federal policy and those adopted by the states still aimed for equality of opportunity, they also recognised the value of Aboriginal cultural difference. This new approach was known as 'Integration', and was summarised by agricultural economist Henry Schapper in the following terms:

For a policy to qualify as integration it must cater for real equal-life opportunities but, as distinct from assimilation, tolerate and value differences between persons with dissimilar ethnic heritage. As a final goal for Aborigines it means that they would be free and able to be equally and fully involved in various Australian communities whilst observing and practicing among themselves many of their own customs [...].⁴

In the same period, community-development-focused Christian social workers in Australia had begun to apply a new name to what they were attempting to achieve with Aboriginal communities: 'self-determination'. A key difference between this and previous approaches to Aboriginal politics was that it purported to vest decision-making about the goals of community work with the relevant Aboriginal groups themselves. In a paper he delivered in 1969, social worker and theologian Jim Downing used 'self-

³ Sue Taffe, *Black and White Together: FCAATSI: The Federal Council for the Advancement of Aborigines and Torres Strait Islanders, 1958–1973* (St. Lucia, University of Queensland Press, 2005), pp. 72–79.

⁴ Henry Schapper, *Aboriginal Advancement to Integration: Conditions and Plans for Western Australia* (Australian National Press, Canberra, Australian National University, 1970), p. 56.

determination' to describe a novel form of community development which 'stems from the desire and intention of the community itself'.⁵

The Council of Aboriginal Affairs' governmental advisers presumably followed these developments, and as noted in Chapter One, radical self-determination-like policies were soon adopted on the CAA's advice by the ALP. Proponents of the new policy direction thought that remote Aboriginal groups like the Gurindji were structurally disadvantaged in two ways. Firstly, as statements of the Whitlam Government make clear, many of its members believed that by virtue of their social, economic and political marginalisation, Aboriginal Australians were deserving of 'active and progressive rehabilitation', or positive discrimination, as it would later be called.⁶ The Whitlam Government's Aboriginal Affairs policies were partially intended to remedy Aboriginal disadvantage by increasing the employment of Aboriginal people within specially-created Aboriginal organisations and the public service. For members of the population at large unable to find employment, the Whitlam Government also intended to expand the 'welfare net'. Regardless of their racial identity then, under and/or un-employed Gurindji people would be eligible to receive welfare benefits, and to apply for a range of new government-created jobs like other Australians.⁷ The outcome of the Whitlam (and later the Fraser) Governments' remedialism was increased payments of cash to a greater number of individuals in Aboriginal communities.

By increasing the wages and welfare entitlements paid to Aboriginal residents of the Northern Territory, these governments were continuing a long-running, though sporadic and un-coordinated trend. Will Sanders has described how historically, state (and Territory) governments had developed arrangements controlling the employment of Aboriginal workers by pastoralists, missionaries and others, though these arrangements rarely included wage payments in the form of cash. Neither had policy-makers and governments considered remote Aboriginal people eligible for

⁵ Downing saw the highly consultative (and when possible, self-directed) model of community development he advocated in his talk as significantly different from the work of governments implementing 'paternalist' policies of Assimilation. Jim Downing, 'Consultation and Self-determination in the Social Development of Aborigines', RM Berndt (ed), *A Question of Choice: an Aboriginal Dilemma* (University of Western Australia Press, Perth, 1970), pp. 61–90.

⁶ Edward Gough Whitlam, 'Statement by the Prime Minister, the Hon. E. G. Whitlam, Q.C., M.P., to the Ministerial Australian Aboriginal Affairs Council in Adelaide on 6 April 1973.', (1973), p. 2.

⁷ Sanders, 1985, *op. cit.*, pp. 145, 147.

Unemployment Benefits.⁸ As reformers moved to include the administration of Aboriginal welfare within ‘universal’ departments in the 1960s and 70s, the prospect of extending unemployment benefits to remote Aboriginal people re-arose.

In 1972, the Australian Labor Party had adopted policies that remoteness (and the associated frequent lack of jobs) should not be an obstacle to Aboriginal people’s eligibility to Unemployment Benefits. The new Department of Social Security (DSS) saw its brief merely as the ‘general application of social welfare policies’ and initially refused to take any action resulting from a claimant’s Aboriginality.⁹ During 1973–75 however, it emerged that senior bureaucrats within the DSS were reluctant to pay remote Aboriginal people Unemployment Benefits en masse due to the inimical effect they anticipated: widespread Aboriginal inactivity. As a result, the Department resolutely refused to acknowledge the work history of Aboriginal people under recent government-subsidised programs in its assessments of whether a person was ‘recently out of work’. This in turn had the effect of stymying the DAA’s agenda to disband below-award work programs: if acted upon, it would have led to significant Aboriginal unemployment. After the Fraser Government came to power however, labour costs rose sharply due to a global recession and the number of unemployed in Australia increased to over 500,000. As I describe in the following chapter, the new Department of Social Security eventually removed all distinctions between remote Aboriginal and mainstream populations regarding the administration of welfare payments. The Department accepted that not only were Aboriginal people entitled to payments despite the general unavailability of remote area work, but that there was also an onus on the Department to assist remote Aboriginal populations to access benefits.¹⁰

In the following Chapter I will show that the monetisation of Gurindji society resulting from these changes critically impacted on their self-determination. Before issues of Aboriginal engagement and capacity forced self-determination policy’s

⁸ Will Sanders, ‘The Politics of Unemployment Benefit for Aborigines: some Consequences of Economic Marginalisation’, in Deborah Wade-Marshall and Peter Loveday (eds), *Employment and Unemployment: a Collection of Papers* (Darwin, North Australia Research Unit, 1985), 137–162 (p. 117).

⁹ Sanders, *ibid.*, p. 138–139.

¹⁰ William G. Sanders, ‘Access, Administration and Politics: the Australian Social Security System and Aborigines’ (Unpublished PhD thesis, Canberra, Australian National University, 1986), p. 117.

adaptation in the latter half of the 1970s however, the Whitlam Government promoted self-determination as something of a panacea for Aboriginal aspirations.

3.2 A Short-lived Ideal: the Whitlam Government and Self-determination

The origins of what would become the Whitlam Government's Aboriginal Affairs policy may be found within the writings of the Council for Aboriginal Affairs (CAA).¹¹ During 1967–76, the Council's support body, the Office of Aboriginal Affairs, conducted research into Aboriginal issues, and on this basis the Council provided advice to Prime Ministers Gorton, McMahon, Whitlam and Fraser. The position of the Council on many issues was innovative and progressive, and since Aboriginal Affairs policy development was a low priority of the Coalition in the late 1960s and early 70s, the Council's members found themselves and their work ignored and marginalised before Whitlam's election.

Once elected to government in 1972, the ALP under the leadership of Gough Whitlam adopted the Council's advice immediately. An infamous 'aura of possibility' surrounded the new government and its idealism temporarily dominated the Aboriginal Affairs domain. High (and fearful) expectations characterised expectations about self-determination policy after more than two decades of Coalition rule. As noted, in early 1973, Barrie Dexter, the new Departmental secretary of Aboriginal Affairs, proclaimed that his department did not 'presume to know either the destination or even the direction' of Aboriginal policy.¹² This statement, issued not as an admission of failure but as a commendation by a senior bureaucrat, indicates the enormity of the emergent possibilities many perceived for Aboriginal Affairs.

Official rhetoric in 1972–73 also contributed to a public perception that with the support of the Whitlam Government, Aboriginal people were going to manage their own affairs. To self-determination policy's adherents, including those in Whitlam's cabinet and the DAA, this possibility represented self-determination's ideal form. To help achieve this, the Whitlam Government created the National Aboriginal

¹¹ Tim Rowse, *Obligated to Be Difficult: Nugget Coombs' Legacy in Indigenous Affairs* (Cambridge University Press, 2000), p. 44.

¹² Barrie Dexter, 'The Commonwealth Department of Aboriginal Affairs—Its Functions and Underlying Principles: An Address at a Seminar on Aboriginal Affairs, Monash Centre for Research into Aboriginal Affairs, 9 May 1973', in *Seminar on Aboriginal Affairs* (Monash Centre for Research into Aboriginal Affairs 1973), p. 1.

Consultative Council (NACC), a representative body designed to advise policy-makers in Canberra on certain matters as to the ‘opinions’ of geographically constituted Aboriginal groups. At Batchelor in the NT, a Department of Aboriginal Affairs staffer told potential NACC delegates that:

You will be able to decide your own future and resolve your own troubles [...]. When you eventually choose the man you want as your candidate, you will go to him with all your problems. We do not have to go through white people to get what we want.¹³

Such separatist official rhetoric has not been repeated since the Whitlam Government’s time in office. That government’s efforts to enable a collective Aboriginal ‘voice’ in Australia’s political and civic discourse by means of national Aboriginal representation and the creation of Aboriginal ‘communities’ and organisations were also unprecedented, and afforded Aboriginal Australians a prominent place in the discourse surrounding their own affairs for the first time.

One keen advocate of self-determination’s early ideals was the Whitlam Government’s first Minister for Aboriginal Affairs, long term activist and former teacher Gordon Bryant. As Minister, Bryant took up his role with gusto and an informality that refreshed and disturbed observers. Displaying his disregard for extant regulatory systems ensuring government accountability, the Minister’s preference was to make decisions personally—usually with the input of his advisors or Aboriginal friends—and leave the financial ramifications for others to deal with.¹⁴ Bryant’s approach to his ministerial duties encouraged lax financial administration among sympathetic and inexperienced sections of the new DAA. During 1973 at Daguragu, evidence of Bryant and the Whitlam Government’s activity and new direction was seen in the DAA’s uniformly positive responses to requests for assistance, usually rapidly followed by funding—an extraordinary achievement for a new department with huge responsibilities nationwide. Ironically, such responsiveness and largesse were symptoms of massively dysfunctional administration. According to the head of the southern branch of the Department’s NT Division John Cooke, the DAA:

¹³ AIATSIS, *NACC Consultative Seminar Batchelor*, PMS 645, p. 3.

¹⁴ Peter Read, *Charles Perkins: A Biography* (Ringwood, Victoria, Penguin, 2001), pp. 169, 174.

[...] had no management services of its own until well into the latter half of 1973. The central office [...] was obliged to rely for its management services on the understaffed and over-strained Management Services Branch of the Department of Environment and Conservation, which in turn had to rely [for financial services] on the Australian Government Publishing Service located in a third Department: Media. The new DAA therefore commenced operations with no staff of its own to handle its crucial management and financial functions.¹⁵

While it struggled in a financial administration vacuum, the amounts of wage and program money disbursed by the Department were at an all-time high.

Within this chaotic environment, Minister Bryant and others subscribed to the view that their frenetic activity was indicative of the Department's new agenda to empower Aboriginal citizens. It soon became apparent that their mode of operation was not one that Australian governments could sustain. Less than a year after the election, on 7 September 1973, the secretary of the Department informed the Commonwealth Auditor-General Vic Skerma that relations with Bryant had broken down and he was unable to control the finances of his own department.¹⁶ Its secretary's confession brought the issues beleaguering the DAA to a head. The Prime Minister and the government's Aboriginal Affairs Committee registered their concern and an inquiry was launched.¹⁷ A disjuncture between the ideals of self-determination and its governmental foundation was emerging. Within ten months of his appointment, Bryant was sacked and replaced by a 'due process' man, Senator James (Jim) Cavanagh.¹⁸ Years later, Bryant was unrepentant about his flawed performance: 'If Whitlam had kept out of the road, within two or three years we'd have revolutionised the entire system'.¹⁹

Bryant and Cavanagh's approaches to 'Aboriginal self-determination' may be seen as characterising the policy's two early, competing strains: Bryant was a proponent

¹⁵ Jack Cooke, DAA Regional Officer (South), 'The Establishment of the Department of Aboriginal Affairs', Unpublished, Cooke Personal Collection, p. 2.

¹⁶ Read, *op. cit.*, p. 175.

¹⁷ 'Aboriginal Affairs Inquiry Threatened', *Sydney Morning Herald*, 18 October 1973.

¹⁸ In the wake of Bryant's sacking, those Aborigines who saw his availability and derring-do as a tangible sign of the government's commitment to 'getting things done' and giving Aboriginal people more power, were outraged. "'PM Wasted Our Time": Aboriginal Deputation', *Sydney Morning Herald*, 19 October 1973.

¹⁹ Read, *op. cit.*, p. 156.

of self-determination's 'ideal' (and idealistic) form, facilitating (he believed), 'Aboriginal control'. Cavanagh on the other hand, was cognizant and respectful of the operational parameters of government, apparently believing that Aboriginal self-determination—in some form—could be fostered within them. This latter version of self-determination would outlive the Whitlam Government, and once shed of its idealism, would also be co-opted in various ways—as I will soon describe. The unchecked idealism of Bryant, his supporters and some within the government and bureaucracy—and the indeterminacy of their ideas about *how* Aboriginal people would manage their own affairs—was only possible as long as normal regulatory processes were suspended. In late 1973 with Bryant's removal, the quotidian governmental limits of 'self-determination' became clearer. The Aboriginal control that self-determination policy proposed could not and would not entail any abnegation by the Australian Government of its own responsibilities. A perhaps predictable major constraint on self-determination policy, originating within the political/financial machinery of government, had emerged. It would quickly force the policy's adaptation.

3.3 Adaptation: delimiting self-determination's ideal

Following the Whitlam Government's mismanaged entry into the Aboriginal Affairs domain in 1972–73, the administrative apparatus of government reined in the DAA's fiscal mismanagement and profligacy. This process continued in 1976–77, under the direction of the newly elected Fraser Government. Amid widespread funding cuts, DAA Secretary Barrie Dexter believed that the Aboriginal Affairs portfolio was targeted disproportionately for staff reductions, particularly of Aboriginal staff. These were reduced in number from 599 in October 1975 to 479 by 30 June 1976.²⁰ The impact of this was to undermine both the 'Aboriginalisation' of the government's workforce—a key part of Whitlam's self-determination policy—and to reduce the Department's contact with remote communities, thereby compromising its efforts to foster Aboriginal self-management in Australia's north and centre. Intense scrutiny on the Aboriginal Affairs portfolio was maintained by the Fraser Government's Administration Review Committee led by Sir Henry Bland in 1976. The Committee

²⁰ Barrie Dexter, *Pandora's Box: The Council for Aboriginal Affairs 1967-1976*, ed. by Gary Foley and Edwina Howell (Southport, Queensland, Keeaira Press, 2015), p. 401.

announced an ‘inquiry into the Department of Aboriginal Affairs’, later reframed as a ‘review of the delivery of [DAA] services’.²¹

The ALP’s earlier focus on Aboriginal people determining their own future (at significant cost, if need be) was replaced by rhetorical emphasis on Aboriginal people becoming less dependent on government support. This subtle rhetorical shift would attain some significance by the turn of the decade. Describing the new variation of the policy, the DAA’s Annual report of 1976–77 read:

We will act promptly to consider and where adopted to fund other proposals and innovation which extend Aboriginal self-management and develop Aboriginal self-sufficiency.²²

Whether by design or accident, reformulating ‘self-determination’ into ‘self-management’ facilitated ambivalence and confusion regarding the policy’s intention whilst maintaining its overt association with social liberalism. This was politically convenient as it was emerging that the DAA would be unable and/or unwilling to operationalise ‘self-determination’ in the manner originally intended by the Whitlam Government.

By the late 1970s, a difficult reality confronted DAA bureaucrats working towards the Department’s intended withdrawal from remote communities. Staffers acknowledged privately that Aboriginal people were rarely managing ‘their’ recently-created communities and organisations directly. Commenting on the DAA’s failure to realise its objectives, the Regional Director of the Department’s Central Australian office Bob Huey wrote to its Deputy Secretary:

Frankly, the Department is kidding itself if it thinks that Aboriginals are effectively or meaningfully involved in the day-to-day management of their affairs.²³

Across the Northern Territory, it had become obvious that Aboriginal individuals willing or able to manage remote Aboriginal communities’ new organisations were lacking. A second major constraint on self-determination policy had emerged, this time

²¹ *ibid.* p. 402.

²² *Department of Aboriginal Affairs Annual Report 1976–77*, Australian Government Publishing Service, Canberra, 1976), p. 7.

²³ AIATSIS, Jeremy Long Papers, Huey [Central Regional Director] to Long [Deputy Secretary], 14 August 1976, *De-volution*, MS 2534, Box 6, Folder 59.

originating within its Aboriginal subject population. It too, would force the policy's adaptation.

By the late 1970s, 'self-determination' (now 'self-management') solicited the decision-making of remote Aborigines, but functioned independently of their management. As I will show in Part Two, at Wave Hill authorities had incorporated several organisations to facilitate Gurindji self-determination. In every instance (and in a significant departure from the Gurindji elders' vision), non-Indigenous employees comprised the managerial strata of these organisations. Although these organisations were supported by all-Gurindji or all-local boards, in terms of self-determination's early ideal and those of the Gurindji leadership, this situation comprised a significant failure. Not only had Gurindji people failed to take over Wave Hill's organisations, but Aboriginal self-determination policy had created a new employment sector there for Europeans wishing—or not—to implement it. Of Kalkaringi and Daguragu, a DAA regional adviser commented:

[...] It appears that there are so many well-intentioned Europeans helping Aborigines on these two communities, I can see how [the DAA Community Adviser] has a fulltime job co-ordinating their efforts.²⁴

Nonetheless, in the discourse surrounding Aboriginal affairs, such organisations were now routinely described as 'Aboriginal' and 'community-controlled'.

Rather than acknowledging this widespread divergence from self-determination's ideal via public admission or overt policy recalibration, government ministers and those within the new domain created to manage Aboriginal affairs glossed it over.²⁵ After years of government rhetoric about Aboriginal empowerment, to openly acknowledge the failure of remote communities to self-manage, or to return to a regime of direct federally or Territory-managed Aboriginal communities became politically unthinkable. The management of nominally Aboriginal organisations by Europeans in remote communities became 'Aboriginal self-management' in practice. The

²⁴ Darwin, NAA, 'Westbury to Casey', 19 July 1979, *Wave Hill—Review of Projects, Part 2*, E460, 1981/89. See also Charlie Ward, *A Handful of Sand: The Gurindji Struggle, after the Walk-off* (Clayton, Victoria, Monash University Publishing, 2016), pp. 259–263.

²⁵ Various departments attempted to resolve the problem by providing extra training and Adult Education opportunities in Aboriginal communities in the 1978–86 period, though Kalkaringi and Daguragu's Gurindji residents' refusal of managerial work was generally unresponsive to educative intervention. I detail these belated efforts in Chapter Eight on Gurindji self-determination and education.

Department of Aboriginal Affairs' own self-withdrawal strategy also catalysed the creation of a European managerial class in the Aboriginal domain. Anthropologist Philip Batty argues that acknowledging the new class of non-Indigenous assistants working in Aboriginal organisations was broadly avoided by those within the sector because it could be viewed as:

[...] an official refutation of the policies of Aboriginal self-determination and thus, a denial of the right of Aboriginal people to 'determine their own affairs'. As a consequence, the position of and role of this non-Aboriginal administrative class has continued to occupy an ambiguous space in order to remain effective.²⁶

Thus far we have seen that self-determination policy, in its original formulation, was reconfigured to fit the financial and regulatory requirement of governments in 1974–76, and that accommodations were made as a result of its Aboriginal subjects' inability or unwillingness to accept its requirements. Other structural, less visible limitations of the bureaucracy and government also emerged by the late 1970s. The experience of the DAA had by then shown that when Aboriginal people had been afforded a measure of genuine control, letting them fail by supporting them inadequately (or even by letting them suffer the consequences of their own mistakes) could have detrimental political consequences.²⁷ Aboriginal failure also had negative professional consequences for those employed to operationalise the policy. As anthropologist Lee Sackett describes of the situation in Wiluna (Western Australia), if Aboriginal organisations and their employees misused or wasted funds or resources, then the DAA officers with functional responsibility for the Aboriginal groups involved would suffer negative consequences.²⁸ Departmental staff in such a situation might be passed over for promotion, or would be compared negatively to their peers, or at least would suffer criticism for 'wasting' government resources.

These permutations of implementation also created important though little-acknowledged constraints on the policy's realisation. The realpolitik of Aboriginal self-

²⁶ Philip Batty, 'Private Politics, Public Strategies: White Advisers and their Aboriginal Subjects', *Oceania*, No. 75 (2005) 209–221 (p.216).

²⁷ Lee Sackett, 'Welfare Colonialism: Developing Divisions at Wiluna', in *Going it Alone?: Prospects for Aboriginal Autonomy*, Robert Tonkinson and Michael Howard, eds. (Aboriginal Studies Press, Canberra, 1990) 201–218 (p. 209); Darwin, NTAS, Ian Pitman [fmr Director, DAA, NT Division], Interview Recorded by Charlie Ward, July 2014, NTRS 3609, BWF 57.

²⁸ Sackett, *ibid.*

determination policy by the late 1970s was that both the bureaucracy and the government of the day were concerned to maintain a controlling interest in remote communities, increasingly by proxy. In light of the many Aboriginal and Departmental constraints mitigating Aboriginal control, I refer to self-determination as it was practiced in the late 1970s–early 80s as its **‘adapted’** face.

To this point I have been discussing self-determination policy as it was practiced. By way of clarification, it should be noted that while the practical reality of ‘self-determination’ came to vary from the original meaning ascribed by its architects, self-determination’s original vernacular meaning of ‘full Aboriginal control’ passed into ongoing use by activists and representatives of the Aboriginal domain as an ideal against which governmental performance could be measured. The Australian Human Rights Commission’s current definition of self-determination, for instance, is that of ‘an ‘ongoing process of choice’ to ensure that Indigenous communities are able to ‘meet their social, cultural and economic needs’.²⁹ By such discursive means, the ideal of the Whitlam Government has remained an important factor in Australia’s Indigenous Affairs, if not government policy. When used purely as a measure of (the lack of) governmental performance, ‘Aboriginal self-determination’ creates an impossibility for governments. If governments are active, they are seen as ‘interfering’ and ‘controlling’. If they are inactive, they are ‘neglectful’. Absolutist interpretations of Aboriginal self-determination fail to acknowledge that in addition to the usual range of factors constraining governmental expenditure, all governmental measures and interventions will, if adopted by Indigenous constituents, further involve those constituents in their own governance.

3.4 Identifying the self-determining subject

Part Two of this thesis will illustrate the many ways in which Gurindji people at Kalkaringi and Daguragu adapted self-determination policy’s ideal in the 1970s–80s to their own interests and situation. Did their government interlocutors proactively adapt policy aims to the needs of local people, though? Did they gain a clear understanding of who those people were? Here I wish to show that while ‘ideal’ self-determination policy claimed itself amenable to the needs and interests of its Aboriginal

²⁹ Australian Human Rights Commission, <https://www.humanrights.gov.au/right-self-determination> Accessed 8 November 2016.

subject/objects, in practice it was mostly only able to revise its expectations of Aboriginal people's self-management ability downwards. This contradicted the policy's initial formulation, in which Minister Bryant had proposed that Aboriginal groups would be able to decide the 'pace and nature of their future development within the legal, social and economic restraints of Australian society'.³⁰ Governmental rhetoric encouraging Aboriginal choice continued in the late 1970s, as this excerpt from a ministerial speech by Ian Viner shows:

[...] direct involvement of Aboriginal people in decision-making processes, by encouraging *them* to establish the priorities of their needs and by their active participation in the coordination and use of Government and other resources entering their communities [emphasis in original].³¹

In reality, there was little provision for the DAA to accommodate variation among the priorities of the Aboriginal people with whom it worked. The Department's inflexibility was compounded by its founding agenda: to decommission itself and withdraw from the field, leaving Aboriginal communities (figuratively speaking, it had emerged) to manage themselves. A greater problem was the emerging diversity of Aboriginal 'communities', the DAA's generic subject/object of policy implementation, and the quotidian socio-political situations of Aboriginal people it was encountering on the ground.

As subjects/objects of governance, Aboriginal 'communities' were a recent construct, the properties of which were little known. If the DAA had conducted analysis of each Aboriginal community's attitudes towards its own self-management, its research may have revealed that 'communities' fell broadly into the following types:

³⁰ Centre for Continuing Education, 'New Policies in Aboriginal Affairs: Report of the "Batchelor Seminars" 1973-74' (Centre for Continuing Education, Australian National University, Canberra, 1976), p. 4.

³¹ Hon Ian Viner, the Minister for Aboriginal Affairs, 'Address to National Press Club, 7 July 1977'.

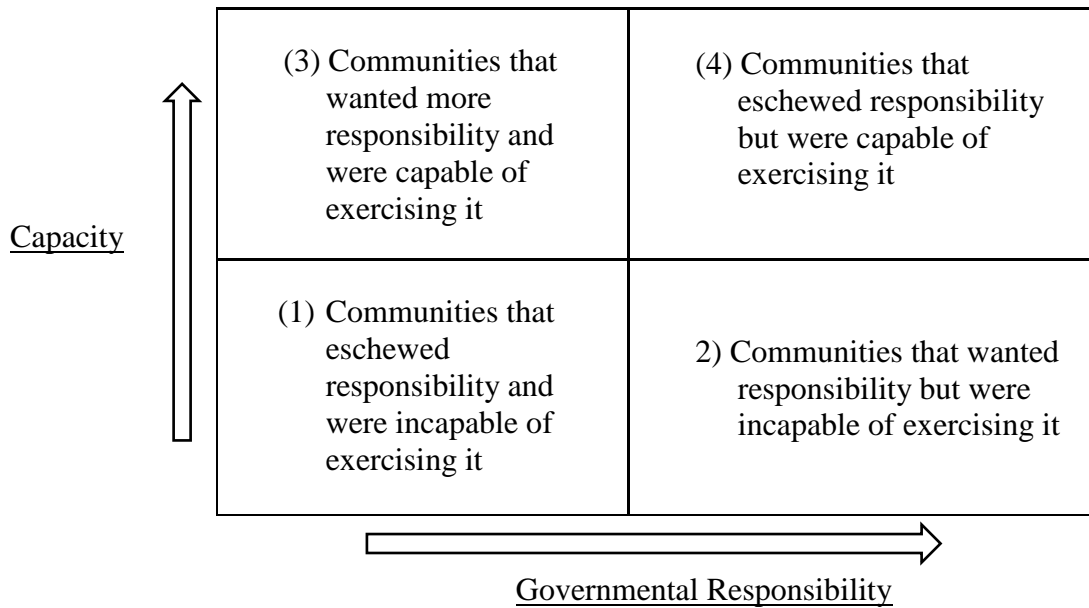


Table 2. Community Types—Aboriginal Self-determination Matrix

The presence or absence of these qualities—local capacity and a desire for self-management—were largely emergent. Only the engagement of members of each Aboriginal community in consultative processes and/or self-management itself could have revealed to their government interlocutors, which category a community belonged to. In the anomalous case of Wattie Creek/Daguragu, consultation conducted by the CAA in the late 1960s had revealed that the group (or at least its leadership) wanted the responsibility of self-management, in principle. This willingness determined that Daguragu was a Type Two or Type Three community. The enactment of self-determination policy in the 1970s later revealed that the Daguragu group lacked the skills and motivation that self-management policy demanded of it, and was hence an example of a Type Two community. Kalkaringi was different, as I will show in Chapters Nine and Ten: consultation and protracted experience in the 1974–79 period would reveal that its residents eschewed responsibility, partly because in traditional Aboriginal terms they had no rights to local leadership—these belonged to the elders at Daguragu. Kalkaringi was therefore a Type One community: its residents were unwilling or incapable of exercising the administrative responsibilities that self-determination policy demanded of them.

In governmental terms, the differences between the two ‘communities’ were great, notwithstanding their close co-existence, shared isolation and the intermingling of their populations. Such permutations serve as an illustration of the extreme

heterogeneity of the many Aboriginal groups with which the DAA had to contend.³² To render Aboriginal people's differences between and within their communities assimilable to the purposes of government, the Whitlam and Fraser Governments embraced the organisational trope of incorporation.

3.5 Incorporation: a communalising measure.

On 21 March 1968, H.C. Coombs suggested that the 'Commonwealth should invite the Gurindji to incorporate and to get an adviser, subsidised by the government, to help them formulate their land claim'.³³ Coombs' advice serves to remind us not only how far governments would eventually travel to resolve the Aboriginal land question (see Chapter Five), but also how the tool of incorporation proved mutable to all social fields, not land lobbying alone.

In the late 1960s, political scientist CD Rowley was at the forefront of the major shift then underway in social policy thought. His popular trilogy on Aboriginal Affairs, published in the 1968–72 period, gave considerable attention to the notion of connecting Aboriginal collectivism and governmental activity for mutual benefit through the mechanism of formal incorporation. Rowley wrote in 1972:

[...] The Aboriginal company is as important as an objective as for what it may achieve. Such an objective completely reorients the whole approach of the government and the public service to Aboriginal Affairs. Instead of a disappearing liability, as in 'assimilation', the Aboriginal group is re-sited as an asset, to be endowed, by its own efforts, with enduring legal personality.³⁴

Rowley's thinking was shared by the CAA, which had therefore sought advice from the Office of Aboriginal Affairs as to how incorporation could be best adapted to Aboriginal groups. Aboriginal incorporation was then adopted by the Whitlam-led ALP opposition

³² In the Gurindji's case, the decision of successive governments to support Kalkaringi's development determined the Gurindji's dependence on the services of that community. This dependence, and the Daguragu elders' partial responsibility for (and authority over) *all* the area's Aboriginal residents, forced the elders to take responsibility for the community of Kalkaringi as well as that which developed at Daguragu.

³³ Cited in Tim Rowse, *Obligated to Be Difficult: Nugget Coombs' Legacy in Indigenous Affairs* (Cambridge University Press, 2000), p. 44.

³⁴ Charles Rowley, *Outcasts in White Australia* (Penguin Books, Ringwood, Victoria, 1972), p. 425.

when formulating its Aboriginal Affairs policy in 1971. Political scientist Will Sanders describes the underlying governmental rationale:

At the core of [self-determination and self-management] policies has been the idea that Aborigines themselves should be involved in the decision-making processes that affect their lives. At the regional and local levels this has led to the encouragement and funding of incorporated Aboriginal organisations, both to deliver specific services and to manage general Aboriginal community affairs.³⁵

Although extant legislation was used to incorporate Aboriginal groups (including the Gurindji people's Muramulla Company) prior to the election of the Whitlam Government, that government's efforts eventually culminated in the passage by the Fraser Government of the (Commonwealth) *Aboriginal Councils and Associations Act 1976*. As policy historian Tim Rowse has noted, as a purely statistical measure of Aboriginal self-determination, incorporation was wildly successful. Since the Act took effect on 26 January 1977, almost 3,000 Aboriginal corporations were registered in the first two decades of the ACAA's operation.³⁶ Rowse identifies the Whitlam and Fraser Government's wholesale advancement of Aboriginal incorporation—and the resultant creation of thousands of Aboriginal companies comprising a large and enduring 'Aboriginal domain'—as self-determination policy's distinguishing trait. As noted earlier, according to Rowse, under the rubric of self-determination, 'governmental rationality [was] now not only individuating but also communalising and corporatising'.³⁷

While the 'Aboriginal' entities resulting from this ideological shift in policy purportedly provided Aboriginal people with a novel means of advancing their own interests, Aboriginal corporations also provided governments with a means of making Aboriginal people more accountable to the state. The new Aboriginal organisations created in the 1970s thus fostered the independence of their members while simultaneously transferring to them a measure of the responsibility for their governance. The work of Michel Foucault is useful in describing this paradoxical aspect of self-determination.

³⁵ Will Sanders, 'Reconciling Public Accountability and Aboriginal Self-Determination/ Self-Management: is ATSIC Succeeding?', *Australian Journal of Public Administration*, Vol 53, No 4 (1994), 475-88, p. 475.

³⁶ Tim Rowse, *Rethinking Social Justice: From 'Peoples' to 'Populations'* (Canberra, Aboriginal Studies Press, 2012) p. 105.

³⁷ Tim Rowse, 'Culturally Appropriate Indigenous Accountability', *American Behavioral Scientist*, Vol. 43, No. 9 (2000) 1514–1532, p. 1515.

Focusing on the practices, tactics and strategies of power rather than its functions and preoccupation with ‘natural’ objects, Foucault recognised the ways in which the citizen subjects of nation states are recruited into their own self-governance. In the Kimberly region of Western Australia for instance, anthropologist Patrick Sullivan describes: ‘Community representative organisations meet the need for a manifestation of autonomy while still presenting the means for administrative control’.³⁸ For government bureaucrats focused on Australia’s remote north and centre, Aboriginal autonomy needed to be balanced with the governmental requirements of small, remote, unskilled populations. In time, as we will see, the practical considerations of implementation won out over the policy’s ideological detail. For later governments, it would emerge that their desire to abrogate responsibility for governing Aboriginal communities exceeded their concern about *who* those communities would be governed by. These tensions between governmental efficacy and local Aboriginal agency were prevalent within self-determination’s governance organisations at Wave Hill. The double-edged nature of what Foucault termed ‘governmentality’ at Wave Hill is made plain in Part Two of this thesis, where I challenge the conventional wisdom that governments have been reluctant to give up their concern for the quality of Aboriginal self-management. To better explicate these dynamics there, I will draw on the scholarly analysis that follows.

3.6 Adapted Self-determination: Organisational Analysis

According to the self-determination policy of the Whitlam Government, Aboriginal communities would determine their own futures through their residents’ adoption and use of a governmental construct imbued with local aspirations: the incorporated Aboriginal organisation. Yet by the time that Northern Territory Self-Government occurred on 1 July 1978, the practical meaning of the phrase ‘self-determination’ had changed. Daguragu and Kalkaringi’s organisations, for instance, were managed not by Gurindji individuals but by European Australians. For the Gurindji elders, this variation from their own aspirations was blatant and problematic. They—though not the majority of the two settlements’ other Aboriginal residents, I argue—saw this compromise as deeply unsatisfactory, and a failure of their vision.³⁹ Following NT Self-Government,

³⁸ Patrick Sullivan, *All Free Man Now: Culture, Community and Politics in the Kimberly Region, North-western Australia* (Aboriginal Studies Press, Canberra, 1996), p. 30.

³⁹ Evidence shows that the Gurindji elders continued to aspire to Gurindji-control of their communities until c. 1980. I contend that after this time, their ambition about this matter was

the new Northern Territory Government's initial work involved a large amount of capital investment on projects employing large numbers of non-Indigenous staff, compounding the elders' sense of failure.

In the main, Gurindji and Warlpiri individuals occupied only menial positions in the new organisations created at Wave Hill. A limited subset of 'elders' and occasionally their younger male relatives contributed to the governance of those organisations in an advisory capacity. The operation of these organisations thus necessitated the cultivation of cordial, if not close, working relations between their Aboriginal staff and the European Australians who managed them on the local people's behalf.⁴⁰ This hybridised form of organisational management was repeated throughout the plethora of organisations comprising the Aboriginal domain, and comprised an important factor in Gurindji self-determination at Wave Hill.

The workings of Aboriginal organisations have been subject to much critical analysis, which I will draw upon for the insight it provides. Anthropologist Philip Batty has described the 'intercultural partnerships' between Indigenous and non-Indigenous collaborators created in Aboriginal organisations as 'specific sites of administrative and cultural mediation, delineating the aspirations of Aboriginal people and government'.⁴¹ According to Batty, in a practical sense, self-management required Aboriginal people to 'lease' their Aboriginality to non-Indigenous staff, for essentially non-Indigenous purposes. By such means, the 'Aboriginal management' required by self-determination policy was solicited.

Unlike Batty's model of Aboriginality's 'leasing', which focuses on the relationships created in this process, recent analysis by Tim Rowse and Elizabeth Watt examines the sociological dimension of these organisations' composition and recruiting practices. In their chapter "'The North": Colonial Hegemony and Indigenous Stratification' in *A Historian for All Seasons: Essays for Geoffrey Bolton*, Rowse and Watt draw attention to the ways in which Australian historiography (particularly after the historian Geoffrey

challenged by their growing recognition (gleaned through bitter experience and protracted discussions with Stan Davey and Jan Richardson) of the alterity, the amount, and the unattainability of the knowledge required of them to operate in organisational management, and the likely deleterious effects on Gurindji relatedness and sociality if a Gurindji person were to do so. This matter is further discussed further in Chapter Ten.

⁴⁰ Elsewhere, it was also common for educated mixed race Aboriginal people to also be employed in the management roles of 'Aboriginal' organisations.

⁴¹ Philip Batty, 'Private Politics, Public Strategies: White Advisers and their Aboriginal Subjects', *Oceania*, No. 75 (2005) 209–221 (p.216).

Bolton), like government policy, has differentiated and distinguished between Aboriginal people. In particular, they articulate a relationship between Aboriginal groups that self-determination policy's operationalisation necessitated: Aboriginal 'trusteeship'. Giving credence to the distinction of Bolton between 'part-Aborigines' of the southern portion of Western Australia and the more ethnically distinct and tradition-focussed 'Aborigines' of the north-west, Rowse and Watts see the transition from assimilation to self-determination policy as one in which a measure of responsibility for providing services to remote Aboriginal people was effectively transferred from the European to the Indigenous domain. Specifically, a measure of governmental responsibility was transferred from a class of European public servants and missionaries to a more dispersed network of Aboriginal organisations, often employing educated, urbanised Indigenous staff, usually of mixed descent.⁴² As much as this was officially rationalised, in the politics of pan-Aboriginalism, trustees with the identity 'Aboriginal' could make a strong claim to be in solidarity with those less acculturated Aboriginal people for whom they acted as trustees. In postulating a common Aboriginal interest, pan-Aboriginalism deflected questions about whether the interests of urbanised, often mixed descent relatives and advocates were identical to those Aboriginal people who are less sophisticated in Euro-Australian ways.⁴³ In the first instance, this de facto Indigenous 'trusteeship' (a term adapted from the work of Tony Smith) resulted from self-determination policy's intention to divest responsibility for direct governance of Aboriginal Australia to the new government-funded sector of service provision organisations.⁴⁴

Batty's 'intercultural partnerships' and Rowse and Watts' 'trusteeship' are complementary descriptions of (adapted) self-determination's mode of enablement. At Kalkaringi and Daguragu, rather than a transfer of responsibility for service provision to the Indigenous employees of Aboriginal organisations, 'Aboriginal' service-providers employed non-Indigenous managers. If anything, due to the elders' history in the pastoral industry and their lack of formal education, the Gurindji's dependence on

⁴² Tim Rowse and Elizabeth Watt "'The North'": Colonial Hegemony and Indigenous Stratification' in Stuart Macintyre, Lenore Layman and Jenny Gregory (eds) *A Historian for All Seasons: Essays for Geoffrey Bolton* (Clayton: Monash University Publishing, 2017), pp. 204-235.

⁴³ Charlie Ward, *A Handful of Sand: the Gurindji Struggle, After the Walk-off* (Clayton, Victoria, Monash University Publishing, 2016), pp. 152-154.

⁴⁴ Tony Smith 'Indigenous Accumulation in the Territory in the Early Years of "Self-Determination": 1968-75', *Australian Economic History Review*, 42, 1 (2002); Tony Smith, 'Welfare, Enterprise and Aboriginal Community: The Case of the Western Australian Kimberley Region, 1968-1976' *Australian Economic History Review*, 46, 3 (2006).

non-Indigenous labour was greater than that of the Indigenous leaders of other communities. Few mixed descent Gurindji were then in residence in the Gurindji communities, and those that were had no particular skills to differentiate them from their ‘full’ Gurindji relatives. The labour aspect of governance in the period at Wave Hill was thus constituted by Rowse and Watts’ ‘trusteeship’ in modified form. Under that modification, trusteeship for the governance and management of Kalkaringi and Daguragu was extended beyond the realm of staff of mixed descent to a large number of non-Indigenous staff. The mantle of Indigeneity, or in this case ‘being Gurindji’ for the purposes of self-determination, was effectively extended for certain purposes to the non-Indigenous management of Gurindji organisations. In Batty’s exposition of ‘intercultural partnerships’, he makes a similar point. According to that model of mediated Indigenous agency, Gurindji authority was effectively ‘leased’ from Gurindji leaders by their non-Indigenous staff, functioning as the ‘trustees’ of Gurindji self-management. These dynamics characterised the operations of the organisations I shall discuss in Part Two: Libanungu and Daguragu Councils (various iterations 1974–82), the Wundamarie Housing Association (est. 1974), and the Muramulla Company (est. 1970, funded 1975).

While the intersection of governmental remedialism with local social realities shaped the incorporative tools of governance at Wave Hill, the same local organisations in which this occurred were formed on the basis of the ‘interests’ of Kalkaringi and Daguragu communities. Organisations often did not know how to implement the wishes of Gurindji people, especially when their opinions differed about what they wanted. Gurindji leaders and governments espoused obeisance to the Gurindji’s supposed collective interests, yet even in-principle agreement among the Gurindji group about the methods to best realise those interests, and/or the form of an effective collective effort to do so remained largely out-of-reach. The collective subject of homogenous ‘communities’ presupposed by self-determination policy were in fact revealing themselves to be disparate, diverse collections of individuals, unfamiliar with democratic representative processes. Individual ‘self-determining’ Gurindji subjects were in other words impeding, challenging and undermining the ‘communal’ self-determination proposed by governments. To understand these dynamics (the effects of which I demonstrate in Part Two), I therefore now wish to explore the ways in which Gurindji individuals co-opted, and were affected by, self-determination policy.

3.7 Individualising corollaries

To assess self-determination policy's outcomes among and for the Gurindji, it is apposite to identify the features of the Aboriginal person/subject it solicited. What personal qualities did self-determination policy's various programs, job positions, associations and corporations demand? Although H.C. Coombs, C.D. Rowley and others had been concerned to blunt the 'European' exigencies of these governmental tools for their Aboriginal subject/objects, fundamental assumptions were nonetheless reflected in their design and expectations. Self-determination policy assumed that in sufficient numbers, Aboriginal individuals would:

- a) lack other commitments or pursuits that might wholly or at times preclude them from fulfilling the requirements of the policy;
- b) recognise the merits of its programs and/or organisations, and identify with and commit to them for their purported benefits;
- c) maintain aspirational, energetic hard work on a routine-basis, linked to or reconcilable with policy aims; and
- d) have the skills to take up managerial or at least midlevel positions in incorporated councils, companies and associations.

The programs and organisations inviting Aboriginal participation under the terms of self-determination increased markedly from the number provided under earlier policies of Assimilation. The assumptions made of their Aboriginal subjects by both policies' programs and organisations varied little, however. Finding that the Gurindji people's operation of 'Gurindji' organisations fell far short of their expectations, in the late 1970s, many of the Gurindji's government interlocutors opined that more 'non-Indigenous supervision' was needed to realise the type of social projects and organisations that Gurindji self-determination required. The experience of DAA staff apparently revealed to them that remote Aboriginal people's lack of western education and their socialisation had rendered them resistant to, and/or incapable of conceding to, the requirements of self-determination policy. When DAA advisers called for more non-Indigenous supervision, they were responding to what they saw as the failure of Gurindji leaders to live up to 'self-determination' policy—in their capacities and in their aims.

My description of the political/organisational domain in Kalkaringi and Daguragu communities in Chapters Nine and Ten makes clear that while self-determination policy's

communal and incorporative intent was far-reaching and transformative in its impact, local people used other financial aspects of government policy for opposing ends: to facilitate dispersal and disaggregation. In light of the extant tensions I will soon describe within Gurindji society, this is not surprising. But did self-determination policy itself facilitate these individualising processes? In his book *Traditions for Health*, Tim Rowse explores the ways that the policy constituted Aboriginal individuals:

Australian governments deal with Aboriginal people of Central Australia as if they were individuals (accountable as individuals in processes of law, and enjoying entitlements as individuals in social security schemes). [...] These ‘objects [which are also subjects] of government’ are constituted discursively and non-discursively.⁴⁵

The primary means by which self-determination constituted the Gurindji as individuals was by awarding them welfare payments and/or employment and remuneration on an individual basis. These aspects of the policy I describe as self-determination’s **individualising** face.

As I have described, self-determination policy was concerned to create a communal Aboriginal subject whose individual members identified with their ‘communities’ and were amenable to political self-representation. Yet financial aspects of the social policies of the Whitlam Government and its predecessors created the conditions necessary for a major, divergent assertion of individual rights within Gurindji society. As Part Two of this thesis will show, the effects of the ‘individualisation’ that Gurindji people conducted were many, and mostly operated counter to self-determination’s stated aims. To understand why the Whitlam Government’s social policies had individualising as well as communalising re-constitutive effects on Gurindji society, it is salient first to consider that tensions between communalism and individual rights present a paradox within the liberal project of universal social justice and equality. For liberalist governments, discursive if not legal accommodation must be made for marginalised groups, *and* those groups’ individual members. This creates a potential conflict of loyalty for individuals. Under democratic liberal rule, ethnicity-defined and/or other minority groups hold the legal right to associate—and to practice any and all sub/cultural behaviour they might wish to, within the laws of the nation-state. The Australian Aboriginal experience with self-determination

⁴⁵ Tim Rowse, *Traditions for Health: Studies in Aboriginal Reconstruction* (North Australia Research Unit, Casuarina, NT, 1996), p. 11.

policy illustrates however that once so enfranchised, individual members of minorities may utilise their newfound rights to challenge the sub/cultural values of the minority groups to which they belong.

To contextualise these dynamics within the Gurindji group in the 1970s–80s, in the remainder of this thesis I will adopt political theorist Chandran Kukathas’ concept of the individual’s right of dis/association within a ‘free society’. In his book *The Liberal Archipelago: A Theory of Diversity and Freedom*, Kukathas assesses the place of authority in a free society. Stimulated by questions similar to those guiding the academics and bureaucrats formulating Australian Aboriginal Affairs policy during the mid-Twentieth century, Kukathas finds that ultimately the allocation of authority determines how a ‘diversity of people(s) [can] live together freely given their differences’.⁴⁶ Viewed through this frame, self-determination policy can be seen as a product of the Australian nation’s reassessment of Aboriginal authority, and its subsequent recognition and re-visioning of its relationship with that authority by a variety of new means. As I have already indicated however, that recognition and re-visioning was somewhat speculative and initially agnostic about its intended outcomes. This thesis is testament to the fact that its effects were also unanticipated.

Self-determination policy professed a loyalty to Aboriginal authority, and yet in the Gurindji’s case at least, the authority of their leadership was undermined in several ways by the policy’s indirect effects. Those I specifically address in this thesis are: increased cash incomes, the penalisation of Gurindji gerontocratic punitivism, an increased dependence on locally-based non-Indigenous staff for the provision of services, and the differentiation of younger Gurindji from their elders. In each case, the causes of the Gurindji elders’ disempowerment resulted from the removal of measures that differentiated their society from the mainstream. This accords with Kukathas’s conception of a ‘free’ or liberal society, in which special treatment on the basis of race or other distinguishing traits is to be avoided. Yet while self-determination policy followed this precept in some regards, in practical terms its effects frequently inhibited the agency of endemic leadership.

Arguably more deleterious in its effect on Gurindji gerontocratic power than the self-determination policy era’s removal of Aboriginal ‘special measures’ though, was younger Gurindji people’s contestation of that power. Kukathas finds that in a liberal society, “there

⁴⁶ Chandran Kukathas, ‘Introduction’, *The Liberal Archipelago: A Theory of Diversity and Freedom* (Oxford Scholarship Online, November 2003), p. 7 of 17.

will be a multiplicity of authorities, each independent of the others, and sustained by *the acquiescence of its subjects*'.⁴⁷ This point is fundamental. Without the imposition of the state's overt authority governing the association of individuals, acquiescence, or willing consent, is key to social coherence. In answering the question 'what is the principled basis of a free society marked by cultural diversity and group loyalties?' then, Kukathas advances the following case:

1. A free society is an open society and, therefore, the principles which describe its nature must be principles which admit the variability of human arrangements rather than fix or establish or uphold a determinate set of institutions within a closed order.
2. Such principles should take as given only the existence of individuals and their propensity to associate; they need not and should not assume the salience of any particular individuals or of any particular historical associations.
3. Granted this, the fundamental principle describing a free society is the principle of freedom of association. A first corollary of this is the principle of freedom of dissociation. A second corollary is the principle of mutual toleration of associations. Indeed, a society is free to the extent that it is prepared to tolerate in its midst associations which differ or dissent from its standards or practices.⁴⁸

In my reading, for Kukathas the ideal of the modern liberal democratic state is a society in which all its individual members—including those from various 'cultural' and minority groups—may associate freely. It follows that it was something akin to this freedom which, through their self-determination-type policies, the Whitlam and Fraser Governments wished to promulgate in ways that were unprecedented among Aboriginal people.

As Kukathas points out though, by definition, the freedom to associate only acquires practical meaning if it entails the freedom to dissociate. Without the right to leave or differentiate oneself from a group, its membership is of little value—a position apparently endorsed by the actions of younger Gurindji people in the 1970s–80s. I will argue that it was the manifold effects of this socio-political dynamic in tradition-oriented

⁴⁷ Kukathas, *op. cit.*, p. 7 of 17.

⁴⁸ Kukathas, *op. cit.*, p. 2 of 44.

Aboriginal contexts which self-determination's policy design failed to anticipate—and whose later practitioners felt obligated to partially ignore.

A caveat: although Kukathas argues that groups based on cultural difference and/or ethnicity are merely one among many association-types in a freely-associating (and dissociating) society, this could be seen to imply that cultural dissociation, in extremis, would entail some sort of 'renunciation' of membership/identity. This is not the sense in which I use the term dissociation. Although I am aware anecdotally of cases in which members of other Aboriginal groups dis-identified themselves as Aboriginal, I know of no Gurindji individuals who did so. When I speak of Aboriginal dissociation then, I am speaking of dissociation and differentiation between individuals and generations, not the dissociation of individuals from their society as a whole. I am speaking about individual autonomy from social loyalties and constraints and cultural change, rather than cultural loss. Specifically, I use the term to describe two related phenomena: (usually younger) Gurindji people contesting and at times rejecting aspects of their social inheritance over which they had previously exercised little agency; and the differentiating and individualising effects of such rejection and contestation on relationships between Gurindji individuals and generations.

3.8 Conclusion

In its initial articulation by the Whitlam Government, Aboriginal self-determination policy was ambitious, far-reaching, and self-consciously radical. Its intention to communalise the administration of Aboriginal Affairs, and to 'devolve' itself of aspects of that administration were eventually achieved, via its enablement of representational Aboriginal politics (the Aboriginal 'voice' in public affairs), its promotion of a pan-Aboriginal identity, and the passage of its *Aboriginal Councils and Associations Act (1976)* by the Fraser Government. Notwithstanding this partial alignment of intentions and outcomes, after its initial formulation, self-determination policy accumulated an operational meaning unintended by its architects. These are the two 'types' of self-determination policy that this thesis will consider. Firstly, there is that subscribed to by many upon its inception, in the Whitlam Government, the DAA, and the broader public. This definition of self-determination would, in the case of Daguragu and Kalkaringi, be measured against the ideal of Gurindji individuals staffing (and managing) those communities' organisations. I term this self-determination's 'ideal' form, and note that this definition is still in use today within

the Aboriginal domain and among its rights-focused interlocutors. For the purposes of this thesis, I argue that although ideal self-determination's detail and means of envisaged achievement may have differed from the Gurindji elders', these competing versions of self-determination were broadly commensurate. As I have shown in Chapter Two, the elders intended to create a community with services staffed by Gurindji individuals, too. For these reasons I have classified establishment-phase Daguragu, the main community on which this study is focused, a Type Three community: one whose residents (apparently) wanted more responsibility and were assumed by their government interlocutors to be capable of exercising it. The journey I describe in Part Two shows that this assessment was subsequently revealed to be incorrect.

After the policy's introduction in 1972–73, this 'ideal' of self-determination policy was subsequently modified and redefined. By the end of the 1970s, 'self-determination' was commonly used to refer to the administration of Aboriginal Affairs by non-Indigenous and/or urban-educated Indigenous people. The Aboriginal Affairs portfolio had also been politically deprioritised. These changes occurred as a result of the political and financial constraints of Australian governments and the common inability and/or unwillingness of remote Aboriginal community leaders to manage and administer the corporate bodies created in their communities by the Whitlam and Fraser Governments for the purposes of self-management.

The existence of those instrumentalities was indicative of self-determination policy's definitive and enduring trait: its use of a communalising government rationality (as per Rowse, Cowlshaw and others). This communalising logic was transformative, though not in the manner intended in remote Australia. There, rarely did remote Aboriginal people administer the councils and associations that were established in their name. Rather, the argument I will make in Part Two of this thesis is that the contingent, adaptive and often dysfunctional means by which those Aboriginal councils and corporations operated was determined by the effects of another, more general axiom of liberal democratic governance and capital on Aboriginal people: that of individualisation.

Ch. 4 Gurindji Individual, Economic and Social Change, 1960–86

The economic dimension of Gurindji life was fundamental to that group's response to self-determination policy, and it was as a result of changes in this domain that they were able to realise their long-contained desires for social differentiation. The economic effects of the implementation of the Whitlam Government's social policies among the Gurindji represented the culmination of their economic integration with the economy of the Australian nation state. Their monetary income and their resultant increasing enfranchisement as consumers within the greater economy facilitated sweeping social change. In this chapter, I show that many Gurindji people, especially the young, embraced aspects of this social change with enthusiasm, while the older cohort of Gurindji were commonly resistant. The disaggregative nature of these changes was largely deleterious to self-determination's policy intentions and the related aspirations of Gurindji elders. Amongst the social tensions, opportunities and difficulties caused for Gurindji people by their changing economic circumstances, their participation in the social programs and community organisations associated with government policy was largely incidental, as I will show.

Before outlining my argument about the general effects of increased financial incomes on Gurindji life, and describing the related phenomena of Gurindji dissociation and 'disappearance' as they impacted on governmental endeavours at Wave Hill, I will first elaborate on the qualities of 'traditional' Gurindji society and its economy which predisposed both to disruption by money. To do so, the balance of that society's aggregative and disaggregative tendencies must be assessed. In Chapter Two, I established that Gurindji society was gerontocratic and restrictive. Like other Aboriginal groups, its members simultaneously enjoyed a large though culturally moderated degree of autonomy, which contributed to the group's social resilience.¹ In comparison to western societies, the Aboriginal individual's identity was largely subsumed within the

¹ LR Hiatt, *Arguments About Aborigines: Australia and the Evolution of Social Anthropology* (Cambridge University Press, Melbourne, 1996), pp. 90–93.

close bonds of the family group, the land-holding (or for the Gurindji, ‘*ngurramala*’) group, and other social/ceremonial denominations. Before European contact, it is generally agreed that wealth and social prestige in such societies were coextensive, concentrated in the hands of older people and apportioned within family groups according to traditional law and kinship.² Thus tensions between what anthropologist David Martin, writing of Wik society in North Queensland, characterises as ‘autonomy and relatedness’ were therefore incumbent within the Gurindji’s heavily socially and materially circumscribed pre-contact world, and unresolved.

As I have described in Chapter Two, these tensions functioned in a number of ways between Gurindji elders and their younger people. Anthropologists in the 1930s–50s observed that young men and women were reluctant to fully participate in the ceremonial life valued by their elders.³ Another source of significant intergenerational tension was the monopolisation of young women’s sexuality by older men, according to Gurindji society’s system of kinship. Polygyny was practiced, and as mentioned, the Gurindji’s kinship system—mostly as interpreted and enforced by male elders—determined which men women might marry. Anecdotal evidence and ethnographic research elsewhere suggests that increasingly in the post-contact era, many young women harboured resentment towards Gurindji elders for forcing them into unwanted unions, and many young men likewise resented the same elders for ‘taking’ their potential partners.⁴

The broad outline of these tensions within Gurindji society was repeated within hundreds of other Indigenous groups across Australia. Recognising this, anthropologist Les Hiatt advanced an argument with which this thesis concurs: that the inequitable distribution of power within Aboriginal society made that society ‘vulnerable to external challenge and susceptible to internal collapse’.⁵ Catherine Berndt believed such tensions were so widespread that she described ‘young people who were enticed by the prospect

² John Stanton, ‘The Mount Margaret Community, Western Australia’, in E.A. Young and E.K. Fisk (eds) *Small Rural Communities* (Canberra, Australian National University Press, 1982) 61–88 (p.69).

³ Anthropologist Mervyn Meggitt was also given to understand that the number of old men skilled and authorised to make sacred objects was in decline. Mervyn Meggitt, ‘Notes on the Malngjin [sic] and Gurindji Aborigines of Limbunya, N.W. Northern Territory’, *Mankind*; Sep 1, 1955, 5, 2 (45–50), pp. 48, 50; Catherine H. Berndt, *Women’s Changing Ceremonies in Northern Australia* (Paris, Hermann, 1950), p. 63.

⁴ David McKnight, *Going the Whiteman’s Way: Kinship and Marriage among Australian Aborigines* (Ashgate, Aldershot, England, 2004), pp. xix–xxvi.

⁵ Hiatt, *op. cit.*, p. 98.

of brighter lights and greener pastures' as the 'Trojan Horse' compounding the difficulties of older Aborigines in resisting what they saw as the inimical effects of their society's engagement with the settler mainstream.⁶ These observations are indicative of traditional Australian Aboriginal societies' containment of their members' autonomy.

There were several means by which traditional Aboriginal societies maintained their own social structures. Firstly, a highly punitive regime underlay gerontocratic power. As David Brooks has written of the Ngaanyatjarra people of South Australia:

Because of the absence of centralised political and judicial institutions, the maintenance of social order (or its corollary, disorder) was ultimately in the hands of individuals; it potentially gave physically capable individuals, mostly men, an inordinate amount of power over their fellows.⁷

Secondly, as noted in Chapter Two, Gurindji society was extremely communal and interlinked by kinship. Collective life and good relations were accordingly valued above all other social virtues, to the extent that individuality was in constant tension against them. What Trigger describes as Aboriginal 'relatedness' provided a powerful counterbalance against dissociation in pre-contact times, and decreasingly in the pastoral industry environment which followed. Thirdly, isolation was significant, and if an Aboriginal person were hypothetically to leave their own group, other societies were organised along similarly demanding lines. Finally, and most importantly in terms of the argument in this chapter, the economic situation of Gurindji people during pre-contact times and during their decades in the pastoral industry was one of subsistence. Anthropologist David Martin describes that for Wik people on Cape York:

[...] access by each person to the basic necessities of life had been dependent upon the complex human/landscape association expressed in the land tenure system, mediated through relationships of exchange and distribution, over which had been

⁶ Catherine Berndt, 'Out of the Frying Pan...? Or, Back to Square One?', *Aborigines and Change: Australia in the 70s*, ed. by R.M. Berndt (Canberra, Australian Institute of Aboriginal Studies, 1977) 402–411 (p. 403).

⁷ David Brooks, 'Organisation within Disorder: the Present and Future of Young people in the Ngaanyatjarra Lands' in *Growing Up in Central Australia: New Anthropological Studies of Aboriginal Childhood and Adolescence*, ed. by Ute Eickelkamp (Berghahn Books, Oxford, 2011) 183–212 (p. 185).

superimposed such factors as restrictions on consumption of specific items occasioned by particularities of age, ritual status, seniority, and so forth.⁸

Healthy adults may have had the skills to support themselves indefinitely, though no individual was expert in obtaining and processing all the foods required for a balanced diet. Critically, surplus food was immediately consumed and ‘wealth’ was posited in status and relationships rather than material goods. These qualities of Indigenous life—social dependence, punitivism and material subsistence—formed the cohesive substrate of Gurindji society, mitigating against its dissolution. This substrate was certainly affected by its members’ transition into the cattle industry, though a range of factors in that industry’s economy and management served to constrain the social tensions among its Aboriginal workers and their families.

To understand the profound ways in which Gurindji society’s integration into the mainstream economy in the 1970s affected Gurindji individuals and largely shaped their responses to self-determination policy, a brief account of that society’s post-contact economic history is necessary. For eight decades following the establishment of the pastoral industry on their land in the 1880s, generations of Gurindji had lived within the quasi-feudal economy of a remote privately-run pastoral station. Fundamental to this was the exchange of their labour for food, clothing and protection from the worst of settler violence.⁹ As their economic situation was almost entirely determined by the self-interest of the Vestey family’s Australian Investment Agency (AIA), material poverty among the group was an entrenched condition. Significant individual income was also unknown.¹⁰ In this isolated environment, while providing semi-indentured labour, they were able to maintain their systems of value and distribution. Commenting on Aboriginal groups’ limited participation in the cash economy in Australia’s centre and north during the first half of the twentieth century, anthropologist Nicolas Peterson argues:

⁸ David Martin, ‘Autonomy and Relatedness: an Ethnography of the Wik people of Aurukun, Western Cape York Peninsula’ (Unpublished PhD thesis, Australian National University, 1993), p. 117.

⁹ I describe the economic parameters of this situation in my book *A Handful of Sand*. See Charlie Ward, *A Handful of Sand: The Gurindji Struggle, after the Walk-off* (Clayton, Victoria, Monash University Publishing, 2016), pp. 12, 18, 23.

¹⁰ Minoru Hokari, *Aboriginal Economy and Cattle Labour: the Economic History of the Gurindji People* (Masters of Economics Thesis, Tokyo, Hitotsubashi University, 1996), pp. 53–54.

A consequence of [their] limited interaction was that, even though the way in which subsistence was acquired had often changed radically, the Aboriginal social relations of production and their value system remained substantially unchanged.¹¹

When those employed by a pastoral station were required to work, it was rare for that employment to exceed thirty weeks per year.¹² Most work conducted by Wards was exchanged by their employers for rations, or after an initiative by Chief Protector of Aboriginals in the NT Cecil Cook in 1930, small wage payments were held in trust for them. For the Gurindji, the outcome of these arrangements was the same: subsisting largely on pastoral leases, Lingiari's generation and their antecedents gained little to no experience using cash until the 1950s.

Later in that decade, governments' recognition of their own responsibility for Aboriginal people increased, resulting in the award of invalid, aged and nursing pensions to Aboriginal adults.¹³ These were commonly paid in trust to their nominal recipients' non-Indigenous trustees, Vestey's AIA, though pastoral and mission-based intermediaries rarely paid these directly to their supposed beneficiaries. Gurindji people were also paid 'special' wages and exposed to money from this time.¹⁴ Direct payment of a small proportion of the government allowances available to the Aboriginal people under the care of missions, settlements and pastoral stations was mandated by the amendment of *Social Services Act* in 1959.¹⁵ A small amount of money was thus available to some Gurindji individuals, though by the early 1960s, the amount paid to Aboriginal workers was still approximately only 20% of the *Cattle Station Industry (Northern Territory) Award 1951*.¹⁶ In their famous Walk-off action of 1966, the

¹¹ Nicolas Peterson, 'Capitalism, Culture and Land Rights: Aborigines and the State in the Northern Territory', *Social Analysis: The International Journal of Social and Cultural Practice*, No. 18 (December 1985) 85–101 (p. 90).

¹² *ibid.*, p. 88.

¹³ Annette Hamilton, 'Aboriginal Women: the Means of Production' in Jan Mercer (ed) *The Other half: Women in Australian Society* (Ringwood, Australia, Penguin Books, 1975) 167–179 (p. 174).

¹⁴ Ted Egan, 'Lingiari, Vincent (1919–1988)', *Australian Dictionary of Biography* (National Centre of Biography, Australian National University, Canberra) <http://adb.anu.edu.au/biography/lingiari-vincent-14178/text25190>, accessed 9 January 2017.

¹⁵ Tim Rowse, *White Flour, White Power: from Rations to Citizenship in Central Australia* (Melbourne, Cambridge University Press, 1998), pp. 133.

¹⁶ Rowse, *ibid.*, pp. 134, 136; Ronald and Catherine Berndt, *End of an Era: Aboriginal Labour in the Northern Territory* (Canberra, Australian Institute of Aboriginal Studies, 1987), p. 71; Minoru Hokari, *Aboriginal Economy and Cattle Labour: the Economic History of the Gurindji People*

Gurindji people's impoverished economic situation provided them with their primary justification for severing their dependence on the Vestey company.

In the decade following this event, at the Wave Hill Welfare settlement and the Gurindji's camp at Wattie Creek, their material circumstances improved somewhat via donated food and limited employment at the Wave Hill Welfare Settlement. For the typical resident of Wattie Creek though, money remained rare in the 1967–72 period and a surfeit of food was uncommon.¹⁷ Although documents show that senior officials of the NT Administration were concerned to perpetuate what they saw as intergenerational 'division' and 'disunity' existing in the Wattie Creek group at this time, the Gurindji's relative poverty and isolation ensured that Gurindji elders were still able to maintain a unitary social vision until the mid-1970s.¹⁸ As a result, young Gurindji wage earners donated a significant proportion of their income to develop the Wattie Creek camp.¹⁹

It is against this truncated economic history of the Gurindji that the financial effects of the Whitlam Government's social policies described in the previous chapter must be considered. Its changes to social welfare and the administration of remote communities meant that the number of Aboriginal individuals of low socio-economic status receiving their own source of income, *and* the amount of disposable income in their communities, dramatically increased. The effects of this were fundamental to Gurindji self-determination, as I will now demonstrate.

4.1 Democratising Dispensations: the Effects of Cash

At Wave Hill after the Whitlam Government's election, the powerful fiscal effects of the new government's efforts to engineer social equality between unemployed Aboriginal Australians and their mainstream non-Indigenous counterparts quickly became apparent. Award wages were paid to Aboriginal workers at the settlement for

(Masters of Economics Thesis, Tokyo, Hitotsubashi University, 1996), pp. 48–50; Northern Territory Administrator's Report, cited in Pearl Ogden, *From Humpy to Homestead: The Biography of Sabu Sing* (Winnellie, Northern Territory, 1992), p. 97.

¹⁷ Ward, 2016, p. 43. 'Lyn Riddett to Lex Grey', 18 June 1971, Riddett Personal Collection, pp. 17–18.

¹⁸ Canberra, NAA, Telex from Northern Territory Administration to Department of the Interior, 25 September 1968, *Petition by Gurindji People to Governor-General re Wave Hill Pastoral Land, Northern Territory*, (A1734) NT 1968/2509.

¹⁹ Darwin, NTAS, Interview with Gus George by Charlie Ward, October 2010, NTRS 3609, BWF 24.

the first time. More jobs were available, mostly in the new ‘Aboriginal’ organisations then being created, and unemployment benefits were also easier to obtain. A fortnightly payment cycle was established. Cash to pay wages and welfare payments was flown to the Kalkarung airstrip and delivered to Kalkaringi every second Thursday, and wage and benefit payments were made that day.²⁰ These large though infrequent payments, combined with the propensity of Gurindji people to spend their money quickly *and* to request cash gifts and loans from their relatives, inculcated a fortnightly ‘boom and bust’ financial cycle like those observed in many remote communities. The relative plenty of one week was inversely mirrored by the poverty and lack of the following one. Nonetheless, with Kalkaringi and Daguragu’s Aboriginal residents comparatively flush with cash, an age of consumer choice dawned. Motor vehicles became affordable. Cars enhanced the ability of Gurindji and other remote Aboriginal people to avail themselves of the citizenship-type rights bestowed by liberal policies in the 1960s (see Chapter Three), and participate more fully in the consumer economy. Their spending on clothes, toys, accessories, entertainment and alcohol increased.²¹ By the mid-1970s, the women and young adults of Gurindji society had money, in addition to the primary males.

The relative availability of cash had powerful equalising and destabilising effects on remote societies such as the Gurindji’s, which were unaccustomed to regular surplus. Notwithstanding the obligations of their kinship-based, demand sharing economy, this equalisation of income empowered young adults in relation to their powerful elders.²² Anthropologist David Martin describes the dynamics by which a similar process occurred in Wik society during the same period:

[...] having an independent income allowed individuals—if they so choose—to obtain basic necessities such as food outside the network of reciprocal rights and obligation of the Wik domain.²³

²⁰ The airstrip adjacent to Kalkaringi was named ‘Kalkarung’ in the mid-1970s. Patrick McConvell, ‘Changing Places: European and Aboriginal Styles’, in *The Land Is a Map: Placenames of Indigenous Origin in Australia*, ed. by F. Hodges, J. Simpson and L. Hercus (Canberra, Pacific Linguistics and Pandanus Press, 2002), pp. 50–61 (p. 52).

²¹ Darwin, NAA, ‘Circular Memorandum No. 164 [...]’, *Wave Hill—Reports on Community Development*, E460, 1978/242.

²² Basil Sansom, *The Camp at Wallaby Cross: Aboriginal Fringe Dwellers in Darwin* (Canberra, Australian Institute of Aboriginal Studies, 1980), p. 254; Tim Rowse, ‘From Houses to Households? The Aboriginal Development Commission and Economic Adaptation by Alice Springs Town Campers’, *Social Analysis*, 24 (1988), 50–65 (p. 56); Stanton, *op. cit.*, p.75.

²³ Martin, 1993, p. 117.

For the Gurindji elders' vision of creating a homestead managed by their children to succeed, resolving extant tensions between old men and young people (especially males) was critical, yet the ready availability of cash enabled young men in particular to assert their independence. According to Martin's description of the people of Aurukun:

Cash [...] was one critical factor in the sundering of the reproduction of relations of domination and subordination between older men and younger ones; neither access to it nor its use needed to be mediated by senior generations.²⁴

This situation paralleled that of Gurindji society. In arguing that younger 'men's access to cash incomes allowed them to create a contemporary style of life defined in opposition to that of women and the requirements and demands of the domestic sphere', Martin's observations also apply to Gurindji households.²⁵ This increasing dissociation between young men and their male elders, not to mention regarding those individuals designated as their 'carers', comprised other means by which cash's increased availability facilitated and catalysed the differentiation of Gurindji society in unprecedented ways.

To a lesser degree, dissociation and dissent marked young Gurindji women's experience of the period as well. A contingent of teenage girls left Daguragu for a boarding school education in 1972, and at this time the elders also loosened a significant aspect of Gurindji traditional law. Tired of the stresses created by youthful lovers eloping with members of the wrong 'skin', Lingiari initiated a reform allowing the young 'promised' wives of male elders to pursue boys their own age as sexual partners.²⁶ Similar tensions regarding marriage choices have been recorded in many Australian Aboriginal societies.²⁷ This apparently radical shift reflected Lingiari's reformist, pragmatic leadership, and was largely motivated by a desire to reduce the number of conflicts then caused by contested liaisons.²⁸ Regardless of such accommodation and the appearance

²⁴ *ibid.*

²⁵ Martin, 1993, p. 119.

²⁶ In light of subsequent conflicts over this same issue, it appears that the elders' new accommodation was only occasionally enacted.

²⁷ It was over this issue that the outright rebellion of young Gurindji women occurred a decade later. See Ward, 2016, pp. 272–276; McKnight, 2014, pp. xix–xxvi.

²⁸ According to Lyn Riddett and David Quin, Lingiari said he had 'softened' Gurindji law earlier, doing away with capital punishment. Lingiari's father accepted this reform, with the proviso that if it failed, his son should be put to death. Lyn Riddett, 'The Strike That Became a Land Rights Movement: A Southern Do-Gooder Reflects on Wattie Creek, 1966-74', *Labour History*, 72 (May 1997) 50–65 (p. 58); Quin, Personal Communication, 16 August 2007.

among the women of relative peace, it could also be that because women did not, by and large, drink alcohol, they lacked the bravado or poor judgement fuelling the ‘rebellion’ of their male counterparts.²⁹ Why women’s dissociation in the 1970s was less dramatic than that of Gurindji men is a matter for conjecture. Fewer employed positions were available for female staff and therefore less money was available to them. Also, what money they received was frequently claimed by their husbands. Seemingly Gurindji women also felt less constrained by Gurindji social expectations than young Gurindji men, and similarly they may have been temporarily content with the freedoms they had recently won. Now with their own incomes, the mothers and aunts of young Gurindji could choose to provide their dependents with money instead of food, thus acquitting their duty as caregivers, even while lessening the work which that role traditionally entailed.

Although the form dissociation took for both sexes differed, the Whitlam Government’s social policies enabled Gurindji individuals to access their own money and decrease their dependence on the Gurindji domestic unit, thus significantly expanding their personal autonomy for the first time. Just as their temporary possession of money loosened bonds within family and domestic groups each fortnight, its subsequent absence had a similar effect. Although most adults could access welfare payments or a waged job, the occasions on which individuals lacked cash entirely were also frequent. Indeed, in similar communities, the period in which people possessed their pay or a portion thereof could be less than a day in the fortnightly cycle.³⁰ As such, the occasions on which individuals were unsuccessful in their search for cash among relatives were frequent. In some instances, the increasing assertiveness or aggression with which young people demanded material support caused frustration and sorrow, leading to arguments and conflict. David Trigger writes of the Ngububurinji, Waanyi, Ganggalida and other Aboriginal people at Doomadgee, near the NT/Queensland border in this period:

While economic support among close kin was a routine aspect of social life, the level of requests at times led to complaint and tension.³¹

²⁹ A more dramatic female dissociation would occur later, in the early 1980s. See Ward, 2016, pp. 272–76.

³⁰ Martin, *op. cit.*, p. 111–113.

³¹ David Trigger, ‘Blackfellas and Whitefellas: the Concepts of Domain and Social Closure in the Analysis of Race Relations’, *Mankind*, Vol 16., No 2, August 1986 (99–117), p. 119.

For the Gurindji, the individualising process of differentiation underway at Kalkaringi and Daguragu in the 1970s–80s caused by the novel and frequent availability of money was transformative and unprecedented. Yet the increased availability of this ‘product’ of mainstream society among the Gurindji functioned merely as an enabling tool of a larger, less tangible, and arguably more pervasive process simultaneously affecting them.

4.2 Westernisation

The infrequent anthropological and historical archival record shows that the constraints of their own society were immediate and perceptible to Gurindji youth from as early as the 1940s. It also shows that since their early contact with pastoralists, Gurindji people were amenable to, and in many cases highly desirous of, experimentation with and/or consumption of European food, drugs, and modes of behaviour and self-adornment. This process was one that continued at a gradual and relatively even pace among the Gurindji, until the early 1970s.³² The consistency of the Gurindji people’s interest in European technologies was well catered-for by the gradual, limited introduction of new and evolving technologies in Australia’s remote north during the first half of the twentieth century. By the time they left Wave Hill Station in 1966, Gurindji people were familiar with—and chose to repeatedly use—basic European foodstuffs, steel knives and axes and various hand-tools, leather saddlery, battery-powered torches, gramophones and records, pit toilets, shaving equipment and battery-powered radios.³³

While their receptivity to new technologies can be gleaned from photographic records and the archaeological evidence of the old Wave Hill Station site, the historic interest of Gurindji people in European knowledge and concepts is more difficult to deduce. One significant reason for this, which also forestalled their comprehension of Western society, is that Aboriginal staff were deliberately excluded from meaningful discussions and often, even casual conversation, with European co-workers and employers in the pastoral industry.³⁴ They were similarly prevented from acquiring

³² Peterson, 1985, p. 88.

³³ NTAS, ‘Interview Recorded with Billy Bunter by Charlie Ward’, 24 October 2010, NTRS 3609/BWF 2; Frank Hardy, *The Unlucky Australians*, Sydney, Nelson, 1968 (2006 edn, Melbourne, One Day Hill); Personal inspection of the Aboriginal camp site at Jinparrak (old Wave Hill Station).

³⁴ Charlie Ward, ‘Tracking Wave Hill: Following the Gurindji Walk-off to Wattie Creek, 1966–1972’, Unpublished Masters’ Thesis (Flinders University, Adelaide, 2012), pp. 231–32.

literacy and numeracy.³⁵ An exception was made by Wave Hill's management to this in the early 1960s, however, regarding Christian missionary doctrine. The station's Aboriginal workers had been exposed to travelling missionaries at the annual Negri races on the Vestey Company's Ord River Station since the 1950s. By the time Wave Hill Station manager Tom Fisher welcomed Baptist minister Jim Kime on to Wave Hill Station in 1964, Vincent Lingiari was a 'believer', with an interest in Bible stories.³⁶ When I interviewed Reverend Kime, he impressed on me that in contrast to the Warlpiri elders at the Hooker Creek Welfare Settlement where he was based, the Gurindji leaders on Wave Hill Station were highly enthusiastic about elements of Christian theology.³⁷ Gurindji people's engagement with Christian doctrine in significant numbers increased after Grahame Paulson (the country's first Aboriginal Baptist minister) took up residence at the Wave Hill Welfare Settlement in 1970. Afterwards, a mass baptism of twenty-five Gurindji individuals—including leaders Vincent Lingiari and Mick Rangiari—took place in Wattie Creek.³⁸ As I will show in this thesis, Baptist theology formed an important tool used by Gurindji elders to prevent the dissociation enacted by their young people during the late 1970s and early 80s.

The favourable response of many Gurindji people to Christianity provides an important indication of the group's receptivity to certain Western concepts or cultural modes, which as stated, was deliberately and circumstantially minimised in their time in the 'traditional' pastoral industry. The Gurindji had also demonstrated their historic interest in European culture during the 1950s and 60s through their adaptation of cattle industry fashion and work techniques, and their enjoyment of infrequently-screened

³⁵ See Lyn Riddett, *Kine, Kin and Country: The Victoria River District of the Northern Territory, 1911–1966* (Darwin, Northern Territory, Australian National University, 1990), p. 84; Ronald and Catherine Berndt, *End of an Era: Aboriginal Labour in the Northern Territory* (Canberra, Australian Institute of Aboriginal Studies, 1987), p. 8; Ann McGrath, *Born In the Cattle* (North Sydney, Allen & Unwin, 1987), p. 104.

³⁶ See Darwin, NTAS, Billy Bunter, Interview Recorded by Charlie Ward, October 2010, NTRS 3609, BWF 21; Rev. Ivan Jordan, 'Brief History of Baptist Ministry to the Indigenous People of Central Australia', 8 Dec 1999 <<http://www.bwa-baptist-heritage.org/bap-ab.htm>> [accessed 14 March 2014].

³⁷ According to Kime's account of his first encounter with Lingiari in 1964, it appears likely that the Gurindji leader viewed the 'virtuous' life of Christianity as providing a path of material betterment and increased control. According to Kime, the Gurindji leader had pointed to a poster on the wall of his government hut. Distributed by Protestant missionaries, it showed many Aborigines ensnared by poverty and booze—and a few well-dressed black men walking up a road to heaven, or at least salvation. 'We want to go that way', Lingiari had said. Rev Jim Kime, Interview Recorded by Charlie Ward, 3 June 2014.

³⁸ Jordan, *op. cit.*

‘Western’-style movies and live Country and Western music performances. During the 1970s and 80s, their exposure to a broader array of images and symbols of Western societies, many illustrating the ostensible virtues of self-advancement, personal freedom and autonomy, increased markedly, due to a number of factors. Enabling this exposure were evolving communications technologies, the installation of generator-powered domestic electricity, the invention of domestic labour-saving devices, the Gurindji’s increasing travel to NT towns and interstate cities for educational and other purposes, their increasing interaction with a large and diverse number of non-Indigenous Australians, and finally the later availability of home entertainment technologies such as commercial radio, video and eventually television during the period.³⁹ The latter were purchased by Gurindji people using their own money.⁴⁰

As a result of these changes, Gurindji people’s exposure to Western values and behaviours in their own domain reached ‘critical mass’ in the 1970s and 80s, creating the novel situation where exogenous subcultural forms—and often the relationships between them—became commonly recognised, if not well understood, cultural referents among the majority of Gurindji people. As a result, at the same time as their members’ empowerment by cash incomes, the traditional leadership of Aboriginal groups such as the Gurindji were in an important sense no longer able to determine or stipulate which cultural values, meanings and artefacts the members of their society identified with. Gurindji elders themselves were keen consumers of Western movies, and the popularity of mainstream film screenings at Daguragu, conducted by the Muramulla Company, decreased Gurindji people’s attendance at, and their performance of, traditional Gurindji dancing.⁴¹ Anthropologist David Martin contends that Wik people in this period were likewise increasingly becoming ‘as much consumers of symbolic forms as producers of them’. Another mechanism of differentiation ensued:

[...] with contemporary personal identity and status (particularly for males) defined in part through the appropriation of these externally generated symbols,

³⁹ David Trigger has written about the [presumably concurrent] arrival of VCR technology in Gulf communities during 1983. See David Trigger, ‘Blackfellas and Whitefellas: the Concepts of Domain and Social Closure in the Analysis of Race Relations’, *Mankind*, Vol 16., No 2, August 1986 (99–117), p. 100.

⁴⁰ Colin and Maggie Muir [Kalkaringi electrician and spouse, resident 1976–86], Interview Recorded by Charlie Ward, 24 October 2012. In possession of the author.

⁴¹ Darwin, NTAS, Alex Romanoff, Interview Recorded by Charlie Ward, July 2014, NTRS 3609, BWF 58.

autonomy and individuality could be asserted over their ideologically defined concomitant, relatedness.⁴²

The increasing concentration of the European-derived symbols and meanings in Gurindji people's perceptual life brought by technological advances can be construed as constituting the consolidation, if not the advent proper, of globalism in the Gurindji domain. An epistemological and perceptual dialectic of increasing contrasts was created, in which important aspects of the traditional social order were rendered open to interrogation by many, usually younger, Gurindji people. As a result, young Gurindji apparently deemed their usual forms of social organisation comparatively archaic, parochial and prescriptive, compared with other, imagined modes of life. As anthropologist Robert Foster has noted, by providing exoticised images of commodified alterity, globalism shifts the focus of individuals so that their 'daily existence is understood and enacted with reference to people living in other localities'.⁴³ Young Gurindji people, in other words, were increasingly aware of disparate others who were comparatively unconstrained regarding their behaviour and life choices, and with whom they shared identifying qualities like youth and style and attitude.

Measuring the impact of globalism and 'Westernisation' on Gurindji culture and on their leaders' aspirations of creating a self-managing community by such means is a conjectural activity at best. My purpose here is merely to establish that the first broad scale exposure and interpenetration of Gurindji society with images, values and behaviours of Western societies occurred at the same time that their elders and government officials were attempting to effect an independent, self-managing Gurindji society. As noted, these impacts were concurrently increased by the individualising and differentiating effects of cash incomes. It is notable that in light of the financial and social 'equality' that Aboriginal self-determination policy heralded for the Gurindji, self-determination policy itself also functioned as a vehicle for Westernisation, not least via the great number of non-Indigenous residents its implementation required at Kalkaringi. As with other elements of the 'West' however, Gurindji people chose how they wished to respond to their new circumstances.⁴⁴ The theme of Gurindji choice is

⁴² Martin, *op. cit.*, p. 169.

⁴³ Robert Foster, 'Melanesianist Anthropology in the Era of Globalization', *The Contemporary Pacific*, Vol. 11, No. 1, 1999, 140–159 (p. 140).

⁴⁴ The partial exception to this was of course the novel and consistent subjection of Gurindji people to the principle of equality before the law, which occurred at the same time.

observable in the concurrent processes I have described, of increasing social differentiation within the Gurindji group, and their adaptation to the economic, legal and cultural forms of the settler state. Both processes were hastened and complicated massively though, by the sudden availability of a mainstream product I have so far little-mentioned: alcohol.

4.3 The Effects of Alcohol at Wave Hill

Poor supply, low to no income and restrictive race-based prohibitions had effectively made alcohol unavailable to Gurindji people until the *Social Welfare Ordinance* was rescinded in 1964. Since that time, Aboriginal Australians in the NT had been legally allowed to drink, though in the Gurindji's case, had rarely done so. As mentioned, Gurindji gerontocratic authority, which opposed the consumption of grog, was still largely respected until the early 1970s, and because Gurindji people rarely travelled independently beyond their traditional country until that time, alcohol was basically inaccessible. Significantly, until the implementation of the Whitlam Government's social policies, most individuals held insufficient funds to purchase alcohol. Perhaps more than any other single factor, its consumption from that time exacerbated intergenerational tensions and was used by many young men in particular to fuel processes of differentiation and social change.

By the late 1970s, many of Wave Hill's young men were commonly driving 170 kilometres to the closest bottle shop at Top Springs and buying excessively large group orders of alcohol. Such trips would most commonly occur after the fortnightly delivery of government wage and welfare cheques.⁴⁵ Consequently, according to Norm McNair (a Summer Institute of Linguistics field worker who arrived at Libanungu in 1977):

It was pretty deeply entrenched you know; you could see the pattern. The welfare cheques would come in, or gambling rings would set up. [People would] go up to Katherine, get a car and ferry grog in. You would be aware of the car coming in and within about twenty minutes the town would be in uproar. It would last that long,

⁴⁵ Darwin, NTAS, Interview with Bev Andrews, Recorded by Charlie Ward, November 2012, NTRS 3609, BWF 40.

they'd soon consume it. [...] Eventually the cops would come in [...], take a few [people] away and lock them up [and] it would all calm down.⁴⁶

As a result of alcohol-inspired violence and the Whitlam and Fraser Governments' efforts to ensure Aboriginal people were afforded the same treatment before the law as mainstream Australians, the involvement of (mostly younger to middle-aged, male) Aboriginal people with the settler society's prisons, courts and legal aid services also increased massively in the 1970s.⁴⁷ For these reasons, the availability of young men for domestic and ceremonial purposes declined significantly. According to my assessment of the accounts of *kartiya* who enjoyed relationships with the Gurindji during this time, alcohol was at the centre of a difficult 'battle' in Gurindji society—issues such as who could access it, how and when they should do so; who should manage its harmful effects; what the appropriate 'manner' of drinking might be—all clamoured for resolution. In suffering from major alcohol-related problems, Libanungu and Daguragu were not unique. The deleterious effects of alcohol on many Aboriginal communities were the focus of a national enquiry by the House of Representatives Standing Committee on Aboriginal Affairs (HoRSCAA).⁴⁸

Broadly speaking, Gurindji women and older people were more likely to abstain or drink infrequently and/or in moderation than young men. Reasons for the elders' common moderation probably relate to their inculcation as workers in the pastoral industry; their observation of the effects of alcohol abuse on *kartiya* and (recently) their own family members; and a long-held, widely shared perception in the North—among whites and Aboriginal people alike—that 'grog' was particularly damaging to Aborigines' health and social wellbeing.⁴⁹ As such, the divisions between local elders caused by grog were incidental, compared to the ways in which it exacerbated

⁴⁶ Norm and Helen McNair [former SIL Linguists at Libanungu], Interview Recorded by Charlie Ward, March 2010, in possession of the author.

⁴⁷ Darwin, NTAS, *Wave Hill Police Journal*, NTRS 2127, Vol. 16–17; Darwin, NTAS, Lyn Riddett, Interview Recorded by Charlie Ward, November 2009, NTRS 3609, BWF 3.

⁴⁸ See Parliament Australia, House of Representatives, Standing Committee on Aboriginal Affairs, *Alcohol Problems of Aborigines, Northern Territory Aspects: Interim Report of the House of Representatives Standing Committee on Aboriginal Affairs* (Canberra: Australian Government Publishing Services, 1976).

⁴⁹ Jack Doolan, the Gurindji's MLA (after the election of August 1977) believed that 'alcohol is decimating the Aboriginal race at a faster rate than the first settlers were able to achieve with bullets and strychnine'. Jack Doolan, 'Letter to the Editor', *The Star* [Darwin], 1 September 1977. The sentiment of this opinion was commonly shared on both sides of NT politics.

intergenerational tension among the Gurindji. Liberal and indulgent attitudes towards alcohol and its use and abuse fast became one of the important measures by which the emerging ‘new generation’ of Gurindji, particularly males, sought to contest the values and authority of their elders.⁵⁰ Equivalent processes were observed in many other remote Aboriginal communities at the time.⁵¹ Less obvious were the ways in which alcohol placed stress on domestic/family units. Decisions by primary adults (usually male) to spend a proportion of their time and income, and perhaps their spouse’s income, on alcohol all impacted inimically on Gurindji families. The substance was central to what anthropologist David Martin described as Wik men’s ‘contemporary style of life defined in opposition to that of women and the requirements and demands of the domestic sphere’.⁵²

Alcohol, cash and Westernisation are the factors I have identified above which challenged and unsettled the formation of a self-determining Gurindji community, such as those which elders and DAA officials sought at Wave Hill. Greater in its effect on the Gurindji self-determination project though, was another factor, arrived upon by the Gurindji. Of all Aboriginal people’s responses to self-determination policy, that which I term their ‘disappearance’ or self-exclusion was the most deleterious to official policy and ‘communal’ Gurindji goals. Their excessive use of alcohol was only one means by which Gurindji individuals effected it.

4.4 Gurindji Disappearance: the limits of liberal governance

The development of two self-managed Aboriginal communities at Wave Hill as promoted by governments *and* the development of the autonomous Gurindji homestead envisioned by Gurindji elders required cultural and behavioural change among Gurindji people. By formulating a policy that found specific merit in Aboriginal decision-making, authorities concurrently limited the means by which governments might promote or

⁵⁰ As described in Chapter Two, Minoru Hokari records the self-identification of a ‘new generation’ of young Gurindji in the post-pastoral industry society of Kalkaringi and Daguragu. See Minoru Hokari, *Gurindji Journey: A Japanese Historian in the Outback* (Sydney, University of New South Wales Press, 2011), p. 240.

⁵¹ For other descriptions of the disintegrative effects of alcohol consumption on ‘traditional’ knowledge transfer and cultural continuation, see Stanton, 1982, p.74; Sansom, 1980, pp. 92–98; Noel Pearson, *Up From the Mission: Selected Writings*, (Collingwood, Australia, Black Inc., 2011), pp. 24–25; Bernard Clarke, *Larrpan Ga Buduyurr: The Spear and the Cloud* (Tranmere, South Australia, 2010), pp. 155–57, McKnight, 2004.

⁵² Martin, *op. cit.*, p. 119.

encourage certain behaviours among that policy's Aboriginal subjects. The employment of overtly coercive measures by state agencies to enforce Aboriginal compliance with Aboriginal self-determination policy would not only have contravened liberalism's tenets, but have been flagrantly self-contradictory. The Gurindji people's ambivalent and variable responses to governments' self-determination-type policies in the 1970s–80s highlight the limited ability of liberal democratic states to determine the behaviour of their citizens. As Duncan Ivison writes, this trait is characteristic of this system of governance:

Whatever the differences over the various conceptions of freedom, equality, democracy or modes of public justification, they all express a general commitment to 'rational argument and reasonable attitudes' aimed at procuring the general agreement of individuals through reason and persuasion rather than force.⁵³

Nonetheless, in exchange for the benefits of community life such as financial incomes, medical services, access to food, shelter, communication technologies (and should they want it, apparent enfranchisement within their communities' administration), limited pressure was placed on Gurindji people by the DAA to provide their labour for 'community projects' or organisations. A range of motivational measures, most obviously the termination of employment or reduced or non-payment of wages, was available to DAA and Department of Social Security authorities wishing to engender particular behaviours among Gurindji people. In myriad ways, local people resisted these influences in collective acts of 'disappearance', as I will show. Socially 'internal', individualised and generational forms of dissociation are my main focus in this thesis, however when the efforts of both the Department of Aboriginal Affairs' and Gurindji leaders to create a self-managing 'community' or homestead placed undue demands on the time and social pursuits of Gurindji people, they also elected to dissociate and distance themselves collectively.

As I have argued, the novelty of economic consumerism in conjunction with recent liberalist interventions of the state regarding citizenship, alcohol and social equality effected profound cultural and behavioural change among the Gurindji. Gurindji individuals utilised cohering elements of their own economy, sociality and culture (such as resource redistribution and self-maintenance on country) to both co-opt and/or resist

⁵³ Duncan Ivison, *Postcolonial Liberalism*, (Cambridge University Press, Melbourne, 2002), p. 19.

self-determination policy's prescriptions and the atomising effects of consumerism. Gurindji culture thus found new forms of expression in the 1970s amongst the novel, often European-designed or influenced conditions of community life. Paradoxically, inspiration for this cultural and political resurgence and reformulation drew from both 'traditional' and exogenous roots. As much as Gurindji people resisted the communalising aspects of self-determination policy by seeking to create novel, distinctive life-paths for themselves, their resistance drew inspiration from liberalism and globalism in the form of representations of comparative individual wealth and other, liberal societies. The means by which many young Gurindji people and others responded to appealing representations of liberal citizenship were innovative and adaptive. The resultant ambiguity of young Gurindji people's actions gave them powerful means of ignoring and resisting, if they wished to, both the DAA's organisations and programs, and their elders' 'community development' activities. To the DAA, the behaviour of Gurindji youth at times appeared incontrovertibly 'Aboriginal' and unresponsive to governmental rationality. To their elders however, Gurindji young people seemed to have abdicated any personal responsibility for upholding Gurindji mores, having apparently been irredeemably affected by 'Kartiya way'. By such means, young Gurindji and others effectively engineered their own disappearance from the policy stage of government and the stage of political action devised by their elders.

A thorough-going analysis of Gurindji individuals' non-participation in community projects in the period is not possible, though non-participation was a common response of Gurindji individuals to both the community projects of their elders and the incorporated bodies and community projects that formed the government's tools to achieve Gurindji self-determination. This mode of dissociation, which I term one of 'disappearance', was fluid and dynamic. Most often it was also collective and oppositional, prioritising and asserting novel individualist Gurindji or 'new generation' modes of behaviour, sociality and culture against European/governmental or 'traditional' gerontocratic cultural norms and demands. Disappearance was thus utilised by young people and others to maintain a realm relatively free of European and/or gerontocratic influence. By the early 1980s, Gurindji elders also effected disappearance from their government interlocutors at times.⁵⁴ Similar resistance to, and evasion of the imposition

⁵⁴ Their volition for creating their camp at Wattie Creek was initially one of 'disappearance' writ large.

of European cultural norms and/or ‘traditional rule’ by members of northern Aboriginal groups has been observed elsewhere, as I shall soon describe.

My formulation of the concept of ‘disappearance’ among the Gurindji draws from the sociological literature on ‘social closure’, a ubiquitous social phenomenon first described by the influential German sociologist Max Weber. In its Weberian iteration, the term was used to refer to the various means by which social groupings exclude others from access to power or resources. As such, social closure initially described processes by which boundaries are drawn, identities constructed, and communities built, in order to monopolize resources.⁵⁵ The theory of social closure has since undergone a ‘political turn’, whereby scholars such as the sociologist Frank Parkin have argued that various forms of social closure are also practised ‘from below’ as a mode of political contention by which subjugated groups may generate strategies in order to ‘reorganize the structure of distribution’.⁵⁶ In the context of Gurindji self-determination then, I use ‘social closure’ to refer to the practice of Gurindji individuals self-excluding themselves from communalising activities imposed by the staff, programs and policies of the state, many of which were designed by officials to inculcate Self-Governmental responsibility. In this, I take after anthropologist David Trigger who, like Parkin, argues that social closure may be usurpatory or defensive as well as exclusionary, and not only concerned with the protection of material resources but also the maintenance of social and cultural identity.⁵⁷ Describing the maintenance of an exclusionary Aboriginal domain by the residents of Doomadgee, Trigger writes:

[Social closure] is designed to exclude, limit or subject to conditions, the access and participation of Whites [...] as part of a defence against constant administrative intrusiveness and attitudinal ethnocentrism on the part of Whites.⁵⁸

⁵⁵ Juergen Mackert, ‘Social Closure’, in *Sociology: Oxford Bibliographies Online*, <http://www.oxfordbibliographies.com/view/document/obo-9780199756384/obo-9780199756384-0084.xml>. Accessed 10 January 2017.

⁵⁶ Frank Parkin, *Marxism and Class Theory: A Bourgeois Critique*. (Columbia University Press, New York, 1979), p. 44–45.

⁵⁷ Trigger, 1986, p. 100.

⁵⁸ See Frank Parkin, ‘Strategies of Social Closure in Class Formation’, in *The Social Analysis of Class Structure*. Edited by Frank Parkin (London, Tavistock, 1974) 1–18; Trigger, 1986, p. 115.

Robert Tonkinson describes a similar social demarcation created by the Aboriginal residents of Jigalong, in Western Australia.⁵⁹ Likewise, when it came to engaging with the Self-Governmental processes sought by DAA staff, in many instances, Gurindji individuals used their newfound freedom from punitive control to ‘disappear’ both physically and as policy subjects. By describing such practices among the Gurindji as ‘disappearance’, I seek to emphasise the ways which this behaviour impacted specifically on the self-determination-type projects of governmental officers and Gurindji elders alike. Specifically, my use of the term alludes to the fact that not only were there Gurindji individuals who wished to maintain their own cultural (and sub-cultural) cliques and activities at the cost of the communal, socially responsible activities which self-determination demanded, but that this behaviour was designed at least in part to make its protagonists unavailable to such demands. Through their absence from particular situations or places (such as ongoing regular employment, training workshops, or at times their communities of residence), or through their subsumption in collective activities overtly unamenable to policy purposes, Gurindji individuals communicated their lack of interest in and/or resistance to activities reflective of the self-determinative aims of their elders and/or government policy.

Identifying instances in which there was a degree of intentionality to Gurindji disappearance is problematic, however. Nowhere else does the limitations of this thesis’s large reliance on a ‘European’ archival record of Gurindji intentions and activities create such a challenge. Gurindji ‘disappearance’, as such, is not discernible in that record at all. Gurindji absences and non-participation were noted, but identifying the reasons for those absences and non-participation was apparently rarely judged to be a topic worthy of consideration. Gurindji people themselves were extremely reluctant to directly criticise or displease Europeans in general, and under the terms of Gurindji ‘disappearance’, would have extra motivation *not* to provide reason for their absences and non-participation in *kartiya* business. For these reasons, the intentionality of Gurindji disappearance in the period may only be inferred, rather than evidenced explicitly.

In considering Gurindji ‘disappearance’ as it affected their self-determination, it should be remembered that the pursuit of self-determination had little precedent in

⁵⁹ Robert Tonkinson, ‘Outside the Power of the Dreaming: Paternalism and Permissiveness in an Aboriginal Settlement’, in Michael Howard (ed.), *Aboriginal Power in Australian Society* (St Lucia, Queensland, University of Queensland Press, 1982), pp. 115–130 (p. 115).

Gurindji life. For Gurindji people, representative politics, organisational governance, financial self-management (requiring literacy and numeracy) and systems of employment that prioritised administrative proficiency over ceremonial knowledge, were all more or less novel requirements heralded by the self-determination era.⁶⁰ Gurindji people's participation in community-based employment or DAA-created projects or organisations, and their use of services such as shopping or banking were also excursions into (European) cultural alterity. The same may be said of their occupation of housing during the period. Unsurprisingly, Gurindji people sought to maintain social and physical areas largely unaffected by European influence. In Doomadgee, Trigger makes the point that Aboriginal residents only entered the town's 'White domain' for (European) administrative, schooling and employment-related purposes—a situation that had its equivalents when it came to Gurindji participation in self-determination-type activities at Kalkaringi and Daguragu. In this overwhelmingly unfamiliar environment, it may safely be assumed that many Gurindji individuals would have sought to control or minimise their engagement with the European-derived situations and cultural practices mentioned above. Banking, shopping and (for many) the administration of Social Security payments, were essential for their physical and economic survival. Community Development-type activities such as those promoted by Gurindji elders and self-determination policy were not—and hence were frequently avoided by local residents.

Techniques of disappearance were used for various purposes by Aboriginal people at different times. Trigger notes that during his lengthy period of fieldwork in Doomadgee during the early 1980s:

Aboriginal speakers by no means always wished to give Whites understanding of particular subjects. [This] was achieved through silence, by briefly professing ignorance about the matter or by agreeing with whatever the White person says. Nor was information concerning kinship relations given freely; [...] White

⁶⁰ For a comprehensive analysis of the issue of representational and other forms of non-Indigenous political instrumentality in Indigenous life, see Tim Rowse, *Remote Possibilities: the Aboriginal Domain and the Administrative Imagination*, (Darwin, North Australian Research Unit, 1992); and Rowse, "Democratic Systems are an Alien Thing to Aboriginal Culture", in *Speaking for the People: Representation in Australian Politics*, Ed by Marian Sawer and Giannin Zappala (Melbourne University Press, Carlton Victoria, 2001) 103–133 (p. 108–109).

misconceptions on this subject have at times been deliberately allowed to continue.⁶¹

In the physical area of Doomadgee in which Aboriginal residents maintained their own values and customs, ‘the presence of an approaching Whitefella [...] was commonly considered as an uncomfortable intrusion by many’.⁶²

As well as maintaining some exclusionary modes of behaviour in their domestic life, especially at Daguragu, Gurindji people also used certain group activities to assert their social and cultural prerogatives, to subsume their individual availability for other purposes, and to resist the prescriptivism of self-management in the new communities established by their elders and the DAA. Card-playing was one such pastime, highly popular amongst the region’s Aboriginal people. Anthropologist Gillian Cowlshaw describes Rembarrnga people’s gambling with cards at Bulman, east of Katherine:

The behavioural dimension of sociality continued to express Rembarrnga recalcitrance [...] For instance the practice of openly sitting and playing cards all day contradicted the moral language of ‘a good day’s work’, of ‘getting things done’ and ‘making an effort’, and was seen [by authorities] as shameless public laziness.⁶³

In his study of Wik society in the mid-1980s, anthropologist David Martin characterises gambling with cards as a communalising activity which was ‘a practice which stood in structural opposition to those of the dominant society, based as they were on individual rights and property’.⁶⁴ By playing cards, Gurindji people too were able to ‘communalise’ (instantiate their kinship and social bonds) through a forum of their own choice, on their own terms, in their own time—in sharp distinction to the highly regulated ‘social projects’ of the DAA. Such public, collective activity paradoxically comprised another form of ‘disappearance’, by which individuals and Gurindji individuality were jointly subsumed and rendered unavailable to governmental agendas.

The same may be said of fighting and group drinking, other activities commonly mediated or occurring within the Gurindji domain. By observing and moderating fights, playing long-running card games and drinking alcohol in groups, Aboriginal people in

⁶¹ Trigger, 1986, p. 113.

⁶² Trigger, *ibid.*, p. 112.

⁶³ Gillian Cowlshaw, ‘Erasing Culture and Race: Practising ‘Self-determination’, *Oceania*, Vol. 68, No.3 (145–169), p. 162.

⁶⁴ Martin, 1993, p. 139.

remote settlements such as Kalkaringi and Daguragu ‘communed’ beyond the limits of governance. They conducted and prioritised these activities in small to large groups with adaptive resourcefulness and purposive dedication. In doing so, they utilised their ‘right of dissociation’, as per Kukathas’s criterion of a ‘free society’. For purposes of communal self-determination, they ‘disappeared’ in plain view.

In considering the non-participation of Gurindji people in governmental activity more broadly during the period, it should be remembered that in principle, the western governmental construct of self-management—not to mention representational politics itself—functions precisely *so* that the overwhelming majority of a population’s individuals need not concern themselves with group leadership. Indeed, it is logical that many Gurindji people (and even more so, Kalkaringi’s non-Gurindji Aboriginal residents) would have sought to avoid engaging with Libanungu or Daguragu Council and other governmental projects and programs precisely *because* those entities’ existence relieved individuals of responsibility for ‘self-determination’, as either their leaders or government agencies defined it. Such a response is understandable. As Philip Batty points out:

One wonders how members of an all-white township would have reacted to the same demand to ‘determine their own affairs’. No doubt they would face the same intractable difficulties that Aboriginal people have encountered in trying to ‘determine’ every aspect of their communal lives.⁶⁵

Of male Gardudjara and Mandjildjara speakers faced with the same challenges at Jigalong in the Western Desert, Robert Tonkinson writes:

To these men, most ‘whitefella business’ is peripheral. Having a council to deal with it is a good thing, because it leaves them free to devote themselves to the concerns of life that really matter: the retention of their Law and the carrying out of religious activities. As long as they get enough to eat and have some form of shelter, the majority of the local people are primarily concerned with their own internal affairs.⁶⁶

⁶⁵ See Appendix A, which ostensibly reveals the commitments of community leaders to the governance of local organisations. Philip Batty, ‘Private Politics, Public Strategies: White Advisers and their Aboriginal Subjects’, *Oceania*, No. 75 (2005) 209–221 (p. 215).

⁶⁶ Tonkinson, *op. cit.*, p. 97.

Although Tonkinson posits that for Gardudjara and Mandjildjara men at this time, ‘the concerns of life that really matter’ were religious, the nature of the Gurindji people’s priorities in this context is unimportant. As I will show in Chapters 9–10, the operation of local-governance-type bodies in Kalkaringi and Daguragu freed up the majority of residents *not* to participate in them, to pursue anything they deemed preferable or more important. From this perspective, ‘disappearance’ was a common means by which many Gurindji individuals utilised what was for them a newfound corollary of functional specialisation.

The non-participation of many Gurindji people in local political life comprised a response to self-determination policy little-anticipated by its architects. While state authorities used an array of methods to engender Aboriginal conformity to the norms and behaviour of the ‘self-managing’ populations they envisioned, Gurindji individuals availed themselves of a freedom which self-determination policy ostensibly tolerated if not endorsed—that of non-participation in governmental activity. Contrary to the political rhetoric that accompanied it though, self-determination policy placed significant demands on Aboriginal people, whether they chose to accept or reject its challenges. To avoid the onerous consequences of these little-acknowledged demands, Kalkaringi and Daguragu’s Aboriginal residents ‘disappeared’ in publicly conducted though ‘covert’ forms of resistance.

4.5 Gurindji Women

In Chapter Four, I described the differentiated status of women in ‘traditional’ Gurindji society, and in this thesis’ Introduction I explained the quotidian means whereby women’s voices were commonly excluded from official accounts of Gurindji interests and opinion, until at least the early 1980s. Nonetheless, it is useful to this analysis to consider, where possible, the ways in which the social processes I have described were differentiated by gender among the Gurindji. In the 1970s–80s, after the dissociative push of younger Gurindji males, both gender relations and the position of women in Gurindji society were subject to revision, largely at the hands of Gurindji women themselves.

As the first DAA-appointed Community Adviser to be accepted by the Daguragu’s elders as an adviser of that community, Richard Preece struggled in 1975–77 to solicit a self-determining Gurindji subject. He did so primarily through attempting to engender greater Aboriginal identification with, and leadership of, the governmental vehicle created for that purpose: Libanungu Council. (The story of these efforts by the bureaucracy forms the subject of Chapters Nine and Ten). High among Preece’s concerns was the broad neglect of

women's interests by both his predecessors and Gurindji leaders, and Gurindji women's subsequent marginalisation in the community's 'self-determination'. Seeking to remedy this, Preece turned to the precepts of democratic representation, and played a hand in ensuring five seats on the Libanungu Council board were reserved for women. The greater problem Preece faced though, was that which had facilitated and compounded the marginalisation he sought to rectify: soliciting an opinion from the women themselves. In confronting this issue, he seemed to recognise that 'somebody' else, presumably female, might achieve a better result:

[...] Whenever Aboriginal women become involved in a committee, at first they attend the meetings but say very little and then appear to become bored and do not attend meetings after a short time. [...] Now that five women have been elected to the Council [...], it would be worthwhile the Department employing somebody to work with the women on the council and in the community generally, to try and understand the type of problems that arise there. A great 'shyness' barrier exists [...].⁶⁷

Nonetheless, with increased personal incomes, equality before the law (especially in 'family matters') and the equalising effects of westernisation increasingly perceptible to Wave Hill's residents, Gurindji women would soon dramatically announce their discomfiture with their society's status quo. Elsewhere, I have termed these dramatic actions taken by young Gurindji women (in many cases supported by their mothers), a 'rebellion'.⁶⁸ The rebellion of Gurindji women occurred in the early 1980s, and was initially fought along vertical/intergenerational lines. Notwithstanding the elders' earlier relaxation of kinship-determined marriage rules, the first issue young Gurindji women publicly contested was exactly that: kinship-determined marriage rules. Very soon however, with the support of Jan Richardson, a non-Indigenous and feminist supporter employed as Daguragu Council's finance officer and then Town Clerk, a large number of Daguragu women moved to address broader issues of gender inequality, specifically the control of 'community' resources by men. The resulting reconfiguration of Gurindji gender relationships in the early 1980s, accompanied by the frequent election of women as Council board members and their employment in mid-level roles in local organisations, can be seen as the expression of similar

⁶⁷ Darwin, NAA, 'Establishment of [...] Community Adviser to Work with Women', 31 December 1975, *Wave Hill Community Development*, E460, 1978/242.

⁶⁸ Ward, 2016, pp. 272–276.

tensions as those driving the dissociation of young Gurindji men in the previous generation. And similar to that disaggregation of male Gurindji interests, the rebellion of Gurindji women was expedited and supported by the introduction of the ‘mainstream’ products and social technologies I have discussed in this chapter: liberalist ‘universal’ laws and discourse, common cash incomes, westernising cultural materials and alcohol.

4.6 Conclusion

The Whitlam Government’s announcement of its radical plans to create Aboriginal representative bodies that would encourage their members to participate in their own self-determination was both an indication and a symptom of the significant social and cultural changes occurring in Australia at the time. Yet the changes that swept the social and political landscapes of the nation’s mainstream settler society in the 1960s and 70s were slight in comparison to those the Gurindji and other remote Aboriginal people underwent in the period. For remote Aboriginal societies like the Gurindji’s, access to the consumer economy, Western concepts and knowledges, and the benefits of mainstream social progressivism had been largely delayed or denied by their situation as pastoral industry employees. An effect of remote Aboriginal people’s departure from that industry in the 1960s and 70s was that in addition to being exposed to the reality of a modern, rural, liberalised society for the first time, they were concurrently able to utilise their recently-acquired basic citizenship rights. Also, the Gurindji people’s traditional forms of economic and social organisation, which had largely been preserved during their decades within the pastoral industry, had given many Gurindji individuals cause to desire significant reform. In combination, these factors created a moment in the history of Gurindji social development in which hitherto-obscured, extrinsic social change provided a suite of enabling techniques and the legal environment in which younger Gurindji were able to realise their long-constrained desire for greater freedom from adult authority, and Gurindji women were similarly able to obtain greater freedom from male authority. This coincided with the introduction of a ‘communalising rationale’ among Aboriginal peoples by federal governments, and the introduction of a similarly justified, collective social vision by Gurindji elders.

Rather than accepting the ‘communal’ responsibilities of Gurindji self-determination proffered by its policy architects or Gurindji elders, many Gurindji people used cash, alcohol and other newly available means to fulfil agendas they found important: to revise their intergenerational and gender relationships and distinguish their own intentions from communal ones. A significant technique for those undertaking this process was a novel form

of social closure, or ‘disappearance’. For members of a small, isolated society characterised by increasingly high levels of tension, these social reforms were fundamentally important to their protagonists.

To demonstrate these dynamics in practice, and to deliver my final analysis of Gurindji self-determination, it is now necessary to investigate the ‘delivery’ stage of policy implementation, in which the volition of some Gurindji people and their DAA or other interlocutors was translated (or not) into practical, physical activity at Kalkaringi and Daguragu. In Part Two of this thesis, I therefore describe the main activities and projects in which the priorities of government and Gurindji leaders regarding the Gurindji’s self-determination converged. In each case I will describe the rationale of authorities (and as much as possible, the extent of matching Gurindji support) for the prioritisation of each project area for actualisation. By analysing the ‘delivery’ stage of policy implementation, other significant impediments to ‘ideal’ Gurindji self-determination also become apparent: the mutual misunderstandings of the Gurindji and their governmental interlocutors, and similarly the mismatch of Gurindji aspirations with bureaucratic means and methods.

PART TWO: The Zone of Enablement

Introduction to Part Two

In Part One of this thesis I have described the ideological and political impetus that gave rise to the Aboriginal self-determination policies of Australian governments, and the ostensibly compatible social vision articulated by male Gurindji leaders of the period. I have also described contingent elements of the social and economic situation of the Gurindji group, which I argue affected Gurindji people's responses to 'Gurindji self-determination': the collectively-oriented zone of endeavour formed at Kalkaringi and Daguragu by government officials and Gurindji elders intent on developing a self-managing, nominally independent Gurindji society. As I have shown, relevant aspects of the Gurindji's social and economic situation were the liberalising effects of globalisation and increased cash incomes, which fuelled individualising processes of decision-making and disaggregative social tensions. The response of many Gurindji individuals to the prospective social responsibilities that Gurindji self-determination entailed were therefore those of indifference and/or dissociation, as expressed by the outright contestation of prescriptive social expectations and an autochthonous form of social closure I have termed 'disappearance'.

The function of Part Two of this thesis is to illustrate the effects of these dynamics on each of the significant pillars of Gurindji self-determination identified by Vincent Lingiari and his coterie of fellow elders: land, cattle, schooling and an independent homestead. It is also to demonstrate that other factors also affected the Gurindji elders' achievement (or not) of their own success. With the elders' proposal of establishing their own school, for instance, government inactivity meant that the occasion simply never arose in which they could attempt to put their ideas into practice. Similarly, we will see that categorical differences between the possession of 'rights' and the operation of organisations (as required by the other pillars of Gurindji self-determination I address) rendered the Gurindji elders' pursuit and possession of land rights largely unresponsive to the individualising social and economic dynamics I have described. Because the elders and

the Whitlam and Fraser Governments saw the return of the Gurindji group's land as fundamental to their autonomy, it is to their 'land rights' that we will first turn.

Ch. 5 Gurindji Land and Land Rights

The recognition of Gurindji people as leaders of the Aboriginal Land Rights movement following their Walk-off from Wave Hill Station in 1966 has been ensured by a well-known photograph taken by the Indigenous photographer Mervyn Bishop (See below). The image shows Vincent Lingiari receiving a handful of soil from then Prime Minister Gough Whitlam at Daguragu on 16 August 1975. Since its publication, Bishop's image has come to be associated with the amorphous concept of the 'birth of Aboriginal Land Rights', and the return of the Gurindji's land to them in perpetuity.¹ Both perceptions are erroneous, yet it remains the case that the Gurindji leaders' success in obtaining their land rights was singular and pronounced among their self-determination-type aims.

In this chapter, I describe the actions of various governments to variously support and delimit the Gurindji elders' land rights campaign, and show why the elders' receipt of property rights under the *Pastoral Ordinance Act* and the *Aboriginal Land Rights (Northern Territory) Act 1976* comprise the singular success of Gurindji self-determination. To do so, I will examine the various purposes ascribed to the Northern Territory's Aboriginal Land Rights legislation by its architects, contextualising such legislation and its statutory apparatus within the framework of Australian government activity directed towards Aboriginal self-determination. This chapter's explanation of the terms of the Gurindji's receipt and occupation of their land base also contextualises the account of the Muramulla Cattle company that I provide in Chapters Six and Seven.

¹ For example, SBS news described the occasion as 'Gough Whitlam formally hand[ing] back land to the Gurindji people [...], marking the first time land was handed back to Aboriginal Australians'. <http://www.sbs.com.au/nitv/nitv-news/article/2014/10/21/Indigenous-australians-pay-tribute-gough-whitlam>. Accessed 29 September 2016.



Figure 1. Vincent Lingiari and Prime Minister Gough Whitlam at Daguragu, 16 August 1975. © Mervyn Bishop/ Department of Prime Minister and Cabinet

The Gurindji people did not receive inalienable Aboriginal freehold title (i.e. ‘Aboriginal Land Rights’) over their land until 1986, the time at which this study ends. In the preceding 1975–86 period, the Gurindji ran their cattle business with the tenure of a mere Pastoral Lease, yet events showed that they could not securely occupy their lease in a political climate hostile to Aboriginal Land Rights. The Gurindji elders’ apparent indifference about the limitations of the pastoral leasehold tenure they held in the 1975–86 period—and the fact that the change from leasehold to freehold made no difference to their use of the land—raises important analytical issues. To resolve these, I will compare the terms of a pastoral lease with those of inalienable freehold title, as they pertained (or not) to the Gurindji people’s ambitions. I argue that during the decade prior to their receipt of inalienable freehold title, the rights entailed by pastoral leasehold was sufficient to serve the Gurindji’s land use goals, and that therefore for analytical and practical purposes, their grant of ‘Aboriginal freehold’ title to them in 1986 means less than might be assumed.

To distinguish between land rights and the Gurindji people’s other domains of self-determination, and to explore why the Gurindji’s operationalisation of ‘land rights’ through leasehold was an anomalous success among their self-determining goals, this chapter will explore the nature of rights, and consider several pertinent operational differences between Gurindji land rights and the Gurindji elders’ other self-determination-

like projects. This discussion provides context for my exploration of Aboriginal Land Rights as a governmental practice of postcolonial settler states, and in particular how the statutory regime of Land Rights and its operational strengths and limitations influenced the practice of Gurindji land rights. As elsewhere in this thesis (see Chapter Three), I have found the ideas of Michel Foucault on governmentality useful in enunciating the limitations of legislated land rights (and in the Gurindji's case, the granting of a pastoral lease) as vehicles for Indigenous self-determination. After examining Aboriginal Land Rights legislation as an artefact of self-determination policy ideals, I argue that although its proponents focused on the enabling attributes of inalienable freehold title, the requirements placed on Aboriginal Trusts and/or on Aboriginal pastoral lessees by enabling legislation and funding inevitably had a counter-effect: co-opting Indigenous constituents into self-governing processes.

Drawing from the above, I will show that for the elders in the period 1975–86, their lack of inalienable freehold title did not impede their progress towards, or practice of, the 'self-determination' they sought. This provides the basis for my comparison of the ways in which operationalising land rights differed for the Gurindji from their attempted realisation of Gurindji-managed businesses, companies and organisations. My explanation as to why 'Gurindji land rights' was a singular and durable success among the Gurindji elders' self-determining aspirations concludes the chapter.

5.1 Aboriginal Land Rights and Self-determination policy

When articulating its policy for Aboriginal Affairs, one of the Whitlam Government's primary goals was the official recognition of Aboriginal Land Rights, and it therefore established a Royal Commission to determine how customary Aboriginal Land Rights might be fairly and accurately recognised within Australian law in the Northern Territory.² The government framed the restitution of land to Aboriginal people, and the purported socioeconomic benefits of this, as necessary components of its broader 'self-determination' policy. So that Aboriginal people might 'assume an honoured place in the Australian community and to achieve their freely chosen purposes by their own efforts', the Whitlam Government asked Justice Edward Woodward to specifically 'investigate the

² [Departmental Secretary] Barrie Dexter, 'The Commonwealth Department of Aboriginal Affairs—Its Functions and Underlying Principles, 9 May 1973', in *Seminar on Aboriginal Affairs* (Monash Centre for Research into Aboriginal Affairs 1973).

means whereby effective action can be taken in respect of land'.³ In his final report (1974), Justice Woodward wrote he had 'assumed' the aims of the inquiry to include, inter alia: 'the provision of land holdings as a first essential for people who are economically depressed and who have at present no real opportunity of achieving a normal standard of living'.⁴ The Whitlam Government's assumption was that an Aboriginal land base was a necessary pre-requisite for meeting Aboriginal self-determination policy's broader social and cultural goals.

As I will describe, several years passed before the *Aboriginal Land Rights (Northern Territory) Act 1976* (hereafter 'ALRA', or 'the Act') was legislated by the Fraser Government. That government's rhetoric on land rights after enacting the legislation echoed that of the Whitlam Government and its advisers. Like its ALP predecessors, the Fraser Government presented Aboriginal Land Rights as congruent with self-determination (now self-management) policy's remedial ends, if not as a designated part of the policy. In his second reading speech when the Bill was passed, Fraser's first Minister for Aboriginal Affairs Ian Viner echoed the Whitlam Government's definition of Aboriginal self-determination when describing the merits of the Bill:

It is the objective [...] of the government to secure conditions in which all Australians can realise their own goals in life—to find fulfilment in their own way—consistent with the interests of the whole Australian community.⁵

Exactly how an Aboriginal land base—which according to Woodward's recommendations would consist largely of economically marginal areas because only unalienated Crown land could be claimed under the Act—would support Aboriginal self-determination was not explained.

In an address to the National Press Club, Minister Viner spoke of Aboriginal people 'deciding for themselves what they want to do with their own land'.⁶ 'Land Rights for Aboriginals', Viner said, will make them 'freer than ever before'. Statements such as Viner's indicate that ALRA's protagonists saw that Aboriginal peoples' receipt of land

³ Barrie Dexter, *Pandora's Box: The Council for Aboriginal Affairs 1967-1976*, ed. by Gary Foley and Edwina Howell (Southport, Queensland, Keeaira Press, 2015), p. 271.

⁴ Australia, Aboriginal Land Rights Commission, *Second Report, April 1974* (Australian Government Publishing Service, Canberra, 1974), p. 2.

⁵ Hon Ian Viner, 'Second Reading Speech, Aboriginal Land Rights (Northern Territory) Bill 1976', 4 June 1976, Australian House of Representatives.

⁶ Minister for Aboriginal Affairs Ian Viner, 'Address to National Press Club', 7 July 1977.

rights equivalent to ownership would expedite their increased participation in the legal and economic life of the settler society.⁷ Viner also saw the Act as a remedial measure designed to acknowledge and validate the cultural importance of land to Aboriginal people. According to him:

So that a unique culture may be preserved and the Aboriginal people may keep the land which is part of their being, land rights have been recognised.⁸

The Department of Aboriginal Affairs put it in the following terms:

We recognise that fundamental to the Aborigines' sense of Aboriginality—of affinity with one another—is their affinity with the land.⁹

Under *ALRA*, the 'freedom' of Aboriginal people's decision-making over their own land would be overtly similar to that conferred to all landowners under Australian law, yet when the Bill was before the parliament prior to its passage in the Senate on 4 November 1976, Minister Viner acknowledged that under its terms:

[...] Power to decide what happens to the land thus rests with the traditional owners whose representatives, the members of the Land Councils, will have available all necessary specialist advice and assistance.¹⁰

The legalisation of a mediated process regarding the enactment of Aboriginal people's land rights referred to by Viner effectively created a powerful, complex decision-making Traditional Owner-'agent' in the Aboriginal Affairs domain. The instantiation of this agent was the network of statutorily enabled land councils. Like the land council to which the Gurindji would eventually become beholden, other Aboriginal people recognised as Traditional Owners under *ALRA* would be simultaneously enfranchised as the potential beneficiaries of activity undertaken on their land, and obliged to realise their ownership according to structures and procedures set out in the Act.

Having quoted some of the relevant legislators on what they hoped the *Aboriginal Land Rights (Northern Territory) Act 1976* would achieve and foreshadowed the means of

⁷ See Julie Finlayson, 'Northern Territory Land Rights: Purpose and Effectiveness', Discussion Paper No. 180 (Australian National University, Centre for Aboriginal Economic Policy Research, 1999).

⁸ The Hon Ian Viner, Minister for Aboriginal Affairs, 29 March 1976.

⁹ DAA Annual Report 1976–77, p. 6.

¹⁰ Dexter, 2015, *op. cit.*, p. 390.

its operation, I will now show that although the Gurindji elders' narrative about customary Aboriginal Land Rights was utilised in *ALRA*'s formation, it was ironically not under this legislation that they were initially granted tenure.

5.2 How did the Gurindji obtain their Pastoral Lease?

As I have written elsewhere, perhaps more than any other single Aboriginal group, the Gurindji people's Walk-off from Wave Hill Station exemplified for mainstream audiences the cultural basis of traditional Aboriginal rights to land, and the moral foundation from which such rights might be recognised.¹¹ In the late 1960s and early 70s however, whether the Australian state might respond positively to this issue was uncertain. While legal recognition of an intrinsic, pre-existing form of Aboriginal Land Rights was unacceptable to the Gorton and McMahon Governments, the Gurindji's situation as displaced former workers of the cattle industry was one the Liberal-Country National Party coalition was more amenable to resolving. Courtesy of the Council for Aboriginal Affairs, a stream of bureaucratic advice to resolve the Gurindji's status as unemployed, tenure-less veterans of the pastoral industry was issued in the late 1960s and early 70s.

Following a recommendation by the CAA, in 1970 Prime Minister Gorton sought independent opinion on the ill-defined status of Aborigines on cattle stations—and of the Wattie Creek squatters in particular.¹² As I have described in Chapter Two, to that end, Cecil Gibb of the Australian National University (ANU) was commissioned to chair a committee that would provide advice to the government. In late 1971, the 'Gibb Committee' released its report. Gibb's committee comprised public servants H.C. Coombs of the Council of Aboriginal Affairs and Ted Milliken (Assistant Director of the NT's Welfare Branch), cattle industry representative Bill de Vos, and anthropologist John Taylor. In an unusual move for the time, an Indigenous man, Clancy Roberts from Roper River mission, was also asked to participate. Broadly, the committee found that small Indigenous groups on or near cattle stations should be encouraged to develop their own communities through incorporation, education, grants, Special Purpose Leases and

¹¹ Charlie Ward, 'Tracking Wave Hill — Following the Gurindji to Wattie Creek, 1966–72' (Unpublished MA thesis, Flinders University, 2012), Chapters 2–5; Charlie Ward, 'Following the Leaders: the Role of Non-Indigenous Activism in the Development of Wattie Creek, 1969–73', *Journal of the Royal Australian Historical Society*, Vol. 100, Pt. 1, 2014, pp. 69–92.

¹² Ward, 2014, pp. 72–74; Jeremy Long, 'Frank Hardy and the 1966 Wave Hill Walk-Off', *Northern Perspective* (192, 1996) 1–9 (p. 7).

excisions.¹³ After William McMahon replaced Gorton as Prime Minister on 10 March 1971, the Committee's initial findings were quickly adopted. Afterwards, McMahon announced that his government would support the provision of 'Special Purpose Leases', where reasonable cause could be shown, for non-reserve based Aboriginal groups.¹⁴ These leases were designed to facilitate the granting of funds to Aborigines on reserves for 'productive purposes as a business', and—when authorities assessed a group as possessing an achievable business idea—the purchase of land.¹⁵

On this basis, the Gurindji applied to the Lands Branch of the Department of the Interior for a Special Purpose Lease, which was approved. Their eight square mile lease (NT SPL 353) was to be for 'the purpose of establishing and maintaining a communal settlement and all purposes ancillary thereto'.¹⁶ Though the Department approved the application, when the McMahon Government lost office to the Australian Labor Party on 2 December 1972, a 'freeze' was placed on lease applications by the incoming government of Gough Whitlam and their application was delayed.¹⁷

Notwithstanding the ensuing rearrangement of the Aboriginal Affairs portfolio undertaken by the Whitlam Government (described in Chapter One), thanks to their years of lobbying ALP politicians, tenure for the Gurindji was high on the new Department of Aboriginal Affairs' list of priorities. It was therefore soon announced that their application of the previous year for a Special Purpose Lease over eight square miles around Wattie Creek (the area also known as Daguragu) had been successful.¹⁸

Although the Gurindji's Special Purpose Lease legalised their occupation at Daguragu after six years—rendering them 'squatters' no longer—it did not satisfy the elders' desire for an area of land sufficient to operate their cattle enterprise. Due in part to

¹³ Gibbs *et al.*, (1973), pp. 72–76.

¹⁴ McMahon also announced that the government would apportion a sum of money for the purpose of purchasing land outside reserves for Aboriginal groups. See Ian Palmer, *Buying Back the Land: Organisational Struggle and the Aboriginal Land Fund Commission* (Canberra, Aboriginal Studies Press, 1988), p. 20–21; Prime Minister William McMahon, 'Australian Aborigines: Commonwealth Policy and Achievements' (Canberra, Australian Government Publisher) 26 January 1972; Darwin, NTAS, Interview with Barrie Dexter recorded by Charlie Ward, NTRS 3609/BWF 25.

¹⁵ Palmer, *ibid.*, pp. 15–22; Minister for the Interior Peter Nixon, Press Release: 'Land Leases for Northern Territory Aborigines', 21 July 1970. Oke Personal Collection.

¹⁶ Darwin, NTAS, 'Surrender of Land from Wave Hill PL 529', 30 May 1972, NTRS 246, Pastoral Lease 529, Part 3.

¹⁷ Dexter, 2015, *op. cit.*, p. 270.

¹⁸ The terms of Gurindji Special Purpose Lease 353 are contained at Appendix C. 'Statement by the Minister for Aboriginal Affairs, Mr Gordon Bryant, and the Minister for the Northern Territory, Mr Kep Enderby' (Canberra, 18 March 1973).

the pressure that activists applied to the government to hasten a resolution for the Gurindji, the possibility of buying land from surrounding pastoral leases for the Muramulla Company to run as a cattle station was investigated by the Department of Aboriginal Affairs and the Lands Branch of the Department of the Northern Territory. Such an excision and purchase could be achieved within extant land tenure arrangements; indeed, using the cumbersome *Lands Acquisition Act* (1955–73), the government was already moving to do just that for several other Aboriginal groups. In 1970–71, the McMahon Government had similarly awarded pastoral leases to the Yugal Mangi Cattle Company at Ngukurr, to a Pitjantjatjara group at Everard Park (Mimili) in South Australia, and a group at Panter Downs in Western Australia.¹⁹ Far from fostering recognition of Aboriginal Land Rights however, the *Lands Acquisition Act* vested ownership of land purchased for Aboriginal groups in the purchasing party, namely the government.²⁰

For the Whitlam Government, new legislation was therefore required to realise the CAA's recommendation that the Commonwealth should establish an effective means for purchasing land on behalf of Aboriginal people.²¹ Regarding Aboriginal groups like the Gurindji, with a traditional interest in country alienated by a pastoral lease, Justice Woodward recommended that they would be required to lodge a land claim with the Aboriginal Land Fund Commission. Such arrangements would eventually be formalised in Section 5(e) of the Whitlam Government's *Aboriginal Land (Northern Territory) Bill*, which recommended that:

On an application being made to the [Land] Commissioner by or on behalf of the Traditional Aboriginal Owners of land, being Crown Land, to inquire into, and to report to the Minister on, the desirability of securing that land for the use of those traditional owners.²²

¹⁹ See Elspeth Young, 'Aboriginal Cattle Stations: Strategies for Self-Management', in *Proceedings of the 17th Inst. Australian Geographic Conference* (Bathurst, NSW, 1981); Steven Thiele, *Yugul: An Arnhem Land Cattle Station* (Darwin, The Australian National University, North Australian Research Unit, 1982); H.C. Coombs, *Kulinma: Listening to Aboriginal Australians* (Canberra, Australian National University Press, 1978), p. 177.

²⁰ Cited in Ian Palmer, *Buying Back the Land: Organisational Struggle and the Aboriginal Land Fund Commission* (Canberra, Aboriginal Studies Press, 1988), p. 30.

²¹ Barrie Dexter, in 'Seminar of the Fortieth Anniversary of the 1967 Referendum: Transcript, 22 June 2007', (Parkes, Canberra: Office of Evaluation and Audit (Indigenous Programs), Department of Finance and Administration, 2007), p. 8.

²² Australian Government, *Aboriginal Land (Northern Territory) Bill 1975* (Australian Government Printer, Canberra, 1976), p. 4.

Earlier, while the *Aboriginal Land Fund Commission Act* (1974) was being drafted, the DAA sought Aboriginal Affairs Minister Cavanagh's approval for a grant of approx. \$160,000 (\$1.2 million) to negotiate the purchase for the Gurindji of the 1,240 square mile western portion of Wave Hill Station in March 1974.²³ (See Map 5). The request was made on the basis of the 1973 interim report of Australian Agricultural Consultancy Management (AACM) company, which advised the DAA on several other purchases of alienated crown land operating as pastoral leases. According to DAA Deputy Secretary Jeremy Long, the AACM report suggested that the area desired by the Gurindji was 'suitable for the establishment of a cattle station, and that it has reasonable prospects of achieving long term commercial viability'.²⁴

While the bureaucracy and the Interim Land Commission worked on resolving Aboriginal land purchases in 1974, it was unclear to Departmental Secretary Barrie Dexter whether the Gurindji's land would be granted to them via *ALRA* legislation or pastoral leaseholdship. He told the Gurindji that until certainty about their tenure was resolved, his Department could do little to support the Muramulla Company.²⁵ After pressure on the government from Aboriginal supporters increased, Dexter was able to expedite the passage of the *Aboriginal Land Fund Commission Bill* to the parliamentary draftsman.²⁶ The Whitlam Government was not bound to wait for legal recognition of the Gurindji's land rights; political considerations demanded that it purchase land for them from Wave Hill Station immediately.²⁷ As a result, on 5 October 1974, the Aboriginal Affairs Minister James Cavanagh announced that the government would liaise with the Vestey Company about excising 1,240 square miles from Wave Hill Station.²⁸ On this basis the Gurindji's excision from Wave Hill Station was the first to be purchased by the ALFC with Judge

²³ Darwin, NAA, 'Economic Development Muramulla [...]', *Muramulla Gurindji Co Pastoral Project*, (E460) 1974/1588.

²⁴ Despite extensive searching in archival, library and private collections, I have been unable to locate a copy of this report. Darwin, NAA, 'Economic Development Muramulla [...]', *Muramulla Gurindji Co Pastoral Project*, (E460) 1974/1588.

²⁵ Darwin, NAA, 'Dexter to Nitschke' *Muramulla Gurindji Co Pastoral Project*, (E460) 1974/1588.

²⁶ Dexter, 2015, *op. cit.*, p. 388.

²⁷ The excision of Northern Territory Daguragu Pastoral Lease 805 was issued under the *NT Crown Lands Ordinance (1971)*. The general terms of the lease are contained in Appendix B. The purchase of the property was one of the first conducted under the *Aboriginal Land Fund Commission Act (1974)*.

²⁸ Sen. James Cavanagh to Vincent Lingiari, 5 October 1974, Oke Personal Collection.

Dick Ward acting as Interim Land Commissioner, and a date for the ceremonial handover of title over Pastoral Lease 805 to the Gurindji was set.

We have seen in the preceding paragraphs indications of uncertainty within the bureaucracy as to whether land should be alienated for the Wattie Creek people on the basis of their cattle aspirations (via an excision and a pastoral lease) or their traditional rights (via Aboriginal Freehold Title, as recognised by a successful claim under the anticipated Aboriginal Land Rights (Northern Territory) Act 1976. The DAA's uncertainty at this time was not challenged by the Gurindji elders, who conflated the 'moral right' basis of their claim to land with the (pastoral) uses they wished to put it. Upon this inchoate foundation, misconceptions by both the Gurindji elders and their DAA interlocutors about the government's basis for alienating the Gurindji's sought-after land were perpetuated during the Muramulla Company's establishment (1973–75). The following chapters will show that this created problems for the Company throughout its life. Before describing the Whitlam Government's handover to the Gurindji of a pastoral lease and its implications then, I wish to focus on the observable conflation by the Gurindji and their interlocutors of the elders' land-related purposes.

While their DAA interlocutors believed that the Gurindji had chosen the Western portion of Wave Hill Station because the group was seeking acknowledgment of their traditional rights, as no Aboriginal Land Rights Act existed in 1973–74, they were ironically compelled to excise it on the basis of its pastoral merits (see also Chapter Six). DAA staff were therefore pleased to discover that from a financial perspective, the area of land the Gurindji elders sought would be sufficient to operate the cattle enterprise they envisaged. Although this vaunted profitability was essentially the justification used by the government to release the land, its implications—that the Gurindji would have to work the entire property and develop it to an imposed timetable—were not communicated to them. The failure of their intermediaries to consult Gurindji leaders about which part of the total claimed area they wished to run cattle on perpetuated the failure of the parties involved to differentiate between the land area the Gurindji sought, the uses to which they intended to put it, and the appropriate avenue for its acquisition.

Perpetuating the ambiguities underlying the Gurindji's land request was the fact that Daguragu Pastoral Lease 805, which was subsequently awarded to Gurindji people under their *ALRA* Land Claim, had little to do with the traditional rights of the elders themselves. The area the elders sought generally did not include their own traditional country, and

three of its four boundaries were identical or parallel to those of Wave Hill Station; they had nothing to do with any Gurindji demarcation under the customary law later described to the Aboriginal Land Commissioner. (See Maps 2 and 5). Rather, the area sought by the elders reflected their leadership of a tradition-oriented, land-affiliated group (actually a number of subgroups, as described in Chapter Two) with long and intimate pastoral experience. According to Aboriginal Land Commissioner John Toohey when he subsequently acknowledged the validity of the Gurindji's *ALRA* claim over the elders' pastoral lease:

Although there is a very real sense in which Gurindji have a deep, general attachment to the land under claim, the area also can be seen in terms of smaller 'estates' for which local descent groups have particular responsibility. Not all the Gurindji, including some of the most important leaders in the community, have traditional country within Daguragu [lease].²⁹

While the traditional estates of individual Gurindji (and Bilinarra, Nyininy, Mudburra, Malngin, and Ngarinyman) families within the Walk-off group stretched over a far greater area than Wave Hill Station, the group was united by its affinity for, and knowledge of, that part of the station to which they had largely been confined during their period of semi-indentured servitude to Vestey's. Further, it is likely that Gurindji people had adapted to that partial confinement by bestowing ceremonial responsibilities for the area, or at least knowledge about its Dreamings, on a greater number of individuals than had been the case pre-settlement. Such accommodation of life experience in determining a person's responsibilities for country has equivalents elsewhere in Aboriginal Australia.³⁰ Such was the Gurindji people's connection to the country which they thought the Whitlam Government was awarding to them in recognition of their traditional ownership.

As the day of the pastoral lease transfer at Daguragu loomed, the government invested much importance in the occasion, dubbing it a 'historic and symbolic milestone' before it occurred.³¹ At Daguragu on the morning of 16 August 1975, evidence of the

²⁹ Justice John Toohey, *Gurindji Land Claim to Daguragu Station: Report by the Aboriginal Land Commissioner* [...] (Canberra, Australian Government Publishing Service, 1982), p. 10.

³⁰ Benjamin R. Smith, 'Pastoralism, Land and Aboriginal Existence in Central Cape York Peninsula', *Anthropology in Action: Journal for Applied Anthropology in Policy and Practice* (Berghahn Journals, New York, Vol. 9, No. 1, 2002) 21–30 (p. 25–26).

³¹ Hon. Les Johnson, Minister for Aboriginal Affairs, 'Transfer of Part of Wave Hill Pastoral Lease [...]', Media Release, 31 July 1975, Oke Personal Collection.

Whitlam Government's failure to legislate the findings of the Woodward Royal Commission into Aboriginal Land Rights may be discerned. The new Aboriginal Affairs Minister Les Johnson explained that with the government's forthcoming land rights legislation, the Gurindji could convert their lease to freehold Aboriginal title 'later in the year'.³² After Prime Minister Whitlam handed Lingiari the title deeds 'as proof, in Australian law, that these lands belong to the Gurindji people [...] forever', Whitlam stooped down, grabbed a handful of red earth, and poured it into Lingiari's open palm.³³ As noted, once they were disseminated, images of the 'Handover' would become some of the most recognised of Australian Aboriginal history.³⁴

The day after the Gurindji's lease ceremony, the Prime Minister proclaimed that 'for the first time, Aboriginal people have been given rights to their own land'.³⁵ This was disingenuous, for although the PM made it clear that he saw the government's transferral of a pastoral lease to the Gurindji as merely a first step towards the return of their land in perpetuity, the 'rights' conferred to the Gurindji were merely those of pastoral lessees—which had been already granted to other Aboriginal groups.

Within months of the ceremony at Wattie Creek, the ALP was removed from power. At the time, the Northern Territory's *Aboriginal Land Rights Bill*—representing years of hard work by many Aborigines, the Woodward Commission, the CAA and the DAA—was before the House of Representatives, requiring its last reading in the Senate.³⁶ The Whitlam Government's intention of facilitating the rapid award of Aboriginal freehold title to the Gurindji people was thus thwarted on 11 November 1975 by the constitutional crisis known as 'The Dismissal'—though as time passed, the wider public came to believe that Whitlam had provided the Gurindji with the property rights they sought. In actuality, the Gurindji were stuck with Whitlam's 'interim' tenure until 1986. Before we examine the implications of this for the Gurindji elders' Land Rights ambitions, it is necessary to describe the process of *ALRA*'s development.

³² 'Some Earth From Wattie Creek', *Nation Review*, August 22–28 1975, p. 1153; Hon. Les Johnson, 'Transfer of Pastoral Lease at Daguragu to Gurindji People: Speech by Minister [...] 16 August 1975, Oke Personal Collection.

³³ Edward G Whitlam, *Abiding Interests* (St. Lucia, University of Queensland Press, 1997), p. 189.

³⁴ See <http://www.theglobalmail.org/feature/framing-history-a-handful-of-sand/286/>. Accessed 9 October 2013.

³⁵ 'Blacks' Land by Whitlam: QLD is Accused', *Courier Mail*, 18 August 1975, p. 2.

³⁶ Dexter, 2007, p. 91; Dexter, 2015, p.390.

5.3 Development of the *Aboriginal Land Rights (Northern Territory) Act 1976*

Based closely on the Second Report of Justice Woodward, the *ALRA* Bill developed by the Whitlam Government was far-reaching in terms of the rights it afforded Aboriginal people. The Bill proposed that:

- full ownership rights in reserves and certain other lands should be vested in appropriate groups of Aboriginal trustees, holding title of the land in Aboriginal law;
- ownership would be communal and there would be a non-transferable title in fee simple;
- the Northern and Central Land Councils [...] would assist in the administration of Aboriginal lands, in particular by administering leases and handling negotiations with existing (Aboriginal) leaseholders;
- and although rights to minerals in Aboriginal lands should remain with the government, royalties would be paid to the Aborigines and the consent of the Aborigines (via the Land Councils) would be necessary before exploration or mining is allowed.³⁷

For the Gurindji, the terms of prospective Aboriginal Land Rights legislation regarding Aboriginal claims over pastoral leases were especially pertinent. In addition to the establishment of the Aboriginal Land Fund Commission (described above and in Chapter One), Justice Woodward's Second Report made several recommendations on the issue of pastoral leases. It recommended that some pastoral leases, or substantial parts of such leases, should be purchased as tribal lands and/or as economic ventures by the Aboriginal Land Commission; that one of the functions of the Commission should be to inquire into the likely extent of Aboriginal claims to pastoral lease lands; that the Commission should establish a register of such claims; and that it should also advise on the feasibility of determining such claims.³⁸

³⁷ A paraphrased version of Senator James Cavanagh's ministerial statement accompanying the tabling of Justice Woodward's Second Report, 17 July 1974. Quoted in Barrie Dexter, *Pandora's Box: The Council for Aboriginal Affairs, 1967–76*, ed. by G. Foley and E. Howell (Southport QLD, Keeiara Press, 2015), p. 385.

³⁸ Justice Woodward, *Second Report, April 1974* (Canberra, Government Press, 1975), p. 48–49.

With the above recommendations formalised in the Whitlam Government's Bill, it was proposed during parliamentary debate that like Aboriginal reserves, pastoral leases held by Aboriginal claimants were to be 'Category 1' land and hence automatically transferred to Aboriginal Freehold Title with the passage of the Act. As Commissioner, Woodward had referred to this as a 'reversionary' process, or 'right'. As noted above, this potential in the then un-legislated Bill led to the Aboriginal Affairs Minister's announcement on the day of the pastoral lease transfer to the Gurindji that their receipt of freehold title would be assured, when the Act was passed:

Later this year, I expect you will be able to change this pastoral lease into a freehold title if you want to.³⁹

Woodward's decision not to acknowledge reversionary rights over pastoral land was eventually retained in the Fraser Government's *ALRA* Bill, proving Johnston's expectation incorrect. Woodward's decision regarding land held under pastoral lease was based on several concerns he held. In his Second Report, he had stated that a reversionary right over those lands 'might tend to be divisive amongst Aborigines, by pitting 'traditional' people with continuity of occupation against those of mixed descent and possibly urban backgrounds.'⁴⁰ Woodward also believed that if a reversionary right were legislated, Aboriginal people would claim the great majority of pastoral lease land in the NT, and that the government should be better informed about the ramifications of this. He was also of the opinion that another likely result of the assertion of a reversionary Aboriginal right over pastoral leases 'would be that present owners of cattle stations would be unwilling to put much capital expenditure into their properties, particularly in the last ten or fifteen years of their leases'.⁴¹

The Fraser Government seemingly agreed with Woodward's findings on this matter, and in early June 1976, made its position on the Gurindji's pastoral lease clear: no longer would the group get freehold title to their lease 'automatically'. Now it was obvious that the Aboriginal traditional owners residing at Daguragu and Libanungu would be forced to present their claims to the Land Rights Commission.⁴² Whitlam (by then Leader of the

³⁹ Hon. Les Johnson, Media Release: 'Transfer of Part of Wave Hill Pastoral Lease to Gurindji [...]', 31 July 1975, Oke Personal Collection.

⁴⁰ Woodward, *op. cit.*, p. 36.

⁴¹ Woodward, *op. cit.*, p. 35.

⁴² When Gough Whitlam returned to Wattie Creek (as Leader of the Opposition) on the anniversary of the Handover in August 1976, he used the opportunity to place pressure on the government about

Opposition) criticised the government for betraying the Gurindji. In response, Aboriginal Affairs Minister Ian Viner reiterated that the Gurindji had ‘a very good chance of getting freehold title to [their] entire pastoral lease, and their claim [would] be one of the first to be dealt with’.⁴³

By mid-1976, it was apparent that the Fraser Government’s Bill also rendered specific changes to that proposed by the Whitlam Government. Controversially, the Fraser Government’s Bill did not enable land to be claimed by Aboriginal people for commercial purposes, or on the basis of need.⁴⁴ Although the provision in Whitlam’s Bill allowing for traditional claims over unalienated land, including pastoral leases, had been retained, concerns were raised by the Land Councils about other changes.⁴⁵ Among the 42 amendments made by the Fraser Government to Whitlam’s Bill, was a reversal of its earlier determination that Aboriginal Legal Services rather than Land Councils would handle land claims. The Fraser Government also determined that certain pastoral properties (including Daguragu Pastoral Lease 805) could be treated as unalienated so that Aboriginal Title could be granted over them.⁴⁶ Fraser’s Bill also determined that after Self-Government, the Northern Territory Government would develop ‘complementary’ legislation relating to the traditional rights of Aboriginal people to access and hunt wildlife on their traditional country, if that land was recognised as Aboriginal Freehold.⁴⁷

When the Whitlam Government had drafted its *ALRA* Bill on the basis of Justice Woodward’s report and released it for comment, the CLP’s conservative leader Dr Goff Letts criticised its recognition of Aboriginal people’s rights to claim pastoral properties. The debate continued after the Fraser Government was elected, and the attack which Letts

this, and its capitulation to the NTLA. ‘Fraser Government Let Aborigines Down—Gough’, *NTN*, 31 August 1976, p. 1; Michelle Grattan, ‘Delay on Gurindji Freeholds’, 2 June 1976, *The Age*, p. 1; Australia, Senate, Sen. Keefe, *Official Hansard*, No. 50, 1976—*First Session of the 30th Parliament (Second Period)*, 7 December 1976 (Canberra, Commonwealth Government Printer), p. 2729.

⁴³ Min. Viner, cited in *Land Rights News*, No. 4, October 1976 (Alice Springs, Australia, Central Land Council), p. 5; Darwin, NAA, Minutes of a Meeting [DAA], 21 December 1976, *Muramulla Gurindji Cattle Company Part 1*, E460, 1981/256.

⁴⁴ This in turn necessitated amendments to the *Crown Lands Ordinance* to ascertain the right of Aboriginal people to access and hunt on pastoral properties with which they had connection.

⁴⁵ Among other matters, *ALRA (NT)* left the enactment of a permit system and the protection of sacred sites to be legislated upon at a future date by the then-unformed NT Government. See, for instance, Geoff Eames, ‘Land Rights or a Sell Out? An Analysis of the Aboriginal Land Rights (Northern Territory) Bill, 1976’ (Alice Springs, IAD Press, 1976).

⁴⁶ Barrie Dexter, *Pandora’s Box: The Council for Aboriginal Affairs, 1967–76*, ed. by G. Foley and E. Howell (Southport QLD, Keeiara Press, 2015), p. 469.

⁴⁷ *ibid.*

led on behalf of the Northern Territory Legislative Assembly and its Country Liberal majority revealed fundamental differences between the NTLA and the Federal Cabinet.⁴⁸ While the Fraser Government's *ALRA* Bill gave powers to the NTLA to develop complementary legislation on some matters, members of the Northern Territory CLP remained unsatisfied. MLA Rupert Kentish opined that:

Of all the disasters conceived by Canberra politicians for Territory Aboriginals, none is likely to have as disastrous an impact as this Land Rights Bill when the land owners realise the practical application of what is at present to them only a jumble of words. [...] It is ironical that the Labor Party in Canberra, the 'designer-in-chief' of disasters, has left the Liberal Country Party to put the match to this one.⁴⁹

The conflict was not only about the issue of authority over the Territory's pastoral land base; it served as a focus for long-simmering tensions in Darwin and Alice Springs about federal control of the Territory's affairs.⁵⁰

Dr Goff Letts, the Leader of the Country Liberal Party and the Gurindji's local member, brought the issue of the Daguragu group's land tenure and anticipated Land Claim into the debate. Offering his own 'resolution' to the Gurindji's situation in 1976, Letts thought that rather than granting them land rights over their 1,240 square mile lease, the Muramulla cattle company 'could continue with similar tenure to that of neighbouring properties', as pastoral lessees.⁵¹ Instead of receiving the sweep of the land they had sought in perpetuity, Letts proposed that the Gurindji should only have ownership of Daguragu and their nearby sacred sites at Mimangu (Seale Gorge): special tenure over both areas had been approved earlier by the McMahon Government.⁵² The area of these two excisions combined was about twenty square miles. (See Map 5.) In October 1976, four of the Gurindji's elders wrote to Minister Viner to complain about Letts' proposal:

⁴⁸ Dexter, *ibid.*, pp. 465–66.

⁴⁹ Northern Territory, Legislative Assembly, Hon Rupert Kentish, *Parliamentary Record—First Assembly. Part One—the Debates*, 18 November 1976 (Darwin, NTLA Printer, 1977), pp. 826–827.

⁵⁰ Alastair Heatley, *Almost Australians: The Politics of Northern Territory Self-Government* (Darwin: North Australia Research Unit, Australian National University, 1990), p. 29; John Reeves, 'Territory-Canberra Relations: The Past, Present and Future', *Northern Perspective*, 8 (1985) 27–33, p. 27.

⁵¹ Letts, cited in *Land Rights News*, No. 4, October 1976 (Alice Springs, Australia, Central Land Council), p. 5.

⁵² Seale Gorge had been declared a sacred site reserve in November 1970, and the adjacent Daguragu area was that over which the Gurindji had been granted a Special Purpose Lease in 1972–3.

Mr Whitlam came in to hand over the land forever, but people in Darwin are not satisfied; they want to take the land back. This is Gurindji country all over; that is why the people here are pretty sorry that the white man wants to take it back.⁵³

The letter indicates that the elders had not appreciated the finite duration, or the alienability of the tenure awarded to them by Whitlam; they believed that Whitlam had granted them ownership of their traditional land. This is an important point I shall return to.

On the anniversary of Australia's European settlement, 26 January 1977, the Fraser Government's revised version of the *Aboriginal Land Rights (Northern Territory) Act 1976* came into effect. In the period that followed, Gurindji leaders became agitated by the Country Liberal Party's lobbying against Aboriginal Land Rights, and the NT Legislative Assembly's increasing empowerment under the approaching *Self-Government (Northern Territory) Act 1978*. As a result, the elders became anxious to have their claim to the Daguragu lease heard quickly under *ALRA*. The CLC lodged a claim application on the Gurindji's behalf on 26 February 1979 to the entire leasehold excised from Wave Hill Station and given to the Muramulla Cattle company by Prime Minister Whitlam in 1975: Daguragu Pastoral Lease 805, which included the area surrounding Daguragu (NT SPL 353), and the area around Seale Gorge.⁵⁴ As I will detail in the following chapter, the full extent of the Gurindji's vulnerability as pastoral lessees was revealed on 1 October that year, when the NTG threatened the Muramulla Company with forfeiture of its lease. The reason for this was the company's failure to implement measures ensuring its covenants were met. The fact this power was hitherto unused in the Northern Territory indicated to many that the new NTG had not forsaken the proposal of their former leader Goff Letts to prevent the Gurindji obtaining freehold tenure over the majority of their land.

The Gurindji's land claim was heard by Justice John Toohey in July 1981. The hearing's overriding purpose was to ascertain the Gurindji, Mudburra, Malngin and Nyininy witnesses' connections to the area under claim (See. Map 5), and to create a register of those deemed from this process to be legitimate 'traditional owners'. Justice Toohey's recommendations to the Minister were made known to the Gurindji on 17 April

⁵³ Nyurrmiarri, Lingiari, Nangiari, Rinyngayarri to Min. Viner, 17 October 1976, Oke Personal Collection.

⁵⁴ Graeme Neate, *Aboriginal Land Rights Law in the Northern Territory: Volume 1* (Chippendale, N.S.W, Alternative Publishing Co-operative, 1989), p. 122; Rob Chalmers, 'Gurindji Lease Intact', NTN, 26 November 1979.

1983, following a change of federal government. On 5 March that year, the Fraser Government had lost power to the Australian Labor Party, led by Bob Hawke. One of the first tasks for the new government's Aboriginal Affairs Minister Clyde Holding was therefore to consider Justice Toohey's recommendations. Holding then announced that the Gurindji's land claim had been successful: he would grant Aboriginal freehold title over the Daguragu pastoral lease. Although Justice Toohey had recognised the vast majority of the Gurindji's claim area as theirs, under the terms of *ALRA* he had been unable to recommend freehold title over a tiny piece of 'Yarri' land on the lease's southwest corner. The reason for this was that although he found that Gurindji 'group 11' were the traditional owners of the area, *ALRA* required claimants to give evidence of their spiritual attachment to the claimed land, and this was usually evidenced by knowledge of the songs for specific sites on the claimed land. The 'yarri' area was free of all such sites. On the advice of the CLC, this small area was thus subject to a second 'test case' claim.⁵⁵ The oversight in the extant legislation that Group 11's situation highlighted was subsequently amended by a unanimous decision of the High Court on 23 March 1984.⁵⁶

Eventually, after two land claims and ten years of 'interim' leasehold tenure, Whitlam's promise regarding the 'imminent' transfer of the Gurindji's lease to Aboriginal Freehold Title was fulfilled. Aboriginal Affairs Minister Clyde Holding flew to Daguragu on 11 May 1986 to hand the Gurindji their Aboriginal freehold title deeds.⁵⁷ While a clutch of CLC lawyers, public servants and locals watched on, Minister Holding delivered the Gurindji their land rights with little fanfare. Nineteen years after they had sent their petition to the Governor General requesting their land, it was by these means that the Gurindji elders won their land rights in perpetuity.

⁵⁵ Office of the Aboriginal Land Commissioner, *Gurindji Land Claim to Daguragu Station: Further Report by the Aboriginal Land Commissioner Mr. Justice Maurice to the Minister for Aboriginal Affairs*, No. 20 (Canberra, Australian Government Publishing Service, 1985).

⁵⁶ High Court of Australia, *Re Kearney; Ex parte Jurlama* (M25 of 1983) – (1984) 52 ALR 24. <http://www.lexisnexis.com.ezproxy.uws.edu.au/au/legal/search/casessubmitForm.do>. Accessed 13 October 2016.

⁵⁷ See Central Land Council, 'Daguragu Station Land Claim', <http://www.clc.org.au/land-won-back/info/daguragu-station-land-claim/>. Accessed 1 October 2014; Jan Richardson, *Diary 1986*, Richardson Personal Collection.

5.4 Land rights and Gurindji self-determination

As the above account makes clear, it was not until 1986 that the Gurindji won their Aboriginal freehold rights under Australian law—which is also the year in which the research period of this study ends. To clarify the rationale of this periodisation, I will illuminate a substrate of the above account, relating to the Gurindji elders' use of their land.

Let us appraise the Gurindji elders' situation after their supposed land rights victory on 16 August 1975. The speeches by Prime Minister Whitlam and others, not to mention the PM's visit itself and the ceremonial aspect of his performance, all conveyed that Vincent Lingiari, on behalf of the Gurindji group, was receiving the land rights the group had fought for in the previous decade—or at least that the Gurindji's land rights were *as good as* theirs. As I have described, what the Prime Minister actually granted them was a pastoral lease over the same area purchased for the Gurindji by the ALFC, and the Whitlam Government's intention to deliver the Gurindji their freehold title was soon thwarted by that government's Dismissal. However, the effect of Whitlam's ceremony and related governmental communications on the Gurindji elders, I believe, was to create an impression among them that they were in receipt of full proprietary rights over their land.

Although the rights of a pastoral lessee were less extensive than those conferred by inalienable Aboriginal freehold title, during 1975–79 they bestowed upon the Gurindji the primary rights they had worked for: those of exclusion and their own unhindered access. Under the terms of their lease, they enjoyed full access to the area they had identified as comprising their traditional estates, and they were free to conduct economic and ceremonial activities accompanying traditional Aboriginal ownership, where and whenever they wished. Furthermore, the tenure awarded to them by the Whitlam Government allowed the proponents of the Daguragu project to wholly engage with fulfilling their primary land use goal: operating their cattle business. Although the federal and later the Northern Territory governments retained the right to enforce lease conditions and even to impose forfeiture of the lease, as long as neither government did so, the leaseholders were not disturbed in their belief that they owned the land unconditionally.

Given that the covenants (which are contained at Appendix B) which the government required of their Gurindji lessees after 1975 were onerous, a significant misconception on the part of those lessees about the nature of their tenure may appear unlikely, though it should be remembered that the covenants they were subject to were contingent upon their

receipt of funding for the Muramulla Company, not their occupation or use of the land per se.⁵⁸ Also, as my account has shown, the pastoral lease the Gurindji were awarded in 1975 gave them substantial proprietary rights which enabled them to do what, in the period 1976–86, they imagined they wished to do with their land. In the absence of any statements or actions from them to suggest otherwise, it is safe to assume of this politically voluble group that it appeared to them that their traditional land rights had been recognised under Australian law. A corollary of this for my study, which I discuss in Chapter Six, is that differences between Aboriginal freehold title and pastoral leasehold were irrelevant to the difficulties faced by the Muramulla Company in 1975–86.⁵⁹

The elders' misperception apparently continued until the Everingham Government's hostility and posturing over the Gurindji's leasehold reached a peak in 1979. Statements by the government had motivated the Central Land Council to file a claim under *ALRA* on the Gurindji's behalf in February of that year. In October 1979, the NTG threatened the Muramulla Company with lease forfeiture. This threat revealed the antipathy of the new Northern Territory Government of Paul Everingham towards both Aboriginal Land Rights and publicly-funded Aboriginal-owned pastoral properties. Desirous as ever of their traditional rights' 'full' recognition, the elders realised in 1979 that, for security of tenure, they needed to make a claim under the *ALRA* to obtain their land rights in the form of inalienable Aboriginal freehold title. By the time the Everingham Government threatened the Muramulla Company with lease forfeiture, the fundamental differences between pastoral leasehold and Aboriginal freehold tenure—the right of unrestricted occupation and the right of transfer—were clear to the elders.

In terms of the Gurindji elders' immediate land use goals in the 1979–86 period however, this thesis argues that insofar as we have reliable evidence of those goals, the elders saw little practical difference between the pastoral title they held and inalienable freehold title. Once their land use goals changed in the late 1980s and the effort required of them to meet the demands of the Muramulla operation became untenable, differences between the two forms of tenure acquired great salience. Then, unlike pastoral leasehold, the *ALRA*-conferred right of subleasing allowed them to relinquish the responsibilities they

⁵⁸ It could safely be assumed that their ongoing discussions with the various advisers and consultants employed by the Muramulla Company would have alerted them to this fact.

⁵⁹ After the period of this study therefore, Gurindji leaders—who by then were overwhelmed by the issues facing the Muramulla Company—availed themselves of this right by sub-leasing a large portion (eventually all of their land excepting the Daguragu town area) to agistment. Leon Terrill, Personal Communication, 2 May 2017.

had accepted with the receipt of a pastoral lease in 1975. For these reasons, although the Gurindji elders lacked ‘full’ property rights in the 1975–1986 period, Gurindji land rights may be considered an operational success during that decade. Differences between the two tenures by which the Gurindji have occupied their land after 1975 are therefore of little relevance in describing Gurindji self-determination. That said however, the Gurindji’s receipt of Aboriginal freehold title under *ALRA* granted them a right which enabled them to obviate themselves of those difficulties: the right to grant a lease over *ALRA* land to any person for any purpose and for any duration (including a lease on similar terms to a pastoral lease).

For these reasons, ‘land rights’ can also be compared with the Gurindji’s progress towards their other aims, as they were operationalised in the period. This I intend to do in the remainder of this chapter. To understand the differences between utilising Aboriginal Land Rights and (for instance) utilising one’s right to operate a company or organisation, it is necessary to briefly consider the nature of rights, and specifically Aboriginal Land Rights.

5.5 Why did Gurindji ‘land rights’ succeed?

According to the *Stanford Encyclopaedia of Philosophy*’s definition, ‘Rights are entitlements (not) to perform certain actions, or (not) to be in certain states; or entitlements that others (not) perform certain actions or (not) be in certain states’.⁶⁰ In other words, rights are entitlements that may be possessed without being utilised. The same is true in the traditional Indigenous Australian context. For the purposes of this analysis, an ethnographic account of all those rights is unnecessary, though from the work of anthropologist Nancy Williams and others, it is evident that some traditional Yolngu and other Australian Aboriginal rights to land share this quality of ‘entitlements (not)’. As per *Stanford Encyclopaedia*’s definition, Williams writes that in traditional Yolngu culture, a person or group’s land rights may be ‘inchoate’ or ‘potential’.⁶¹ In this context, anthropologist Peter Sutton’s comment about traditional Aboriginal Land Rights is illuminating: ‘The character of a right over a country or its resources cannot be determined

⁶⁰ Leif Wenar, ‘Rights’, *The Stanford Encyclopedia of Philosophy* (Fall 2015 Edition), Edward N. Zalta (ed.) <http://plato.stanford.edu/entries/rights/> Accessed 24 March 2016.

⁶¹ Nancy M. Williams, *The Yolngu and their Land: a System of Land Tenure and the Fight for its Recognition* (Stanford, California, Stanford University Press, 1986), pp. 175, 191.

in any depth by observing behaviour'.⁶² As I will illustrate, this basic quality of rights—their potentiality—is germane to why 'Gurindji land rights' was operationally successful, in contrast to their other self-determination-type aspirations.

Long before the introduction of *ALRA* on 26 January 1977, aside from the requisite land base, Gurindji people possessed the means to advance their other self-determining interests. In a legal sense at least, a school, a cattle company and an independent community had potentially been within their grasp. As mentioned in Chapter Four, once the *Welfare Ordinance* was repealed in 1964, Aboriginal people of the Northern Territory were free, in theory, to manage their own communities and businesses under the terms available to other citizens. According to the law, there were no longer limits imposed upon those classified as Aboriginal regarding the purposes for which they could incorporate. As described in Chapter Three, what we might call Aboriginal people's 'right to incorporate' was soon given official imprimatur under the auspices of self-determination policy. In contrast to the preceding policy era of assimilation, in the late 1960s and early 70s, government advisers wished to constitute a collective Indigenous subject for the purposes of encouraging Aboriginal collective endeavour.⁶³

As I have outlined in Chapter Two, the achievement of Gurindji elders' aims required the ongoing professional endeavour of Gurindji people in organisations of largely European origin. Aspiring also to a sense of 'equality' with mainstream society (as exemplified by their keen pursuit of a 'signboard' and a unique cattle brand for their station), Gurindji elders were also amenable to the process of incorporation for a variety of purposes. Yet, as I have documented in this thesis, in the Gurindji's other domains of endeavour, incorporation alone was inadequate in eliciting a self-determining Gurindji subject, in either the elders' reckoning or that of their government interlocutors. Unlike their proposed cattle enterprise, school and independent community, once the Gurindji's land rights were recognised with a pastoral lease or by inalienable Aboriginal freehold title, they immediately gained the land security they required to legally operate a cattle enterprise and access their land. By virtue in part of those rights' potential nature, there was little more for them to do. This was a key factor of Gurindji land rights' success, as I

⁶² Peter Sutton, *Native title in Australia: an Ethnographic Perspective* (Cambridge, Port Melbourne, Vic, Cambridge University Press, 2003), p. 3.

⁶³ Tim Rowse, 'Culturally appropriate Indigenous Accountability', *American Behavioral Scientist*, 2000, Vol 43, No 9, 1514–1532, pp. 1515-1516.

shall soon show. In a practical sense regarding their land, their self-determination had been achieved.

The Gurindji people's eventual receipt of land under *ALRA* differed from their organisationally-focused pillars of self-determination in other ways. As I have described, from the time they received a pastoral lease in 1975 until their receipt of Aboriginal Freehold Title in 1986, the Gurindji occupied their land *as if* the title with which they held it was the strongest title in Australian law—freehold. During this time, their progress towards that title was almost entirely in the hands of the Central Land Council and various governments, requiring little from the Gurindji except for their full participation in the Daguragu Land Claim hearing of July 1981. Limited negotiations regarding the Gurindji's occupation of their land required little or no ongoing negotiation with their government intermediaries, and those responsibilities were undertaken by the purpose-created, statutory body of the Central Land Council on the Gurindji's behalf. In contrast, as I have shown, the 'Aboriginal' organisations created to manage the Gurindji's pastoral and community governance interests were the source of onerous, ongoing demands on local people. (See Appendix A). In these domains of failed, or at least heavily compromised endeavour, there were no third party, independent 'brokerage'-type entities to perform equivalent duties to the Central Land Council.

Underlying the operationalisation of 'Gurindji land rights', then, was a heavily mediated relationship between the Gurindji people and the state. The Gurindji's embrace of any form of title involved their subjection to norms of conduct inherent in the covenants and other requirements which accompanied tenure. A discussion of the paradoxes of legally-recognised land rights as a marker of Indigenous self-determination is therefore apposite. Under the *Pastoral Ordinance*, which the Gurindji were party to as pastoral lessees during 1975–1986, and under *ALRA* (NT) (to which they were subject as claimants during 1979–86), we must ask: did the Gurindji's property rights release them significantly from dependence on the Australian state, or did they implicate them further in the processes of government?

A Foucauldian mode of enquiry is again useful in considering the effect of property rights legislation on Indigenous people.⁶⁴ Heidi Norman is one scholar informed by such an analytic frame. In her book *'What Do We Want?': A Political History of Aboriginal*

⁶⁴ Geoff Danaher, Tony Schirato, and Jen Webb (Eds.) *Understanding Foucault* (London, Sage Publications, 2000), p. 73.

Land Rights in New South Wales, she describes the effect the NSW *ALRA* Act had on Aboriginal people in that state: ‘The *ALRA* and land councils [...] constituted Aboriginal people in such a way as to make them governable and self-governing’.⁶⁵ Aboriginal land councils, Norman writes, were intended by government to be ‘culturally informed structures that would form a power base for Aboriginal communities [...] to interface with wider white power structures. At the same time, they were not separate from the operations of the state [...]’.⁶⁶

Similarly, anthropologists John Bradley and Kathryn Seton have criticised *ALRA NT* as a governmental intrusion into the lives of Aboriginal people—albeit a remedial one in its stated intent. In examining the land claim process for Aboriginal claimants under *ALRA*, they found that:

We have a situation of what could be called benign conquest and contestation, a situation that will continue as long as the final arbitrator of the legislation is based within white parliamentary structures.⁶⁷

Bradley and Seton emphasise the Act’s alien nature to Aboriginal people, noting that even when traditional owners are registered with a land council under the Act, they ‘are having to deal with legal issues that are not of their making and over which, prior to the land claim, they had had no dealings’.⁶⁸

Applying James C. Scott’s Foucauldian theory of governmental ‘legibility’ to this subject helps us in understanding what is incipient in Bradley and Seton’s account. According to Scott’s reckoning, by alienating the Gurindji’s land under *ALRA (NT)* as Aboriginal freehold and creating a register of Gurindji traditional owners legally responsible for it, the Australian state rendered Gurindji people more ‘legible’ to governmental techniques. The same may be said of the Gurindji elders’ incorporation of the Muramulla Company, their subsequent status as company directors, and their legal

⁶⁵ Heidi Norman, *‘What Do We Want?’: A Political History of Aboriginal Land Rights in New South Wales* (Canberra, Aboriginal Studies Press, 2015), p. 77.

⁶⁶ *ibid.*

⁶⁷ John Bradley and Kathryn Seton, ‘Self-determination or “Deep Colonising”’: Land Claims, Colonial Authority and Indigenous Representation, in *Unfinished Constitutional Business? Rethinking Indigenous Self-determination*, ed. by B. Hocking (Canberra, Aboriginal Studies Press, 2005) 32–46 (p. 32).

⁶⁸ Bradley and Seton, *ibid.*, p. 37.

status as the lessees of land purchased for them by the ALFC under the *Aboriginal Land Fund Act* (1975). Scott summarises:

Processes as disparate as the creation of permanent last names, the standardisation of weights and measures, the establishment of cadastral surveys and population registers, the invention of freehold tenure, the standardisation of language and legal discourse [all] seemed comprehensible as attempts at legibility and simplification. In each case, officials took exceptionally complex, illegible, and local social practices, such as land tenure customs [...], and created a standard grid whereby it could be centrally recorded and monitored.⁶⁹

With various emphases, these criticisms make the same point: that both forms of tenure held by the Gurindji in the 1975–86 period subjected them closely to the demands of the state. This may seem surprising: despite their novel gloss as legislation that ‘recognises Aboriginal rights’, *ALRA*, the *Aboriginal Land Fund Act* and the *Pastoral Ordinance* also involved Aboriginal people more closely with what, in a Foucauldian vein, is described as governmentality—the means by which power co-opts individuals (and populations) to effectively self-govern, by ‘arranging things so that people, following only their self-interest, will do as they ought’.⁷⁰ This might seem contrary to the purported intention of the Gurindji’s government interlocutors to utilise the above laws for the purposes of promoting a ‘self-determining’ Aboriginal subject, yet it remains the case that the application of such new laws recruited Aboriginal people into practices of self-aggregation, self-organisation, categorisation and resource distribution, all entailing Indigenous people’s greater involvement in self-governing practices. Like the requirements of incorporation entailed by the other pillars of Gurindji self-determination, which we shall explore in the remainder of Part Two, the response of governments to traditional Aboriginal Land Rights in the Northern Territory made Aboriginal people more available—or more legible, in the idiom of James C. Scott—to the requirements of capital and the state.

⁶⁹ James C. Scott, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed* (New Haven, Yale University Press, 1998), p. 2.

⁷⁰ David Scott, ‘Colonial Governmentality’, *Social Text*, 43 (1995) 191–220 (p.202).

5.6 Conclusion

Although the Gurindji did not get title under *ALRA* until 1986, the pastoral leasehold tenure that the Gurindji held in the period 1975–86 allowed them to undertake all of the land-related activities that they wished to and that inalienable Aboriginal freehold title would have entitled them to. I have shown that the two types of tenure were equivalent in practical terms to the Gurindji and that their land-related endeavours were unaffected by the transition from Pastoral Leasehold to Aboriginal Freehold Title. For these reasons, I have determined Gurindji land rights as extant during the period of this study for analytical purposes.

At this point I wish to briefly restate the reasons I have put forward for the success of Gurindji land rights in contrast to their other self-determining endeavours. Before doing so, I will briefly foreshadow the shared qualities of the Gurindji's other fields of endeavour. The various iterations of Daguragu Council, the Muramulla Company board and the Kalkaringi School all required protracted engagement with alien, individualist, market and/or governance-based ways of acting and thinking to perform their core functions.⁷¹ As I will show in the remainder of this thesis, the pressures that managing such community organisations in Kalkaringi and Daguragu imposed on Gurindji staff and board members and their government intermediaries (arising, in most cases, from the mutually contested, and/or irreconciled, misunderstood, and/or inchoate knowledges of both parties) were usually sufficient to undermine or diminish Gurindji people's participation. In every case, as conduits for Gurindji self-management, these essentially non-Indigenous organisations failed—though endured in a functional sense by employing educated mixed descent or non-Indigenous staff to manage them.⁷²

⁷¹ Karu Bulangkarni Co. Ltd was incorporated in March 1972 for the purpose of applying for a Special Purpose Lease in the Settlement, presumably so that the shop could legally receive government funds. See Department of Aboriginal Affairs, *Kalkaringi—Book of the Community* (NT Division of the Department of Aboriginal Affairs, 1977, p. 8).

⁷² In describing these organisations as having failed, I part ways with other scholars such as Robert Levitus, for instance, who sees their function as providing an organisational 'carapace' via which the interests of their Indigenous protagonists may be advanced. The nature of those protagonists' involvement within 'their' organisations he sees as a secondary concern. My terms of assessment are more aligned with the aspirations of self-determination policy's early protagonists. See Robert Levitus, 'Aboriginal Organisations and Development: the Structural Context', *Power, Culture, Economy: Indigenous Australians and Mining*, edited by Jon Altman and David Martin, CAEPR Monograph No 30 (Canberra, Australian National University, 2009), 73–97 (pp. 77–81).

Ch. 6. Muramulla I: Gurindji Cattle Dreaming

Reporting of the Wave Hill Walk-off in 1966–67 made clear that the return of a portion of the Gurindji's land was an essential goal to the groups' leaders, as was the activity they wished to conduct on it: operating a cattle enterprise. Working intimately with cattle for generations in all practical aspects of pastoral production had revealed to the older Gurindji men the industry's potential benefits, and engendered among them a clear self-confidence: hence their unwavering desire to manage the cattle enterprise they envisaged themselves. More than the other pillars of Gurindji self-determination I analyse in these chapters, the former stockmen worked consistently hard to establish and operate their cattle enterprise. The putative outcomes of this aim—livelihoods, a source of meat and incomes, working on country—were the means by which they envisaged their 'self-determination' could be realised. As we have seen, security of tenure or land rights were a necessary pre-requisite to operate their cattle enterprise, and this in turn they saw as necessary to support the remaining two pillars comprising their vision—two-way education for their children and the self-managed facilities of an independent homestead.

This chapter provides contextual material regarding the origins of both the Aboriginal pastoral sector and the Gurindji's cattle operation. As a prelude, I will show the ways in which supportive non-Indigenous Australians responded to the cattle-related aspirations of the Gurindji and other Aboriginal groups, increasingly through the channels of government. A review of the literature on the resultant Aboriginal pastoral sector is then necessary, describing the practical, bureaucratic and financial contexts in which the Muramulla Company operated. This is followed by an historical account, narrating the incorporated form that the Gurindji elders' cattle aspirations took, and the developments that shaped their cattle company's life, including the means by which the Gurindji (and their cattle company) obtained their land. All of this information forms the background to the analysis provided in the subsequent chapter.

6.1 Government support for Aboriginal cattle enterprises

During the period of this review, Australian and Northern Territory Governments provided support in a variety of forms to Aboriginal groups wishing to own and manage cattle for purposes of financial gain and social benefit. In all instances, those agencies justified the provision of this funding and advice on the basis of the ability of pastoral enterprises to support the community development and self-determination-like aims of their Aboriginal proponents. Thus, to explicate the effects on the Gurindji elders' cattle-related, self-determination-like aims of the support offered by governmental entities during the period, that support requires some explanation and contextualisation.

As I have outlined in Chapter Three, the potential of Aboriginal-operated cattle enterprises was a topic that elicited the sympathetic interest of the Council of Aboriginal Affairs, and members of the Gorton and McMahon Governments. In 1971, the McMahon Government accepted the CAA's recommendation that it should seek advice on the future prospects of Aboriginal people on existing cattle stations. The resultant Committee, chaired by Psychologist Cecil Gibb of the Australian National University, accepted guidelines including the following:

- To survey the situation of Aborigines on pastoral properties in the Northern Territory so as to identify problems and special needs;
- To examine ways by which economic and social conditions may be improved;
- To see whether new or additional steps need to be taken to give effect to existing policies for Aboriginal communities on pastoral properties.¹

In its recommendations, the Committee proposed that land should be excised from pastoral holdings for residential and small-scale subsistence-type activities. On the future involvement of Aboriginal groups in their own cattle enterprises, the Committee recommended that the government:

- strengthen a wider ranging employment service to Aborigines to encourage and assist their training and placement in work in other areas as well as on pastoral properties.

¹ Cecil Gibb *et al*, *The Report of the Committee to Review the Situation of Aborigines on Pastoral Properties in the Northern Territory*, (Canberra, Commonwealth Government Printer's Office, 1973), p. 2.

- [encourage and help Aborigines financially] to establish enterprises in activities serving the cattle industry e.g. contract trucking, mustering, fencing and yard building, bore sinking, share farming etc (with experienced managers).
- Should encourage, wherever a coherent group of Aborigines indicates effective interest in establishing a group-owned enterprise [possessing] reasonable prospects of success, using grants from the Aborigines Benefits Trust Fund, the Aborigines Advancement Trust Account together with loans from the Capital Fund and technical and managerial expertise [...].²

The Committee also recommended that the government devise legislation to ‘enable an Aboriginal Community Society to be loosely incorporated’. On the topic of Aboriginal groups incorporating for business purposes however, it was silent.³

Throughout this period, the issue of tenure continued to provide an obstacle to non-reserve-based Aboriginal groups who wished to manage their own cattle, such as the Gurindji. At the urging of the CAA, the federal government had purchased land for a few Aboriginal groups, but it was criticised by pastoralists and privately by the Commonwealth Department of Lands for the amateur and irregular way it had done so. Rather, as described in Chapter One, the McMahon Government preferred to commend excisions be made to Aboriginal groups from pastoral leases under the *Special Purpose Leases Ordinance 1953–68*. Under this legislation, Special Purpose Leases (SPLs) were awarded on the basis of the lessees’ ‘intention and ability to make reasonable economic and social use of [...] land’.⁴ While the Gurindji’s application for a small SPL in 1972 was successful, as we have seen in the previous chapter, the incoming Whitlam Government sought an effective means by which Aboriginal pastoralists might obtain large, commercially viable areas of land to conduct their operations. The Aboriginal Land Fund Commission it established in 1975 enabled the Department of Aboriginal Affairs

² Gibbs et al, *ibid.*, pp. 72–77.

³ The Gibb Committee had also been asked to make recommendations on the situation of the Wattie Creek group, though it had little to say about the future of their nascent cattle operation either. *ibid.*, p. 75.

⁴ Cited in Kathy Lothian, “Moving Blackwards: Black Power and the Aboriginal Embassy”, Ingereth MacFarlane and Mark Hannah (eds), *Transgressions: Critical Australian Indigenous Histories* (ANU ePress, Australian National University, Canberra, 2007), 19–34 (p. 22).

to recommend and co-ordinate a series of ALFC-conducted purchases, of which the Gurindji's Daguragu excision was first.

With the governmental machinery now in place to acquire land for pastoral ventures, the DAA found it necessary to devise appropriate criteria against which it would assess the funding of Aboriginal cattle operations (see Section Two, Chapter Seven). As these grew in number, the Department also established an organisational model for those operations which mandated the integrated provision of expertise by employed advisers. Once implemented, the result of these innovations was the creation of a small, publicly funded, 'Aboriginal' sector within the pastoral industry. The disparate cattle-oriented Aboriginal groups scattered throughout the remote north and centre of Australia often lacked support from their neighbours and depended on centralised government agencies for advice and funding. The nature of the advice given and the terms of the funding were of mixed benefit, as I will illustrate regarding the Gurindji's Muramulla Company. This theme is common in extant analysis. As Stuart Phillpot, a key authority in the field, noted in 1999, three decades after the creation of the Aboriginal industry:

The problem of dissonance between government objectives and Aboriginal aspirations for their pastoral enterprises remains.⁵

The thread of governmental endeavour I have outlined above represents the efforts of governments in the period to actively support the establishment of a new, Aboriginal sector of the pastoral industry. It should be noted though, that these efforts were frequently resisted and constrained by the demands of pastoral industry lobby groups and cliques within government sympathetic to the pastoral industry's demands. These conservative interests resisted the provision of special dispensation to the proponents of Aboriginal pastoral operations on the basis of race, and/or their poor assessment of those proponents' managerial capability. Of more consequence to the Gurindji's cattle aspirations though, were the industry standards to which, via government covenants and funding conditions, their enterprise was subject.⁶ I refer here also to the rationalist and/or scientific ideological basis of the operating frameworks, legislative and policy charters

⁵ Stuart Phillpot, 'Black Pastoralism: Contemporary Aboriginal Land Use—the Experience of Aboriginal-Owned Pastoral Enterprises in the Northern Territory, 1972–1996' (Unpublished PhD Thesis, Australian National University, 2000), p. 2.

⁶ Ultimately of course, all federal departments were subject to the Public Accounts Committee.

of government departments responsible for the administration of lands and livestock in the period. (For a list of those departments, see Table 4, p. 190). Within those departments, responsibility for enforcing the terms of the Muramulla Company's tenure, the management of its lease and the health of its stock depended on the enforcement of 'universal' scientific rationalist standards, which by definition did not incorporate the type of 'special provisions' Aboriginal self-determination policy entailed.

The cattle-related aspirations of Gurindji elders and the Muramulla Cattle Company were subject by various government agencies to laws and programs informed by these ideologies throughout the period. In addition to inimical social-professional dynamics, the effect of these on the Gurindji's operation of a cattle enterprise as a vehicle for their 'self-determination' was significant.

6.2 The Aboriginal Pastoral Enterprise in the literature

By the late 1970s, the Muramulla Company had accrued novel and various functions at Daguragu, as a 'driver' of community development and social cohesion; as the community's main employer; and even as a provider of 'municipal' services. This situation warrants an assessment of the unique status of such government-funded Aboriginal pastoral enterprises. There were twelve such enterprises in the Northern Territory by this time, effectively comprising a small, new policy-created sector of the pastoral industry.⁷ Examples included the Yugul Cattle Co, operated by Nunggubuyu land rights supporters at Roper River; Amanbidji, purchased by the DAA in 1973; and a Ngumpit operation neighbouring the Daguragu lease at Yarralin.

To contextualise my analysis of the Muramulla enterprise in this and the following chapter, I will now briefly review the literature on Aboriginal Cattle enterprises, in particular those established under policies of self-determination in the 1970s. A number of academics and practitioner/researchers of various disciplines have contributed to this small and specific body of work. The commentary I will summarise here is that of anthropologist Gillian Cowlshaw, geographer Elspeth Young, agricultural economist Stuart Phillipot, and sociologist Steven Thiele. My intention is to identify common themes in the writing of these individuals and to show which of these themes are congruent with

⁷ David Hanlon, 'The Aboriginal Pastoral Industry: A Conflict of Development Objectives', in *Ecology Management of the World's Savannas*, ed. by J.C Tohill & J.J Mott (Canberra: Australian Academy of Science, 1985), pp. 185-189 (pp. 186-187).

those that emerge in this and the subsequent chapter regarding the Gurindji people's Muramulla Company. This is an easy task: although the events and decisions shaping the operations of each Aboriginal cattle enterprise varied, I argue that the forces shaping their establishment, operations and eventual demise were the same.

Gillian Cowlshaw has written extensively about the operationalisation of self-determination policies, within the domain of an Aboriginal cattle enterprise and more broadly. In her 1983 article 'Blackfella Boss: A study of a Northern Territory Cattle Station', like other writers, Cowlshaw ascribes importance to the divergent aims of the directorships of Aboriginal cattle enterprises and their bureaucratic intermediaries.⁸ Describing the establishment and fraught operation of the Jandi cattle company at Jimboingal near Katherine, Cowlshaw paints a picture of an Aboriginal directorship alienated from the structure, governance and *raison d'être* of the company which they ostensibly managed. Similarly, Cowlshaw describes the company's non-Indigenous staff and bureaucratic intermediaries as ignorant of the aims, priorities and social structure of the Aboriginal group which nominally led the enterprise. Cowlshaw's argument parallels my findings regarding the Muramulla company: that poor communication and implicit and contradictory aims and approaches between the Indigenous and non-Indigenous protagonists undermined the enterprise, as did highly changeable funding and disbursement arrangements.

Cowlshaw makes a further point to these findings however, arguing that such descriptions 'underplay the obvious fact that these conflicts take place in a context of unequal power which is created by, and effectively protects, the wider economic and political structures'.⁹ They are not, in other words, only 'between cultures, but between groups of people with different access to resources'.¹⁰ Cowlshaw's point is an obvious and important one, with implications for our understanding of this important subset of Aboriginal self-determination program activity. In the constant tension between Gurindji and Anglo-European/governmental priorities that characterised the Muramulla Company's operations, it was the Anglo-European governmental values underpinning the company that were fundamental to its progress and survival as a government-funded

⁸ Situated in the Katherine region of the NT like Daguragu, Jimboingal's cattle operation paralleled the Muramulla Company in its origins, governance, management, funding and the issues surrounding them.

⁹ Gillian Cowlshaw, 'Blackfella Boss: A Study of a Northern Territory Cattle Station', *Social Analysis* (No. 13, May 1983) 54–69 (p. 68).

¹⁰ *op. cit.*, p. 61.

enterprise. That these were rarely understood by its Aboriginal protagonists did not give the company's non-Indigenous intermediaries sufficient motivation to question or disregard those values or the regulations, statutes, social conventions and laws in which they were encoded. Rather, the operation of these enterprises revealed to the Aborigines that their own comprehension and/or support of those values and knowledge was of limited importance. As Cowlshaw and others describe, this recognition frequently hastened the withdrawal of Aboriginal cattle enterprise proponents from what they saw essentially as 'whitefella' operations. The history of the Muramulla Company bears this out, as we will soon see.

A second Aboriginal cattle enterprise in the Katherine region was the Yugul Cattle Company (YCC) at Ngukurr. Sociologist Steven Thiele's doctoral research attempted to understand Yugul's fraught operation in the context of Australian race relations. A monograph was produced from Thiele's thesis by the North Australian Research Unit in 1982, though Thiele published little else on the topic. His contribution to this literature was thus singular and significant. Like Cowlshaw, he noted the imbalance of power between the local, Aboriginal proponents of an Aboriginal cattle enterprise (in this case Yugul), and its Anglo-European intermediaries. Thiele argued that by retaining involvement in Yugul Cattle Company, the DAA's ongoing, mandated participation undermined the Aborigines' belief that the YCC was under their control. Furthermore, the Aborigines' recognition that important decisions could be made without reference to the company resulted in a degree of Aboriginal withdrawal'.¹¹

A consistent theme in this literature is the divergence of values and meanings ascribed to the cattle operations of Aboriginal communities by their Aboriginal proponents and government intermediaries. Like Cowlshaw and myself, Thiele acknowledged a gulf between Anglo-European and Aboriginal perspectives of the operation on which both groups focused. He argues that social development 'of a radical kind' was required at Ngukurr for the YCC to succeed, yet such activity was 'alien' to the consultants employed to support the company, who saw social matters as outside their (financial) responsibilities to the company.¹² In Thiele's reckoning, the lack of Aboriginal 'community-wide authority or power structures' was a key local/social determinant of the company's failure.

¹¹ Steven Thiele, *Yugul: An Arnhem Land Cattle Station* (Darwin, The Australian National University, North Australian Research Unit, 1982), p. 66.

¹² *ibid.*

In terms of her output, foremost among the commentators I will address here was geographer Elspeth Young. Young's frequent themes were the divergent social, environmental and economic dimensions of Aboriginal cattle operations. In a representative passage from her book chapter 'Land Use and Resources: A Black and White Dichotomy', Young describes:

Economic criteria [...] are not necessarily the most appropriate way to assess the success or failure of Aboriginal cattle stations. For the Aboriginal owners, the maintenance of a satisfactory lifestyle for all is usually of greater importance.¹³

Young traces the disconnection between the views of Aboriginal proponents of cattle enterprises and the terms of those enterprises' operation back to first principles. She reminds us that, as was the case with Daguragu's leaders, Aboriginal motivation to buy cattle stations was 'not primarily to earn cash, but to get the land back in a way universally accepted throughout Australia'.¹⁴ As I described in the previous Chapter, a similar conflation of land rights and business-oriented land use by Aboriginal elders and their bureaucratic intermediaries occurred at Daguragu, and activities undertaken by both parties when that distinction or motivation was unclear carries the potential to create analytical complications.

In providing her argument about the unviability of Aboriginal cattle enterprises to the west of Gurindji country in the East Kimberley, Elspeth Young makes the case that the agencies funding such projects almost exclusively stressed their financial viability, at the expense of the 'community and social needs' of their Aboriginal proponents. It is an observation commonly advanced in the literature. Young describes the priorities of Aboriginal cattle directors as the 'maintenance of customary practices and subsistence [...], health, education and housing', and argues that the Aboriginal pastoralists saw these matters as more important than their stations' financial profitability.¹⁵ Young argues that

¹³ Elspeth Young, 'Land Use and Resources: A Black and White Dichotomy', in *Land, Water and People: Geographical Essays in Australian Resource Management*, ed. by R.L. Heathcote and J.A. Mabbutt (Sydney: Allen & Unwin, 1988) 102–122 (p. 117).

¹⁴ *op. cit.*, p. 118.

¹⁵ Elspeth Young, Australian Institute of Aboriginal Studies, Centre for Resource and Environmental Studies, Australian National University, Academy of the Social Sciences in Australia, University of Western Australia, *Aboriginal cattle stations in the East Kimberley: communities or enterprises?* East Kimberley Impact Assessment Project (Centre for Resource and Environmental Studies, Canberra, 1988), p. ii; Elspeth Young, 'Aboriginal Economic Enterprises: Problems and Prospects',

for these reasons, the Aboriginal proponents of cattle operations saw them as ‘communities’, while their government intermediaries saw them as ‘enterprises’:

[...] The main emphasis placed on these stations by Aborigines [is that] they are above all social communities, with intricate systems of interrelationship. Commercial activities come second’.¹⁶

Like the Aboriginal proponents of these operations, Young’s frequent focus on the social dimensions of Aboriginal cattle enterprises leads her at times to term those enterprises ‘communities’ rather than ‘businesses’ or ‘operations’.¹⁷ By doing so, she emphasises the primacy of their Aboriginal proponents’ social values, but in the same way as bureaucrats’ description of Aboriginal cattle operations as ‘businesses’ obfuscated their important social dimension, here Young downplays the essential contribution of government to these operations.

Agricultural consultant Stuart Phillpot is another analyst and a participant/observer of the Aboriginal pastoral sector of the 1970s and 80s. Phillpot provided advice to government and the sector’s stakeholders in various reports, and his publications and doctorate share this focus. Phillpot’s work also addresses the indistinct relationship between Aboriginal cattle enterprises and the communities that host them. Phillpot notes that enterprise and community frequently can’t be separated, in practical or conceptual terms. He distinguishes between geographic/physical communities and human/‘social’ ones, arguing that the latter, which all the individuals with a stake in a cattle enterprise and/or the land on which it operates comprise, is frequently larger and more dispersed than the former.¹⁸

in Peter Loveday and Deborah Wade-Marshall (eds) *Contemporary Issues in Development* (Darwin, Australian National University, North Australia Research Unit, 1988), 182–200.

¹⁶ Elspeth Young, Australian Institute of Aboriginal Studies, Centre for Resource and Environmental Studies, Australian National University, Academy of the Social Sciences in Australia, University of Western Australia, *Aboriginal cattle stations in the East Kimberley: communities or enterprises?* East Kimberley Impact Assessment Project (Centre for Resource and Environmental Studies, Canberra, 1988), p. 66, 116.

¹⁷ Elspeth Young, ‘Aboriginal Cattle Stations: Strategies for Self-Management’, in *Proceedings of the 17th Int. Australian Geographic Conference* (Bathurst, NSW, 1981), p. 312.

¹⁸ One implication of this, Phillpot argues, is that the size of an Aboriginal enterprise’s *actual* decision-making group (as opposed to its Aboriginal staff and board) is far larger than the few individuals usually involved in decision-making on a non-Indigenous station. Stuart Phillpot, ‘Black Pastoralism: Contemporary Aboriginal Land Use—the Experience of Aboriginal-Owned Pastoral Enterprises in the Northern Territory, 1972–1996’ (Unpublished PhD Thesis, Australian National University, 2000), pp. 300–306.

Issues of terminology mask empirical complexities characterising Aboriginal cattle enterprises and directorships and the communities that nominally supported them. As much can be gleaned in this passage about Yugul from a multi-enterprise review conducted by the Northern Land Council:

There was rivalry between the [Yugul] station and the Ngukurr Council and antagonism between the traditional owners of the Yugul lease and the executives of the company.¹⁹

The majority of the Traditional Owners and executives lived, among many others, at Ngukurr. Like other Aboriginal host communities of Aboriginal cattle enterprises, people with diverse relationships to the enterprise comprised Ngukurr's population: traditional owners of the country under the enterprise's pastoral lease; enterprise directors who were often but not necessarily traditional owners of the lease area; traditional owners of the lease area who were not enfranchised by the cattle enterprise on their land; and many people without particular affiliation to either the enterprise or its area of operation. All of this was true for Daguragu community, where few among the directorship of the Muramulla enterprise were traditional owners of its lease area. The implication of this little-considered diversity for the staff of the DAA and other intermediary bodies was considerable. Assuming that the 'ownership' of an enterprise was vested with its associated 'community', consultants and bureaucrats alike were often perplexed or dismayed at the varied (or non-existent) commitment of its residents to the enterprise.

In his Doctoral thesis about Aboriginal-owned pastoral enterprises in the Northern Territory, Phillpot shows that federal funding requirements regarding Aboriginal cattle enterprises were amended by the DAA during the period. According to Phillpot, 'social' and community-oriented funding criteria applied in the early 1970s were incrementally deprioritised and discarded by the DAA (and from 1980, the Aboriginal Development Commission). Eventually, Phillpot observes, the only measurable concern of these agencies regarding the Aboriginal cattle enterprises they funded was their financial profitability.²⁰ This claim is consistent with the financial and ideological transition that occurred between self-determination and self-management policies that I have described

¹⁹ Nicky Phillips, Northern Land Council, 'A Review of Three Aboriginal Cattle Stations; Gulperan, Yugul and Murwangi: Why were they established: How were they Administered: Why did they Fail?' (Northern Land Council, Darwin, 1985), p. 15.

²⁰ Phillpot, 2000, *op. cit.*

in Chapters One and Three. There I have shown that in light of this transition and emergent operational constraints in the latter part of the 1970s, similar amendments were made to project performance criteria and the broad terms of Aboriginal self-determination policy goals in remote areas by the Department of Aboriginal Affairs.

In ‘Secret Whitefella Cattle Business’, Phillpot describes his involvement in the development, implementation and evaluation of a training program for Aboriginal cattle managers in Central Australia.²¹ He argues that the knowledge and cultural reference points inherent to the management of a cattle enterprise were so alien to the Aboriginal directors of remote cattle enterprises as to effectively constitute ‘secret’ whitefella business. This supports my argument regarding the impact of its board’s ignorance about corporate and financial governance on the Muramulla Company. As I show in the following chapter, the effects of this were profound.

From the writings of all these authors, a consistent picture of the Aboriginal cattle enterprise emerges, according broadly with the Gurindji’s Muramulla company. Typically, these enterprises were led by a coterie of former stockmen, guiding their families’ or clans’ involvement. Those elders were responsible to a much larger group of kin and other groups which comprised the landholding body. (in the case of the Gurindji, this group was eventually identified as the Aboriginal land trust listed in Justice Toohey’s Land Claim report). In neither case did they usually possess the knowledge required to operate the business which the management group had been funded to run.

6.3 Irregularity: The Aboriginal Pastoral Sector

As we have seen, the situation of Aboriginal cattle enterprises was ambiguous. On the one hand many had been incorporated before the introduction of the *Aboriginal Councils and Associations Act (1976)* (hereafter ACAA) and operated under the same government-imposed lease requirements as any of the long established ‘traditional’ properties by which they were usually surrounded.²² In other words, they mostly shared the same responsibilities as other lessees of alienated Crown land. The market conditions, supply

²¹ Stuart Phillpot, ‘Understanding Whitefella Secret Cattle Business’, in *Working on Country: Contemporary Indigenous Management of Australia’s Lands and Coastal Regions* ed. by Jocelyn Davies, Richard Baker and Elspeth Young (Melbourne, Oxford University Press, 2001), pp. 199–213.

²² Prior to the DAA’s full funding of the Muramulla Company in 1975–76, the Company was an unaudited ‘exempt proprietary company’. See Darwin, NAA, ‘Auditors’ Report’, 26 April 1977, *Cattle Mustering Venture* [...], 1 June 1977, (F1) 1975/4091.

and distribution channels and climatic variables on which they depended to earn an income were also the same as those affecting other stations. Yet in other regards, Aboriginal enterprises were in a position of radical alterity within the industry. Their **structure, history, relationships with government and the pastoral industry, funding and desired outcomes** differentiated them from the industry's traditional mainstream. To understand the government-supported operation of the Muramulla Company then, it is necessary to compare it with its 'mainstream' competitors by considering each of these factors in turn.

The **structure** of the Muramulla Company was as follows: a board of nine Gurindji directors provided the nominal 'management' of the company. In practical terms, they provided on-the-job supervision and training and managed the recruitment of the company's labour force. These board members—in conjunction with a government-mandated (always) non-Indigenous full-time 'adviser'—negotiated decisions about the seasonal activities of the company. Longer term development, infrastructure and pastoral advice was given by a consultant, the first of whom was John Edey. This structure, common to most DAA-funded pastoral enterprises, was loosely based on the 'traditional' cattle station model, though with important variations.

Comparing the organisational structure of 'traditional' properties with the new government-funded Aboriginal pastoral enterprises incorporated prior to the *ACAA*, it is evident that while their Articles of Association may have been similar, there were important differences in their rationale and practical operation. Firstly, although government had decided to supplement it with cattle 'advisers' and consultants, it had empowered a class of Aboriginal pastoral management that lacked any management experience. Secondly, unlike the directorship of an absentee-owner company, the directors of Aboriginal pastoral enterprises were commonly involved intimately in the day-to-day functioning of their company. Thirdly, while the management of Aboriginal staff by non-Indigenous head stockmen had worked effectively in the 'traditional' industry, it appeared to observers that for the Muramulla Company and other Aboriginal enterprises, cultural factors were impeding the ability of many Aboriginal managers to create a workforce with the continuity of motivation that the 'traditional' station stock camps had demanded.²³

²³ According to Ray Hempel [former Welfare Branch and DAA staffer] many Aboriginal men reported to him that 'Aboriginal people can't be boss' when this demand was placed on them by self-determination policies. Personal Communication, 3 January 2010.

The **capital base and financial environment** of the new Aboriginal enterprises and traditional stations also differed significantly. As they usually had negligible capital and their capacity to raise it by borrowing was very limited, the purchase and establishment costs of the new Aboriginal enterprises were almost always provided by government.²⁴ To access further funding, officials were required to determine that the Aboriginal enterprises were likely to meet the ‘social and financial’ outcomes required by the DAA. Furthermore, after 1977, Aboriginal pastoral properties operating on Aboriginal freehold land awarded under *ALRA (NT)* were unable to use their land as collateral and were almost ‘entirely excluded from the commercial finance market’.²⁵ In contrast, initial costs of the traditional industry lessees were self-provided or privately borrowed and the mainstream of the industry in the 1970s–80s was significantly indebted.²⁶

The financial management skills and the environment those skills were employed within also varied widely between the mainstream and Aboriginal sectors. The directors of the new Aboriginal enterprises usually had very limited experience of financial governance and had rarely purchased assets of significant value. Hence the relative value of company income and the funding received from government by Aboriginal enterprises to purchase their leaseholds, ‘build up’ station infrastructure and provide for operational costs was poorly understood by their directors. Related difficulties that low numeracy skills created were arguably exacerbated by the DAA’s decision to ‘outsource’ the accounting of Aboriginal enterprises to third party accountants who communicated infrequently, and even then, not with their Aboriginal clients but with those clients’ non-Indigenous advisors. Fortunately, despite such handicaps, Aboriginal operations—like their mainstream equivalents—could withstand financial loss for a limited period. In the case of Aboriginal operations, these losses were temporarily absorbed by government

²⁴ After its creation in May 1975, the Aboriginal Land Fund Commission purchased properties such as the Daguragu lease for Aboriginal groups for pastoral and social purposes. The Commission acted only as a purchasing body—all subsequent costs related to the land’s use were met by the DAA. See Ian Palmer, *Buying Back the Land: Organisational Struggle and the Aboriginal Land Fund Commission* (Canberra, Aboriginal Studies Press, 1988), p. 44.

²⁵ Phillpot, 2000, *op. cit.*, p. 342. The Daguragu lease was alienated as Aboriginal Freehold in 1986.

²⁶ See generally Edward Ling, ‘Blame and Martyrs: The Commonwealth Government’s Administration of the Northern Territory’s Pastoral Industry, 1911–1978’ (Unpublished PhD Thesis, Charles Darwin University, 2010). Although it is clear that the mainstream pastoral industry in Australia was heavily subsidised by government, its level of support is low in comparison to countries such as Japan, Norway and many other European nations. See Hanlon and Phillpot, *op. cit.*, p. 5; Phillpot, 2000, *op. cit.*, p. 341.

funding and indeed there was little expectation that the enterprises would ‘break even’ for years after their commencement. In this regard, the industry’s small mainstream owner/managers were perhaps in the most tenuous position, though it was estimated in 1985 that enterprises in the emerging Aboriginal pastoral sector possessed only 36% of the capital of mainstream NT operations.²⁷

The **relationships** of the newly enfranchised Aboriginal landholders and mainstream pastoralists with government (and with each other) were illustrative of the greatest differences between the industry’s traditional and new Aboriginal players. The pastoral industry had been established in the Territory (then part of South Australia) since the 1870s. The relationship between colonial authorities in Adelaide and many of the earliest large pastoral lessees was often close, if not intimate, as the individuals in both were drawn from many of the same families.²⁸ As such, the historical ability of the NT’s larger pastoral concerns to contribute to government decision-making processes regarding the industry was considerable. While close links to political power remained during the twentieth century (Territory pastoralists were often elected to Federal Parliament and also the NTLC and the NTLA), NT cattlemen had also established a number of representative advocacy bodies to promote their interests publicly.²⁹ As a result, Territory pastoralists secured significant financial support and minimal developmental and environmental covenants regarding their leases from the Commonwealth.³⁰ With the advent of the Aboriginal pastoral sector in the 1970s, it appeared that the federal government would show Aboriginal enterprises the same generous attitude. Many observers questioned whether the same could be said of the new NT government after 1978, however. In this and many other regards, the relationship of the new Aboriginal pastoralists (as lessees and recipients of capital funding) to their government intermediaries was entirely novel and poorly defined—as the Gurindji’s experience described elsewhere in this thesis illustrates.

²⁷ Stuart Phillpot, ‘Aspect of Labour Usage in Aboriginal Operated Activities in Central Australia’, in *Economy and People in the North*, ed. by P. Loveday and D. Wade-Marshall (Darwin: Australian National University, North Australia Research Unit, 1985), pp. 122–128 (p. 122).

²⁸ See Tony Roberts, *Frontier Justice: A History of the Gulf Country to 1900* (St Lucia, Qld, University of Queensland Press, 2005).

²⁹ The two main representative associations during the 1920s–80s were the Northern Territory Pastoral Lessees Association (NTPLA) representing the Victoria River and Barkly Tableland districts and the Centralian Pastoralists Association (CPA), representing landholders in the Alice Springs area.

³⁰ See generally Ling, *op. cit.*; Jack Kelly, *Struggle for the North* (Sydney, Australasian Book Society, 1966), p. 35.

The relationship of the new Aboriginal pastoralists and their mainstream ‘colleagues’ also needs to be understood in light of the past involvement of Aborigines in the pastoral industry.³¹ As in the case of the Gurindji, Aboriginal people in the Territory had commonly provided labour to pastoralists occupying their land since the inception of the industry.³² Nonetheless, by the late 1970s, the role of Aborigines in the industry had been strictly curtailed. Historically, Aboriginal people were seen by many pastoralists as lacking in intelligence and many cattlemen participated actively in the subjugation of their Aboriginal workers.³³ Broadly speaking, communication between Aboriginal and non-Indigenous males on the stations was confined to physical, outcome-focused speech and chiacking. With such practices and inequitable relations inculcated for decades, mainstream pastoralists were frequently dismissive of and ill-equipped to deal with Aboriginal pastoral lessees and company directors now comprising a new professional class.³⁴

The differences between the **desired outcomes** of mainstream and Aboriginal enterprises were also significant. The operational rationales of absentee-owner corporations—or the only ones to be articulated—can be summarised as financial profit for their shareholders and a salary income for staff.³⁵ In contrast, the outcomes desired by Aboriginal proponents from their pastoral enterprises were many and often poorly

³¹ Fuller accounts exist elsewhere. See Mary Anne Jebb, *Blood, Sweat and Welfare: A History of White Bosses and Aboriginal Pastoral Workers* (Perth, University of Western Australia Publishing, 2002); and Dawn May, *Aboriginal Labour and the Cattle Industry: Queensland from White Settlement to the Present* (Melbourne, Cambridge University Press, 1994). For accounts of the Gurindji’s experience on Wave Hill Station, see Charlie Ward, ‘Tracking Wave Hill: Following the Gurindji Walk-off to Wattie Creek, 1966-1972’, Unpublished MA Thesis, Flinders University, 2012; Minoru Hokari, *Aboriginal Economy and Cattle Labour: the Economic History of the Gurindji People* (Masters of Economics Thesis, Tokyo, Hitotsubashi University, 1996).

³² Ann McGrath, *Born In the Cattle* (North Sydney, Allen & Unwin, 1987), p. 26–27.

³³ See Lyn Riddett, *Kine, Kin and Country: The Victoria River District of the Northern Territory, 1911–1966* (Darwin, Northern Territory, Australian National University, 1990), p. 84; Ronald and Catherine Berndt, *End of an Era: Aboriginal Labour in the Northern Territory* (Canberra, Australian Institute of Aboriginal Studies, 1987), p. 8.

³⁴ Arguably for related reasons, in the early 1980s there was only one Aboriginal owner/manager of a ‘mainstream’ station in the Territory. This was William Shadforth of Seven Emus Station, whose lease was granted in 1953. See *New Dawn*, Vol. 20, No. 7, 1971, p. 11. One author states that there were *no* Aboriginal owner/managers. See S. Pathmanathan, *Development of the Northern Territory Rural Industries [...]* (NT Vocational Training Commission, Darwin, 1983), cited in Phillipot, 1985, *op. cit.*, p. 122.

³⁵ See for instance, Elspeth Young, ‘Land Use and Resources: A Black and White Dichotomy’, in *Land, Water and People: Geographical Essays in Australian Resource Management*, ed. by R.L. Heathcote and J.A. Mabbutt (Sydney, Allen & Unwin, 1988), pp. 102–122.

understood by government. In the case of the Gurindji, the elders' desires included the following:

- that the work of the Muramulla Company would provide its staff with access to and enjoyment of much of their traditional country;
- employment for any and all of those Ngumpit community members who should want it;
- ongoing opportunity for the transmission of skills and knowledge to younger generations (thus strengthening intergenerational bonds);
- and income for the development of the Gurindji's community at Wattie Creek.³⁶

It might also be assumed that unlike many absentee-owning companies, the directorship of Muramulla and other Aboriginal cattle enterprises were committed to preventing significant environmental damage on their lease holdings whilst in pursuit of these aims.³⁷

In some cases, the aims of Aboriginal cattle enterprises were supported by the terms of DAA funding, however the goals of the Aboriginal pastoralists' bureaucratic intermediaries regarding Aboriginal pastoral enterprises were changeable and also poorly articulated. The Department's expressed criteria regarding Aboriginal project funding were mainly developed from self-determination and self-management policies in two ways: against 'social outcomes' and 'financial viability' criteria, both of which were applied to all the DAA's community projects.³⁸ In the case of cattle enterprise projects, these were assessed against a range of quantifiable and immeasurable outcomes, including 'meat production, employment, training, self-esteem, community activity and

³⁶ For a fuller explication of the common Aboriginal pastoral aspirations, see Elspeth Young, 'Aboriginal Cattle Stations: Strategies for Self-Management', in *Proceedings of the 17th Inst. Australian Geographic Conference* (Bathurst, NSW, 1981), p. 311. Although the specifics of such enterprise goals were only vaguely articulated, it was hoped by Aboriginal proponents and bureaucrats alike that the enterprises would support a great many Aboriginal community members as staff. Such ambitions were held even as the modernisation of the mainstream industry proved that it was only economical to employ a very limited number of staff. See also Young, 1988, *op. cit.*, pp. 102–22.

³⁷ For various descriptions of environmental damage caused by the pastoral industry in the Victoria River region during the twentieth century, see Darwin, NAA, Report from M. Ivory to H.C. Giese in 'Sacred Sites: Wave Hill Area', 29 May 1967, *District Welfare Officer Reports, Wave Hill Area*, E242, K66/1/1; Deborah Bird Rose, *Reports from a Wild Country: Ethics for Decolonisation* (Sydney, University of New South Wales Press, 2004), pp. 3, 4; Kelly, *op. cit.*, p. 20; Ling, *op. cit.*, pp. 47–48.

³⁸ Young, 1981, *op. cit.*, p. 310.

profit'.³⁹ As I will soon describe however, in Muramulla's case, the DAA's financial support was not provided just on the basis of its assessment of the project's merit, but also by invoking a possible hostile public reaction should the Department cease funding the company. This argument was perhaps applied most powerfully to the Gurindji enterprise, due to public awareness of the group's situation.

In light of the above distinctions I have drawn between Aboriginal and mainstream pastoral companies, I now wish to explore the anomalous operational constraints with which Aboriginal pastoral enterprises such as the Muramulla Company had to contend. Prior to the introduction of the *ACAA (1976)*, Aboriginal groups with pastoral aspirations were incorporated under extant legislation such as the *Companies Act (1963)*. In some instances, these arrangements enabled Aboriginal pastoralists to obtain access to their land under Special Purpose Lease tenure, as well as funding to develop their operations. The purposes of the *Companies Act* and other extant legislation differed significantly from those of Aboriginal cattlemen (as I have outlined above), however. As a result, the incorporation of Aboriginal groups under this legislation and their subsequent funding by governments created organisational structures and governmental requirements that were little-suited to the aims of their Aboriginal members. Thus, while there was a political impetus to promote the realisation of Aboriginal pastoral aspirations, the legislative, financial and political 'tools' that guided the development of these new enterprises prior to the introduction of the *ACAA* in 1977 were in no way designed to facilitate those aspirations. On the contrary, the companies comprising the Aboriginal sector in that time were the hastily-developed results of the bureaucracy's attempt to reconcile the wishes and policies of new governments with extant corporation law: an unlikely foundation from which to achieve Gurindji interests and goals.

While the Gurindji elders and their intermediaries operated the Muramulla Company within the legal, financial and organisation frameworks I have described, the extraordinary nature of such pastoral enterprises was illustrated in a number of ways: according to John Edey, in 1977 the Company's Aboriginal staff had 'applied themselves well' without ever 'achieving a high level of efficiency'—a situation that would (and could) if true, have only been briefly tolerated in the mainstream industry.⁴⁰ Similarly,

³⁹ Phillpot, 2000, *op. cit.*, p. 272.

⁴⁰ Darwin, NAA, 'Muramulla Gurindji Co P/L Report [...]', 30 June 1977, *Muramulla Gurindji Cattle Company, Part 2*, E460, 1981/256.

on many occasions, the Muramulla Directors were forced to employ staff half-time to conserve funds. By Edey's reckoning, restricted working hours delayed the start of branding in 1977, yet it is unclear whether he saw the 'efficiency' of staff—or the Muramulla business itself—as compromised by its staff's frequent curtailment by four hour working days. The financial implications of this restriction were obscured by the enterprise's receipt of DAA funds, not self-generated profit.

By way of comparison, although the historical profitability of the mainstream industry in the early to mid-20th century was low, its survival depended on large numbers of very poorly paid men working in remote areas for weeks on end, usually for fifteen or more hours per day. Yet even if the Gurindji were to model the activities of the Muramulla Company on their own historical experience of such practices on Wave Hill Station and elsewhere, the industry had evolved significantly by the late 1970s. Since the Commonwealth Arbitration Commission's decision to extend the Pastoral Award to Indigenous workers in 1966 and the introduction of helicopter mustering and other labour-saving technological developments, the industry's profitability had come to depend on their use—and the resultant minimisation of employee numbers. The DAA and other proponents of Aboriginal pastoral enterprises were thus caught in a double bind. To achieve a semblance of 'financial viability', Aboriginal enterprises would need to adopt practices similar to the wider industry. They were unwilling to do so because the same practices directly contradicted the aspirations which Aboriginal enterprises had been created to realise.

Such contradictions between form and purpose in the new Aboriginal pastoral sector were apparent in other ways. Its governmental funding system created a significant burden for the Muramulla Company unknown to mainstream pastoral businesses. On those properties, the majority of developmental work (and indeed most pastoral activity) was initiated as soon as practicable after the enforced inactivity of the wet season. In contrast, Aboriginal enterprises subsisting on government grants were unable to purchase materials or make other financial decisions until after the results of Departmental funding allocations were known—usually in the first half of the financial year when the wet season began and work was impossible. This effectively limited the opportunity for development work to a few months—perhaps half the time available on other

properties.⁴¹ If this period coincided with unseasonal rain—as occurred in 1978—the company’s ‘window’ of work time was further curtailed.

My contextualisation in this chapter illustrates the anomalous character and internal inconsistencies of the new Aboriginal pastoral sector, of which the Muramulla Gurindji Cattle Company formed a small part. An account of that Company’s origins, provided below, is thus rendered more comprehensible. To discern the Muramulla Company’s beginnings, it is necessary to include a brief history pre-dating the period of this study.

6.4 Interpreting the Cattle-related Aspirations of Gurindji elders

In incipient form, the Gurindji elders’ goal of running their own cattle may be found among the earliest of their recorded utterances, reported by Frank Hardy upon his arrival at the Wave Hill Welfare Settlement in September 1966. Vincent Lingiari then apparently told the radical author and journalist that he had been thinking for a long time previously, ‘we can run Wave Hill without Vestey mob’.⁴² The petition sent by Frank Hardy on behalf of Gurindji elders to the Australian Governor General several months later in early 1967 indicated what ‘running Wave Hill’ meant in practice to the old Gurindji stockmen. According to their literate interlocutors Hardy and Welfare Officer Bill Jeffrey, the men planned to:

[...] build our new home there [at Daguragu], then buy some working horses with which we will trap and capture wild unbranded horses and cattle. These we will use to build up a cattle station within the borders of this ancient Gurindji land.⁴³

Later in the petition, Hardy continued this theme on the elders’ behalf:

[...] If our tribal lands are returned to us, we want them, not as another “Aboriginal Reserve”, but as a leasehold to be run cooperatively as a mining lease and cattle station by the Gurindji tribe.⁴⁴

⁴¹ Darwin, NTAS, Barry Hansen [Former DAA Project Officer], Interview Recorded by Charlie Ward, September 2012, NTRS 3609, BWF 39; Darwin, NAA, ‘Muramulla Gurindji Co P/L Report [...]’, 14 August 1978, *Muramulla Gurindji Cattle Company Part 2*, E460, 1981/256.

⁴² Frank Hardy, ‘Strike in the North’, *Nation*, 29 October 1966, p. 13.

⁴³ Canberra, NAA, ‘Petition by Gurindji People to Governor-General re Wave Hill Pastoral Land, Northern Territory’, A1734, NT 1968/2509.

⁴⁴ *ibid.*

Truncated and mediated as these references to the elders' cattle aspirations were, they conveyed to outsiders that Lingiari and his coterie wished to create and operate some sort of cattle enterprise of their own.⁴⁵ Self-evidently, access to land would first be required to realise this vision, and this significant practical challenge deflected the attention of the Gurindji's interlocutors from the group's cattle plans. In late 1969 though, a group of student supporters of the Gurindji arrived at Wattie Creek with the intention of eliciting an expanded account of the elder's goals. For these activists, who were either members of or affiliated with Abschol, an Indigenous rights-focused student support body, it was the first of several consultative visits and working bees at Wattie Creek in the 1970–74 period. Members of the Abschol group would go on to play a key role in interpreting the Gurindji elders' needs and desires, assisting them to develop their cattle enterprise, and co-ordinating a nationwide campaign to support the Gurindji.⁴⁶

The accuracy of the activists' interpretation of the elders' goals was fundamental to both this support and my efforts here to determine the elders' cattle-related aspirations in the period. These were expressed by the elders in Aboriginal English. Although Abschol's first report does not contain direct quotations from Gurindji elders, it is nonetheless worth quoting at length for the insights it provides into a) the incipient aspirations of the cattle enterprise's proponents; b) the issues with which the Gurindji group had to contend to realise their cattle-related ambitions; and c) the nature of the advice most likely given to the Gurindji group by the students, which strongly influenced the inception of the Gurindji's cattle business. In the report of their first visit, the Abschol activists described:

As far as we could ascertain in our five days at Wattie Creek, the general feeling is that [the Gurindji] want to maintain their independence. [...] Their plans do not appear to have changed since they first went to Wattie Creek over three years ago. Ultimately, they would like to run and own their own cattle station. They realise

⁴⁵ Other expressions of the Gurindji elders' cattle aspirations may be found here: Vincent Lingiari cited in Frank Hardy, *The Unlucky Australians*, Sydney, Nelson, 1968 (2006 edn, Melbourne, One Day Hill), p.180; Committee of Muramulla Gurindji Company to Managing Director of Vestey's, 12 December 1970, Oke Personal Collection; Abschol, *What Now at Wattie Creek: Report of the Abschol Field Team which Visited Wattie Creek in May-June 1970*, (Melbourne, National Union of Australian University Students, 1970), p. 16.

⁴⁶ See Charlie Ward, 'Following the Leaders: the Role of Non-Indigenous Activism in the Development of Wattie Creek, 1969–73', *Journal of the Royal Australian Historical Society*, Vol. 100, Pt. 1, 2014, pp. 69–92.

this cannot be achieved at once, and realistically [they] want to begin in a small way in the contract business—perhaps in rounding up, breaking and selling brumbies.

The people at Wattie Creek seem to fear that there will be retaliation from Vestey's if they extend their [illegal] activities. They realise that they cannot run cattle or horses unless they own or lease some land. [...] Agricultural Department personnel in Darwin told us that that the minimum economic size of an intensively run cattle station in the Wave Hill area, would be 3–400 square miles. [...] The group at Wattie Creek claim they could fill most of the positions required, with the exception of the book-keeper and mechanic. [...] If land is to be granted or leased to the Wattie Creek group, it is important that an incorporated body be formed. Abschol is investigating how this can be done.

The group's proposal to develop contract teams to capture and break-in horse seem to be feasible projects. [...] Again there is the lack of a sympathetic person in the area to advise them.⁴⁷

I accept the foregoing as a credible account of what Gurindji elders were saying about their cattle-related ambitions at that time. Before I return to the nature of those ambitions, the postulates of this summary by Abschol and its underlying assumptions are worthy of comment, for they guided the Consolidative Phase of the Gurindji's cattle operation (1970–75).

Firstly, Abschol's report credits the Gurindji elders with wanting to 'run and own their own cattle station'. What Abschol meant by a 'cattle station', or what the Gurindji meant (if they used the term) are undefined. In its industry usage, a cattle station connotes more than its *Macquarie Dictionary* definition of 'a rural property for raising sheep or cattle'.⁴⁸ In practical terms in Australia, a cattle station is a typically a large area of Crown Land alienated under pastoral leasehold on which stock are grown before their sale for the financial profit of the lessee. The lessee may be an owner-operator (usually a family-owned small business entity) or a large pastoral company employing its own resident management and staff. The earliest of these, the 'owner–operator' stations, were

⁴⁷ Rob and Kay Oke, Paul Fox, David Twitt, *Wattie Creek: Present and Future—Report of the Abschol Field Team* (Melbourne, National Union of Australian Students, December 1969), p. 6.

⁴⁸ Macquarie Dictionary Online, <https://www.macquariedictionary.com.au/>. Accessed 27 January 2017.

leased and worked by an individual or several individuals in partnership, usually of modest means.⁴⁹ By the 1960s however, the majority of stations were of the ‘absentee owner’ variety.⁵⁰ These properties were leased by large companies, some of which—like the Vestey Company, the lessees of Wave Hill—held a large number of stations, amounting to combined holdings larger than many European nations. Such ‘absentee owners’ employed a resident manager and a bookkeeper who resided on each station. These staff were advised by a company-employed travelling manager/inspector.

In exchange for granting the lessee tenure and certain subsidies supporting their operating costs, the Australian Government required them to undertake improvements and maintenance of their property’s infrastructure, to maintain the environmental health of their property, and to keep their herd(s) disease-free. The normal taxation laws applying to private entities are also enforced.

As noted, in the Abschol report quoted above, the full meaning which Gurindji elders and/or their Abschol interlocutors ascribed to ‘a cattle station’ is unexplored. To understand the Gurindji’s cattle aspirations and the path that their self-determination subsequently took, in the following Chapter I will establish what those Gurindji men understood a cattle enterprise to entail, and show the significant differences between this and the meaning(s) which Abschol and the Gurindji’s other interlocutors ascribed to it. Until a Gurindji cattle station was *actually* realised legally in 1975, all that was certain about the Gurindji’s cattle aspirations was that they existed. Therefore, at this stage of my analysis I will also leave this question aggregate and undefined. For the time being, I will adopt other terms which the Gurindji’s bureaucratic interlocutors commonly utilised, such as a Gurindji cattle ‘enterprise’ or ‘operation’.

Leaving for now the full financial, regulatory and epistemological connotations of the Gurindji elders’ purported desire for a cattle station, it is difficult not to agree with the authors of Abschol’s first report, that the Gurindji required significant support. Whatever the scope and terms of a Gurindji cattle enterprise were to be, it would require the purchase of cattle and horses, for which the people at Wattie Creek lacked sufficient money. Also, as the report’s authors noted, the Gurindji realised that they could not run

⁴⁹ David Hanlon and Stuart Phillpot, *Rural Development Skills: Can we meet the Challenge?*, Vol. 2, Working Papers (Report Prepared for Department of Employment, Education and Training by RCS Hassall, 1993), p. 5; Darrell Lewis, *A Wild History: Life and Death on the Victoria River Frontier* (Clayton, Vic: Monash University Publishing, 2012), p. 244.

⁵⁰ Kelly, *op. cit.*, p. 20.

cattle or horses ‘unless they own[ed] or lease[d] some land’.⁵¹ Without possessing property rights of their own, the Gurindji were unable to receive government support for any cattle enterprise they might establish. On this matter, the elders accepted Abschol’s advice, which had two consequences. Firstly, how much land the Wattie Creek group needed had to be identified. Abschol’s report indicates that Department of Agriculture authorities found that at least 4-500 square miles of land would be required for the Gurindji to generate any profit. As we shall see, the consequences of this were significant for the Gurindji, both in terms of the amount of land they would eventually acquire, and the obligations that ensued from its acquisition. Secondly, as mentioned in the Abschol report, ‘If land is to be granted or leased to the Wattie Creek group, it is important that an incorporated body be formed’. The reasons Abschol deemed incorporation important are not specified, but likely reflected their thinking about tenure: only with incorporation would the Gurindji be able to obtain official support for getting a lease. Again, the terms under which official support was offered by virtue of the Gurindji’s incorporation would also have significant consequences for their cattle aspirations, as we shall soon see.

In 1970, with the ongoing attention of activists both living at Wattie Creek and working in Sydney and Melbourne, efforts to accurately identify the nature of the Gurindji’s cattle aspirations and support their realisation intensified. At a series of meetings in August 1970 at Wattie Creek, the Gurindji discussed and clarified their plans for the future. Anthropologist Hannah Middleton compiled a list of the squatters’ goals. She noted that the men wished for horses and stock for their proposed cattle enterprise, and to establish contract mustering and fencing teams. They also listed the supporting infrastructure they required: a bore to supply water; sturdy vehicles, heavy machinery and a school, store and mechanical workshop and clinic at Wattie Creek. Significantly, their hope was that their own people would acquire the skills to run all of these facilities and that they would be eventually managed by Gurindji people.⁵² As Pincher Nyurrmiarri put it:

⁵¹ Gurindji leaders were likely very receptive to this advice for its congruence with their campaign for ‘full’ land rights.

⁵² Hannah Middleton, *But Now We Want the Land Back- A History of the Australian Aboriginal People* (Sydney, New South Wales, New Age Publishers, 1977), p. 119.

[...] We would like to have cattle to work this place and horses. We try to be getting going this place here. We need horse and we need money too.⁵³

Australian Governments in this period were not averse to these types of proposals and put significant energy into identifying how they might be supported.

6.5 Life of a Cattle Company (1970–86)

The elders' cattle operation, and their relationship with it, changed markedly over time, as I will show. During the period in which the Gurindji leaders lacked a land base and significant funding (1966–69), the operation was mostly an imagined affair, the subject of their lobbying. This period I therefore refer to in the account that follows as Muramulla's '**Aspirational**' Phase. The elders incorporated the Muramulla Gurindji Cattle Company in 1971, and lobbied for government backing. First illegally and then with the contingent support of the Whitlam Government, the old men did what they could to initiate their enterprise's full operation. They continued in this endeavour until 1975, when their company acquired the Daguragu pastoral lesseeship (P/L 805) and secured operational federal funding on an annual basis. I refer to this as Muramulla's '**Consolidative**' Phase. With significant operational funding and a 1,250 square mile lease on which to operate, what I call the Company's '**Productive**' Phase (1976–1979) began. This was a period of significant though qualified progress towards the elders' aims, though in 1979–80, a series of events heralded the beginning of a more difficult period for the Company which would culminate in its liquidation. That stage of the Company's life I term Muramulla's '**Deteriorative**' Phase, (1980–86). Therefore:

1.	Aspirational Phase	1966–69
2.	Consolidative Phase	1970–75
3.	Productive Phase	1976–79
4.	Deteriorative Phase	1980–86

⁵³ Pincher Nyurrmiyarri, *Pincher Numiari [sic]- Gurindji Plans and Attitudes: An Interview by Warwick Neilley* (Abschol and Save the Gurindji Campaign, 1970), p. 3;

Table 3. The Muramulla Company's Four Phases, 1966–86.

With this periodisation of the Gurindji leaders' cattle operation in place, we can more readily contextualise events in the following account.

The Gurindji's pre-incorporation process occurred in 1970. Those involved included Abschol, the National Union of Australian University Students (NUAUS), the federal Office of Aboriginal Affairs, and anthropologist Hannah Middleton. Pro bono legal advice was provided by a Melbourne-based law firm. How the interests of the family-based clan groups at Wattie Creek could best be represented by a commercial corporate structure was the subject of lengthy discussions and consultations. It was decided that the Muramulla Gurindji Company would hold shares in trust for a 'Gurindji Association'. Middleton conveyed to the Gurindji's solicitors that:

The Gurindji insist that the Association be so incorporated that they may at any time in the future take in [...] new members from unspecified groups. Apart from this, membership is restricted to six groups, all of whom live in this area and most of whom identify themselves partly or wholly as Gurindji. There is no residence or other qualification to be applied to these groups, which are: Gurindji, Bilinara, Ngarinman, Nyining, Mudbra and Malngning [sic, emphasis in original].⁵⁴

The Muramulla Company was incorporated under the *Companies Act, 1961 (Victoria)* on 9 March 1971, subject to the *Companies Ordinance, 1963*. As a result of long conversations between the Gurindji leaders and their interlocutors, the objects of the Muramulla Company's incorporation were many, and included:

- a) To foster and promote community group participation and development of the Gurindji Aboriginal tribe of the Wattie Creek area through business interests in the mining, pastoral and allied industry suitable to the area [...].
- c) To establish a store at Wattie Creek owned and operated by such persons who may be engaged by the company [...].
- e) To purchase, take on a lease [...], or otherwise acquire any real and personal property, building, workshops, [...] and animals and to construct, [...] and maintain any buildings [...] for the purposes of the company [...].

⁵⁴ Middleton to Roet, 30 December 1970, Oke Personal Collection.

- f) To contract to pastoral properties in the area association members or shareholders of the company and other aborigines of the area to be paid by the company for such employment as fencing, mustering, horse breaking, boring, branding and other allied pastoral work [...].
- g) To apply to government [bodies] for and to accept grants and subsidies of money and land donations [...] with a view to promoting the objects of the Company.⁵⁵

Initially, Muramulla secured only sporadic project funding from the government, and operated as an 'exempt' proprietary company. As such it was un-audited.⁵⁶ Vincent Lingiari, 'Long Johnny Kijngayari, Pincher Nyurrmiarri, 'Hoppy' Mick Rangiari, 'Captain Major' (Lupngagiari), Jerry Rinyngayarri, George Manyo and Donald Nangiari comprised the Company's first board of directors.⁵⁷ Later, Lingiari became the Chairman and Donald Nangiari the Manager.

The initial focus of the company was to increase the Gurindji's herd, using donations raised primarily by activists, though tasks such as cattle buying required better numeracy than the Gurindji could muster.⁵⁸ As I described in Chapter Five, in 1972 the Gurindji then successfully applied for a Special Purpose Lease over eight square miles around Wattie Creek, representing the McMahon Government's partial validation of the group's ambitions. Before the lease could be issued however, there was a change of government. Afterwards, officials of the Whitlam Government re-approved the granting of the lease, acknowledging that it was now merely a stopgap solution while the government examined how it could grant the Gurindji land rights over the (much larger) area they sought. The newly-created Department of Aboriginal Affairs supported the company by funding the wages of live-in supporter David Quin.⁵⁹ Rapidly, the Department became the Muramulla Company's primary benefactor, rather than the network of activists they had hitherto relied on. The Aboriginal Benefits Trust Fund too,

⁵⁵ 'Memorandum of Association of Muramulla Gurindji Pty. Ltd.', 12 October 1970, Oke Personal Collection.

⁵⁶ Darwin, NAA, 'Auditor's Report', *Cattle Mustering Venture* [...], 26 April 1977, (F1) 1975/4091.

⁵⁷ See 'Memorandum of Association, Muramulla Gurindji P/L', 12 October 1970, Oke Personal Collection.

⁵⁸ David Quin to Vic Barnett, 13 December 1972, Atkinson Personal Collection.

⁵⁹ David Quin to Rob Wesley Smith, 18 July 1973, Wesley Smith Personal Collection.

provided a \$15,000 (\$150,000) grant to the company, with which it bought a cattle truck.⁶⁰

With the prospect of a small herd now within reach, the ‘drivers’ of the Muramulla project—old men such as Donald Nangiari, Long Johnny Kijngayari, Jerry Rinyngayarri and Long Jack Jurumbak—turned directly to organising the construction of their own stockyards. These were a high point of Gurindji achievement, embodying the value and transfer of generations of accumulated knowledge. Younger men provided much of the labour, with advice contributed by their elders. Timber cattle yard-building was difficult and demanding work, requiring:

[...] knowledge of the right trees to select and cut, design [...] and layout, construction techniques, and hard work with the skilled use of adze, axe, crosscut saw and chainsaw. None of the *kartiya* associated with [the squatters] since the Walk-off had those skills or knowledge.⁶¹

In Mick Rangiari's words: ‘That big stockyard now, they bin start building. That time was—you know, proud people, eh?’⁶² Rather than being conceptualised merely as a place of residence, by now Wattie Creek—or Daguragu, as it had been renamed—was seen by its founders and many of their interlocutors primarily as the ‘homestead’ or ‘base camp’ supporting the operations and staff of the Gurindji’s Muramulla Cattle Company.⁶³

Notwithstanding some government support in 1973–74, the Gurindji’s cattle operation was officially in caretaker mode during that period, hamstrung by its lack of legal tenure over a large area. Resolving this for the Gurindji was the DAA’s main focus in 1973–74, as I will now describe. When the Whitlam Government took office in December 1972, it was keen to act on two of the Gurindji elders’ espoused desires. One was to obtain land for the Wattie Creek group on the basis of their traditional rights, and the other was to support the group to create their own cattle enterprise. While the Gurindji required some form of tenure to run cattle, these concerns were not identical: other forms of tenure than that potentially bestowed by ‘Aboriginal Land Rights’ existed which

⁶⁰ Jean Leu to Rob Oke, Oke Personal Collection, 2 June 1973, p. 3; Darwin, NTAS, Mick Rangiari Interview Transcript, October 1986, NTRS 226, TS 485, (T4), p. 15.

⁶¹ David Quin, Personal Communication, 14 July 2012.

⁶² Darwin, NTAS, Mick Rangiari Interview Transcript, October 1986, NTRS 226, TS 485, (T4), p. 15.

⁶³ AIATSIS, ‘Daguragu and Libanungu (Wave Hill Town)’, in Wattie Creek and Wave Hill 1966–75, *Papers of Jeremy Long*, Manuscript Collection, MS 2534, Box 3, Folder 24; Darwin, NTAS, Interview with Bev Andrews, Recorded by Charlie Ward, November 2012, NTRS 3609, BWF 40.

would grant the Gurindji the property rights they required to run cattle, such as a pastoral lease. Alienating a pastoral lease for the Gurindji allowed the government to obtain land for the group under extant legislation, though I argue it also led to the conflation by officials and the Gurindji themselves of the Gurindji's land rights and cattle-related plans. As much is apparent from the Gurindji elders' first consultation with pastoral experts, which omitted discussions about the old stockmen's vision for their proposed cattle station. The consultation (which I shall describe in the following chapter) was instead directed towards assessment of the area's financial potential on the basis of its pastoral capacity.

Through their intended possession of a large area of land and their operation of a cattle enterprise, Gurindji leaders sought to send a message of equivalency to, and equality with, surrounding stations. This does not mean that they comprehended the financial and managerial axioms underpinning a mainstream pastoral business. Rather, their aspiration to achieve equivalence in that domain was based on their knowledge of those businesses' physical features, their knowledge of the practical work required to operate them, and their limited perception of the cattle industry's financial structure. When their governmental interlocutors estimated the area chosen by the elders as large enough to support a financially viable cattle operation, the implications were hence not apparent to the old Gurindji men. Yet in 1972–73, this viability was the Department of Aboriginal Affairs' primary concern regarding the Gurindji.

Meanwhile, Wattie Creek residents were taking steps to achieve *their* modest vision of a cattle enterprise. Those who were now receiving unemployment benefits channelled their payments towards the purchase of saddles, horses and cattle. As quoted in Chapter Two, according to Mick Rangiari:

Soon as we got that money we used to [...] put it in. 'Okay, we got to buy this with this money—we got to buy a horse. We'll have to save up, we'll have to keep every cheque. Maybe fortnight we get it—just put 'em in.'⁶⁴

Funding from the DAA was minimal and unpredictable, which created uncertainty as to the number of individuals that Muramulla could employ. Such vagaries made the company a poor employment choice for Gurindji and other Aboriginal men wishing to

⁶⁴ NTAS, NTRS 226, *op. cit.*, p. 16.

work, resulting in many taking work on commercially-operated stations in the area.⁶⁵ Early in 1974, the Muramulla Company hired fifteen stockmen, at the request of its Board. The wages of this labour force quickly drained the company's accounts, catching both the workers and the DAA unprepared. In an attempt to prevent a reoccurrence, activist supporters suggested to Departmental Secretary Barrie Dexter that the company's money should be administered at Kalkaringi, 'so that the Gurindji would learn to handle money and they could see by the bank books just what was happening'.⁶⁶ Dexter consented, though this experiment was short-lived.

Due to such misadventures, the DAA and its agronomy consultants (the Australian Agricultural Consultancy Management company, or AACM) concluded that the Muramulla project 'would be very unlikely to succeed without the guidance of a competent [non-Gurindji] cattle advisor'.⁶⁷ After speaking with DAA staff, Muramulla managing director Donald Nangiari formed the opinion that the company would have to accept an outside 'manager' if it wished to receive more government support.⁶⁸ Perceived pressure from the DAA to employ a *kartiya* manager was sufficient to prompt the Gurindji men into a public statement of their will to control their cattle enterprise largely unaided.⁶⁹ It also caused infighting among the Gurindji board.⁷⁰

The federal government's excision of a large (1,250 square mile) area from Wave Hill Station and its award to Muramulla as a pastoral lease in August 1975 marked a milestone for the company. The area of the lease was the same as that which its lessees had specified. Pastoral industry experts were also satisfied that the resultant property could be used to create an (eventually) profitable business. On the basis of the company's tenure and potential profitability, the lease transfer was accompanied by an initial

⁶⁵ According to Jenny Lowe, the former book-keeper of Wave Hill Station, there were 120 employees of Wave Hill Station at the time, 90 of whom were Indigenous. Jenny Lowe and Barbara Walters, Interview Recorded by Charlie Ward, October 2012.

⁶⁶ Jean Culley and Brian Havenhand, 'Report on a Meeting [...]', 5 June 1974, Pelczynski Personal Collection.

⁶⁷ Darwin, NAA, 'Economic Development Muramulla [...]', *Muramulla Gurindji Co Pastoral Project*, 9 May 1974 (E460) 1974/1588.

⁶⁸ Darwin, NTAS, *Northern Territory Pastoral Lessees Association, Administration and Correspondence Files*, Philip Nitschke in 'Race Relations Newsletter No. 8', 8 April 1974; and Pincher Nyurmiyarri *et al*, 'Race Relations Newsletter No. 9', 2 May 1974, NTRS 3548, C1/2D.

⁶⁹ Donald Nangiari *et al*, 'Letter to the Editor', *Identity*, October 1974, p. 30.

⁷⁰ Cited in Philip Nitschke to Jean Leu, 8 April 1974, Oke Personal Collection.

developmental grant of \$128,000 (\$885,000) from the DAA.⁷¹ To manage Muramulla's financial affairs, the Department also made arrangements between the intermediaries now involved: the company's DAA-appointed Darwin-based accountants; AACM; and the Department itself. For the Gurindji, the immediate result of the complex financial arrangements being negotiated between their various intermediaries was more delays: although their accountants had received funds for the purpose, no wages were paid to Muramulla employees for at least several weeks after they were expected, causing a 'collapse of morale' among the station workers.⁷²

After the receipt of its lease from Prime Minister Whitlam, as per DAA stipulations regarding the administration of its 'pastoral projects', the company was required to hire a pastoral consultant. A former AACM consultant took up the position.⁷³ The DAA also required the company to employ a 'Cattle Advisor', a position which was taken by a pastoralist called Stan Andrews. Donald Nangiari was re-appointed as the managing director of the company, with Jerry Rinyngayarri, Nangiari's 'full brother', as the company's head stockman.⁷⁴ The number of Gurindji and other Aboriginal stockmen employed under these four 'bosses' varied.

The company began its operations in late 1975 and its 'Productive' phase soon began. Vehicles were purchased and five kilometres of much-needed fencing was erected. During monthly meetings, budgets, development plans, stock buying, employment and the operation of the company store were discussed. John Edey judged such meetings 'very good'.⁷⁵ After receiving a gift of four hundred cattle from the Vestey Company, Muramulla purchased 1,169 beasts in the following eighteen months. Its herd grew to approximately 2,000 head.⁷⁶ According to Pincher Nyurrmiarri:

⁷¹ Sydney, SLNSW, Tanya McConvell to Jean, 29 July 1975, in Gurindji at Wattie Creek (Daguragu), Northern Territory, Hannah Middleton Papers, c. 1966–1976, MLMSS 5866/15.

⁷² Darwin, NAA, McConvell to Hon Race Mathews, 11 September 1975, *Muramulla Gurindji Company—Pastoral*, 1975–79, E460, 1975/137.

⁷³ Darwin, NAA, Edey to Con Foo [DAA], 16 February 1976, *Muramulla Gurindji Cattle Company Part I*, E460, 1981/256.

⁷⁴ The staff at the newly built store—Donald Nangiari's daughter Judith Donald and Stan Andrews' wife Bev—were also Muramulla employees.

⁷⁵ NAA, E460, 1981/256.

⁷⁶ *ibid.*

We're starting off now. We want to work the station right away, so we can make a few bob ourselves, when we put the cattle in the meatworks and the money in the bank like white Europeans.⁷⁷

Regardless of its internal dynamics, in a legal sense the Gurindji accumulated a cattle property, 'same as other people have got it'. In the mid-1970s however, membership of the pastoral 'club' brought few benefits. Financially speaking, the Gurindji had won little more than the right to lose money. Even the Territory's most successful pastoral producers were struggling. The global beef market was oversupplied and beef prices in Australia were at a sixteen year low.⁷⁸ It was reported that 'white [pastoralists] are considering walking off stations of 5,000 square miles, unable at current beef prices to maintain ten or twenty people'.⁷⁹

If Gurindji ambition was driving the Muramulla Company's activity in the mid-1970s, the prescriptive financial arrangements, staffing requirements and covenants attached to its funding were shaping the development of its lease. These were substantive, as shown in Appendix B.⁸⁰ Yet while the government required massive expenditure of the Company, it also urged restraint. This compromised stance resulted from the slight change of direction in Aboriginal Affairs heralded by the election of the Fraser Government on 13 December 1975, described in Chapter One. The new government reduced funds to the Aboriginal Affairs portfolio as a whole, and as a result the DAA notified the Muramulla Company in March 1976 that its annual funding was to be reduced by 12%, or \$41,000 (\$260,000).⁸¹

The 1977 assessment of the Department's Project Officer, Barry Hansen, was grim. He found that based on the amount of funding the DAA was able to provide the Company in the foreseeable future (approx. \$90,000 (\$505,000) per year), not only would Muramulla be unable to generate surplus income (unless there was a 'significant improvement in the [pastoral] industry'), but the Gurindji would be unable to develop

⁷⁷ Darwin, NAA, Numiari [sic] to Viner, 8 August 1976, *Wave Hill Centre: Policy and Development*, E460, 1981/306.

⁷⁸ 'Expert Predicts Quick Recovery', *The Land*, 28 October 1976, p. 8.

⁷⁹ Dennis Minogue, 'The Dreaming: Wattie Creek's Black Cattlemen Look to the Future', *The Age*, 14 February 1976, p. 14.

⁸⁰ Darwin, NAA, 'Report on Application for Funds', *Muramulla Gurindji Company—Pastoral, 1975–79*, E460, 1975/137.

⁸¹ Darwin, NAA, Lovegrove [DAA] to Muramulla, 3 March 1976, E460, 1981/256.

their property's infrastructure as required by the government.⁸² Hansen recognised that as a result, the Muramulla Company would probably not be able to meet the government's lease covenants in the coming year.⁸³ Nonetheless, little heed was paid to Hansen's observations and the possibility of terminating the Company's funding was not considered.

The Fraser Government's funding cuts presaged early signs of an increasingly adversarial political and ideological operating environment for the Muramulla Company. Confirmation of this came in July 1978, when Self-Government legislation was passed in the Northern Territory. Then, critics of Aboriginal-operated pastoral properties in the NT found their most outspoken representative: the Territory's first Chief Minister, Paul Everingham. Everingham claimed on radio that such cattle stations were 'running sores' and 'harbours of disease' blotting the landscape.⁸⁴ Under the terms of Self-Government, responsibility for the administration of land was concurrently passed from the (federal) Department of the Northern Territory's Lands Branch to the Northern Territory Department of Lands and Housing, and responsibility for agriculture passed from the (federal) Department of the Northern Territory to the new NTG's Department of Industrial Development.⁸⁵ With these changes, responsibility for the Muramulla Company's lesseeship (but not its governance and financial management) passed to the Northern Territory Government. The various agencies responsible for the Muramulla Company in the period are shown below.

	Federal Government Agencies (–1986)	NT Government Agencies (1978–)
Responsibility for Livestock	Department of Primary Industry: 1956–	Department of Industrial Development: 1978– 1979

⁸² See Darwin, NAA, 'Muramulla Co. Project Report 1976–77', 1 June 1977, *Cattle Mustering Venture* [...], (F1) 1975/4091.

⁸³ *ibid.*

⁸⁴ Dean Jaensch and Peter Loveday, ed., *Under One Flag: The 1980 Northern Territory Election* (North Sydney: Allen & Unwin, 1981), p. 55; 'Everingham and Aboriginal Pastoral Leases', *Central Australian Land Rights News*, No. 11, December 1979 (Alice Springs, Australia, Central Land Council).

⁸⁵ This was renamed the Department of Primary Production on 1 July 1979.

		Department of Primary Production: July 1979–
Responsibility for Land	Lands Branch of the Northern Territory Administration, Department of Territories: 1952–1972	Department of Lands and Housing: 1978–1980
	Lands Branch, Department of the Northern Territory: 1972–1978	Department of Lands: July 1980–

Table 4. Government agencies responsible for administration of the Gurindji’s leasehold and cattle, 1970–86.

The Muramulla Company’s relationship with its political ‘masters’ in the Whitlam Government had begun poorly, yet initial communications with the new NTG after Self-Government were apparently disastrous. On 1 October 1979 a delegate of the NT Minister for Lands Marshall Perron sent a warning to the Muramulla Company that it had failed to meet some of its lease covenants and would therefore be forced to relinquish its lease, unless it could show ‘due cause’. In part, the letter read:

[...] the NT of Australia intend after twenty-eight days of the giving of this notice to you to forfeit the above lease due to your failure to comply with condition of the above lease.⁸⁶

When news of this official correspondence—one of thirty-nine identical letters, the government claimed—became known, an outpouring of public support for the Gurindji erupted and a dispute between the major NT political parties, federal Labor politicians, the Central Land Council (CLC) and Muramulla staff occurred.⁸⁷

⁸⁶ ‘Leases “Warning” Claim Denied’, *NTN*, 30 October 1979.

⁸⁷ Among them were the Gurindji’s Mudburra countrymen at Montejinnie station. See ‘Blacks to Govt: Not Welcome’, *NTN*, 3 November 1979.

Many, including the Central Land Council's Wenten Rubuntja, saw the letter of the government as a forfeiture notice.⁸⁸ Others, such as the NT ALP's Deputy Leader Neville Perkins, looked at the letter as a message communicating the NTG's intention to undermine the security of Aboriginal pastoral leaseholders. According to MLA Jack Doolan, after receiving the letter, the Gurindji felt 'betrayed': former Prime Minister Gough Whitlam, his Aboriginal Affairs Minister Les Johnson, and (the then current) Aboriginal Affairs minister Ian Viner had all 'indicated verbally and in writing that they [the Gurindji] could never lose their land'.⁸⁹ When he was later asked about the incident, Mick Rangiari was quoted as saying 'Them government mob no good, they never want Gurindji people to be happy at Daguragu'.⁹⁰

The Muramulla Company was now faced with the possible termination of its lease, and the Gurindji elders were forced to respond. Their consultant John Edey took the view that in most cases the Muramulla Co. had actually already met its covenants, or that they should be waived on technical grounds. In the meantime, Gurindji and other *Ngumpit* leaders took an unprecedented step, sending a message to the Everingham Government that its representatives were no longer welcome in Daguragu, Yarralin and elsewhere.⁹¹

Although the Commonwealth government had monitored the compliance of pastoral lessees with their lease conditions for seventy years, to officially threaten forfeiture of a lease was unheard of.⁹² Rather, the common practice among pastoralists in the industry according to scholar Ted Ling, had been to routinely 'undermin[e] or negat[e] their lease covenants, even though they were fully aware of them [...]', and such transgressions went unpunished.⁹³ Clemency shown to the Muramulla Company thus far by the DAA regarding compliance with its lease covenants tends to confirm that the Everingham Government's letter was intended as a political statement of the newly-empowered CLP against Land Rights.⁹⁴ Such an interpretation is consistent with

⁸⁸ Howie [CLC] to Burchett [Dept. Lands], 29 October 1979, Pelczynski Personal Collection.

⁸⁹ 'Blacks to Govt: Not Welcome', *NTN*, 3 November 1979.

⁹⁰ Cited in Tina Jowett, 'Walking to Wattie Creek: the History of the Gurindji People and Their Struggle for Land Rights' (BA Honours Thesis, Sydney, University of New South Wales, 1990), p. 97.

⁹¹ 'Blacks to Govt: Not Welcome', *NTN*, 3 November 1979.

⁹² Ling, *op. cit.*, p. 382; Jack Ellis, 'Land Lease Row', *NTN*, 26 November 1979, p. 2; Darwin, NTAS, Barry Hansen [former DAA Assistant Regional Director (Central Australia)], Interview Recorded by Charlie Ward, September 2012, NTRS 3609, BWF 39.

⁹³ Ling, *op. cit.*, p. 231.

⁹⁴ Darwin, NAA, 'Report on Inspection of Pastoral Properties [...]', 12–16 September 1979, *Muramulla Gurindji Cattle Company*, E629, 1979/7/7856.

Everingham's belief that pastoral leasehold land should not be available for alienation as Aboriginal freehold under *ALRA*, or as he put it to journalists, that 'Aboriginal pastoralists should have exactly the same tenure as others in the industry'.⁹⁵ Although such sentiments were a direct contradiction of the political impulse underlying the federal government's support of Aboriginal Land Rights in the Territory, the Fraser Government lacked the will to force a confrontation on the issue.⁹⁶ In response to the outrage he had provoked, Minister Perron claimed that his letter to the Gurindji was merely a 'warning' and extended the Muramulla Company's deadline until the following June.⁹⁷ I deem Muramulla's conflict over 'forfeiture'—and the rise of the NT CLP government that arguably caused it—as heralding the beginning of the Company's 'Deteriorative Phase' (1979–86).

During the latter half of the 1970s, the annual turnoff of Daguragu cattle bearing the 'GDT' brand rose by 400%.⁹⁸ The beef market had begun to improve from the oversupply-driven slump hampering the Muramulla's earlier years, but the turn of the decade marked a difficult time for Muramulla. Deaths and resignations by long-term senior staff exacerbated the instability caused by its variable funding, and in 1980, Muramulla was confronted by a problem of much greater magnitude.⁹⁹ This arrived in the form of a national cattle disease eradication campaign known as 'BTEC' (the Brucellosis and Tuberculosis Eradication Campaign). The Campaign was introduced on Australia's southernmost tip, and implemented in the Katherine region in 1979—80. It required that all pastoralists in the nation would capture and test every beast on their land (a feat never achieved before), destroy any infected animals, and build any fencing required to properly manage their herd in the future.¹⁰⁰ Although the federal government assisted landholders with the costs of de- and re-stocking, the Commonwealth itself

⁹⁵ 'Everingham and Aboriginal Pastoral Leases', *Central Australian Land Rights News*, No. 11, December 1979 (Alice Springs, Australia, Central Land Council).

⁹⁶ NTAS, Hansen, NTRS 3609, BWF 39.

⁹⁷ 'Lease Notices served on 40', *NTN*, 2 November 1979; Ellis, *op. cit.*; 'Gurindji Land Rights Forfeiture', *Central Australian Land Rights News*, No. 11, December 1979 (Alice Springs, Australia, Central Land Council).

⁹⁸ That is, from about two hundred to eight hundred cattle. Darwin, NAA, 'Report and Financials [...]', September 1978, *Muramulla Gurindji Cattle Company*, E629, 1978/7/7581; Darwin, NTAS, 'Interview with Jack Doolan', c. 1981, NTRS 226, TS 193, p. 29.

⁹⁹ Terry Ingram, 'Hooker Earns \$3.9m Aided by Beef Boom', *Australian Financial Review*, 27 February 1979; Paul Myers, 'Record Beef Killing Output', *The Land*, 6 April 1978, p. 21.

¹⁰⁰ 'Eradication Success Story: Australia is free of *Brucella Abortus*', Department of Agriculture, Fisheries and Forestry publication. Accessed 20 May 2014, http://www.daff.gov.au/data/assets/pdf_file/0009/2182869/brucella-abortusoct12.pdf.

reported that ‘as the campaign proceeds into the difficult parts of northern Australia, the costs of eradication rise rapidly, raising doubts about the ability of cattle producers to meet these costs and remain viable’.¹⁰¹ Experts described BTEC as ‘undoubtedly the most significant factor to impact on the industry since World War II’.¹⁰²

While disease eradication was BTEC’s *raison d’être*, this was merely a carapace for the campaign’s secondary, more consequential function, to force the modernisation of the pastoral industry. The historical mode of pastoralism in the NT (which Robert Lehane describes below) was no longer deemed adequate by government to meet the demands of the modern international cattle market:

On the most marginal properties there was virtually no cattle control before BTEC; the owners made their living from irregular harvests from what were essentially feral populations. Other stations mustered generally once a year, with no expectation that all cattle would be accounted for. Very few stations had the yards, races and crushes needed for branding; stockmen lassooed the calves and pulled them to the ground. Even on company-owned stations in the most productive extensive cattle country, there was virtually no separation of different classes of cattle.¹⁰³

Pastoralists responded to the Campaign with dismay and disbelief. A third generation northern landholder summed up the reaction of many of his colleagues: ‘we are the victims of bureaucracy gone mad’.¹⁰⁴

In the Northern Territory, responsibility for administering the Campaign fell to the new NT Department of Primary Production (DPP). Neither the DPP nor BTEC’s federal directors had much anticipated the challenges that BTEC would create in the north of the country.¹⁰⁵ The administrators of Aboriginal pastoral projects in the period, the DAA and the new Aboriginal Development Commission, were also caught unprepared. Lacking significant pastoral expertise of their own, they were forced to rely on the DPP, with

¹⁰¹ Gary Stoneham and Joe Johnston, *The Australian Brucellosis and Tuberculosis Eradication Campaign: An Economic Evaluation of Options for Finalising the Campaign in Northern Australia*, Bureau of Agricultural Economics: Occasional Paper 97 (Canberra: Australian Government Publishing Service, 1987).

¹⁰² Hanlon and Phillpot, *op. cit.*, p. 28.

¹⁰³ Robert Lehane, *Beating the Odds in a Big Country—the Eradication of Bovine Brucellosis and Tuberculosis in Australia* (Collingwood, Victoria: CSIRO Publishing, 1996), p. 230.

¹⁰⁴ *ibid.*, p. 70.

¹⁰⁵ *ibid.*, pp. 59–60, 65.

whom their communication was minimal at best. The Campaign's demands therefore also caught the Muramulla Company and other Aboriginal enterprises by surprise.¹⁰⁶

The requirements that BTEC placed on Aboriginal pastoralists such as the Gurindji were disproportionate: generally, the position of Aboriginal cattle operations in a marginal industry was more tenuous than that of their competitors. They were usually new and relatively un-developed, and were thus required to do more work to meet the Campaign's requirements. Their proponents also had little or no experience with the financial aspects of long-term herd management on which they could rely to 'ride out' the effects of BTEC. Nonetheless, unlike other 'mandatory' conditions placed on pastoralists by the state, non-compliance with BTEC was not an option. Concerns about the Campaign's possible effects were so great that one experienced consultant warned that it might 'destroy' the Aboriginal pastoral sector.¹⁰⁷

Prior to the excision of the Daguragu lease from Wave Hill Station in 1975, that land had comprised the roughest and least developed portion of Vestey's famous holding. Muramulla had had little time and often insufficient specialised labour to develop the infrastructure required to turn their lease into a potentially self-supporting property during its lesseeship, but BTEC's requirements effectively increased the number of lease covenants to which Muramulla was subject dramatically.

In 1980, to avoid the compulsory destocking of the Company's lease, then Muramulla manager Jerry Rinyngayarri was forced to begin the long, demanding process of trying to meet the tuberculosis testing program required by the government. In the eradication program the NT Department of Primary Production (DPP) designed for the Gurindji's property, disease testing by locally-based government stock inspectors ('stockies') could only be done with the Muramulla men's cooperation as they mustered. Rinyngayarri and Victor Vincent were proactive about their company's compliance with the BTEC program, but it was nonetheless a huge challenge. The southern end of the Gurindji's lease was particularly rough and inaccessible, making it almost impossible to muster thoroughly. All pastoralists in marginal country found properly mustering their lease each year difficult, but BTEC increased the challenge significantly: cattle had to be tested not once, but twice each season.¹⁰⁸ The communication between the Gurindji

¹⁰⁶ Phillpot, 2000, p. 91.

¹⁰⁷ Hanlon, 1985, pp. 185-189 (p. 187).

¹⁰⁸ Brian Radunz [former Chief Veterinary Officer of the NT], Interviewed by Charlie Ward, August 2014.

stockmen and the Kalkaringi-based Primary Production officers that this collaboration required proved difficult, and frustrations arose. The government vets and inspectors were used to completing a test over four days, but due to Rinyngayarri's refusal to use helicopters, the yarding (and testing) process often took much longer, straining the stock inspectors' patience.¹⁰⁹ At other times significant numbers of cattle that had been tested escaped before the 'results' could be read.¹¹⁰

Despite the Muramulla Company's efforts since 1975 to 'improve' its infrastructure and the attempts of John Edey and adviser Buck Buchester to force its adoption of helicopter mustering, the company continued to operate what was now being derogatorily dubbed in the language of government a 'feral harvesting approach': previously the northern industry's *modus operandi*. Although the government offered a range of tax concessions and 'concessional loans' through BTEC to pastoralists investing in capital infrastructure, the harsh reality confronting the Muramulla Company in 1983–84 was that it was impossible for their under-developed property to meet the campaign's requirements without significant changes to both its infrastructure and management approach.¹¹¹ This view is supported by *kartiya* familiar with the Gurindji leasehold at the time. The new managerial standard demanded by the DPP and the federal Department of Primary Industries was exacting, however.¹¹² According to the then manager of neighbouring Wave Hill Station Graeme Fagan, on Vestey's Wave Hill:

[Cattle] were mustered twice a year, regardless of BTEC. [...] We did four rounds a year of branding and weaning. We had paddocks where we could isolate cattle—'tail-tag' paddocks they were called. You could have three or four [such paddocks, and] cattle couldn't move out of them [...] until you tested them.¹¹³

Such standards remained far beyond the reach of the Muramulla Company. Instead, its Gurindji board members were increasingly marginalised and alienated by the industry's

¹⁰⁹ Darwin, NTAS, *Interview with Jack Doolan*, c.1981, NTRS 226, TS 193, p. 44.

¹¹⁰ Financial and Advisory Consulting and Training Services [FACTS], *Daguragu Development Plan*, May 1983, p. 38.

¹¹¹ Lehane, *op. cit.*, pp. 60–66.

¹¹² Darwin, NTAS, Brian Radunz [former Chief Veterinary Officer of the NT] interviewed by Charlie Ward, August 2014, NTRS 3609, BWF 60; Darwin, NTAS, Mark Lumsden [former DPP stock inspector] interviewed by Charlie Ward, August 2014, NTRS 3609, BWF 63; Darwin, NTAS, Graeme Fagan [former manager Wave Hill Station] interviewed by Charlie Ward, September 2012, NTRS 3609, BWF 42.

¹¹³ NTAS, Fagan, NTRS 3609, BWF 42.

growing, technologized managerialism—a characteristic facet of the ‘new pastoralism’ of which they had no previous experience.

In 1983, Daguragu Pastoral Lease 805 was listed for compulsory destocking under the *Stock Diseases Act (1923)*. According to Fagan:

Lack of infrastructure is what bugged them. They didn’t have anywhere to isolate cattle. They didn’t have many paddocks and they were really running a feral harvesting operation, even though they were branding cattle and turning them out once a year.

To Buck Buchester, then the Gurindji’s adviser, the state’s logic was inexorable: ‘[Muramulla] went under a TB [tuberculosis] testing program, they never kept it up, and that’s how they de-stocked Wattie Creek’.¹¹⁴ Far from the Gurindji’s company being alone in this, every Aboriginal-run property in the Katherine region suffered the same fate.¹¹⁵ The Muramulla board contested the Department of Primary Production’s handling of BTEC on their property, but the Department was unswayed. When the destocking of the Daguragu lease began, the Muramulla Co. had a herd of approximately 8,600 animals that it had built up from a starting point of 600 cattle in 1975.¹¹⁶ The Gurindji had been well on the way to reaching their lease’s optimal carrying capacity of 10–12,000 cattle, as estimated by experts and advisers. After the destocking had taken effect however, it was reported by the press that the Gurindji’s animals had been reduced by half.¹¹⁷

Unlike the Gurindji men’s experience of governmental indifference when they were illegally taking their first steps with cattle on Vestey’s Wave Hill Station in the late 1960s and early 70s, their engagement with BTEC must have provided them with irrefutable evidence of the state’s absolute dominance of their affairs. Not only the actions of the DPP and BTEC conveyed this message. As BTEC’s ‘hidden’ goal of industrial modernisation segued nicely with the ADC’s drive to improve the profitability of the Aboriginal pastoral sector, the Gurindji were told by the ADC that unless they

¹¹⁴ Darwin, NTAS, Interview with Buck Buchester recorded October 1986, NTRS 3164/295.

¹¹⁵ NTAS, Radunz, NTRS 3609, BWF 60.

¹¹⁶ Financial and Advisory Consulting and Training Services [FACTS], *Daguragu Development Plan*, May 1983, pp. 27, 46.

¹¹⁷ Richard Pullin, ‘Frank Hardy revisits Gurindji to Help with New Problems’, Unknown Source, Date Unknown [c. 1985].

invested their BTEC compensation money in more infrastructure, they would lose their funding.¹¹⁸

By 1986, even Mick Rangiari and other Muramulla board members conceded privately that their enterprise—and their property, now held under Aboriginal Freehold Title—was getting away from them. Governance training—its board members' first—was planned for the following year, but by then the Gurindji's cattle work had become an occasional, recreational-type pursuit.¹¹⁹ Under-used, poorly maintained equipment began falling into disrepair. Contrary to the projections of the AACM and a host of government intermediaries, within fifteen years of its incorporation, the Gurindji's cattle business had revealed itself to be untenable. Billy Bunter, who took on the company's management role in the mid-1980s, described the company's demise:

We were doing really good work [to build up the station], but [all] all of a sudden everything collapsed down. There was trouble with the accountant, John Trezona [...]. We never got the monthly reports from the cattle company side. Everything was blind. Nobody let us know what happened with the bookwork. [...] Then our figures dropped down, and we had to pay back so much money. For what? We'd never done anything wrong.

So we lost that thing [Muramulla], and they did bugger all. I used to try to get the government to support us, but the consultant [was] not supporting us [either]. I never used to have any problem with Aboriginal people not supporting us, so I walked away, I got a job with the Land Council.¹²⁰

I left the cars, tractors, big truck, horses and cattle with the Gurindji people at Daguragu [...]. They had to take the big truck away, the Toyotas away, everything that the station had, they took it away [...]. The old fellas were wondering what was going on. I had to explain everything, what was the truth about what was happening.¹²¹

Afterwards, with no publicity, the surviving members of the Muramulla board and the lease's ALRA-recognised Traditional Owners decided to sublet the same southern portion of their

¹¹⁸ Gordon Bauman, Personal Communication 22 January 2010.

¹¹⁹ 'Adult Education: "Know your Community"', November 1986, Richardson Personal Collection

¹²⁰ Darwin, NTAS, Interview with Billy Bunter recorded by Charlie Ward, July 2011, NTRS 3609, BWF 26.

¹²¹ Bunter's account is congruent with Mark Lumsden's statement that Muramulla's assets were purchased by Daguragu Council. NTAS, Bunter, NTRS 3609, BWF 26; NTAS, Lumsden, NTRS 3609, BWF 63.

country to the Vestey Company.¹²² Then in the 1990s, they leased their entire property to ex-stock inspector Mark Lumsden, who was able to develop a successful business from it, including a small meatworks at Kalkaringi supplying beef to the Gurindji.

¹²² NTAS, Fagan, NTRS 3609, BWF 42.

Ch. 7 Muramulla II: an incompatible entity

In the foregoing chapter, I have articulated the Aboriginal pastoral sector's origins and formative influences, and revealed its development as a result of Aboriginal self-determination policy measures of Commonwealth governments in the 1970s. The sector's unique history and composition differentiated it operationally from the mainstream pastoral industry, in several ways, as I have shown. I have also demonstrated aspects of the sector's unique governance and financial situation in my account of the Gurindji elders' cattle aspirations, expressed by the activity of the company incorporated in their name: the Muramulla Gurindji Cattle Company. In this chapter, it is my task to further explicate the ideological discrepancies between governmental and Gurindji approaches regarding the company, and their practical outcomes. In addition to the difficulties arising from the unarticulated and/or contradictory premises, assumptions and beliefs guiding the company's hybridised managerial clique, I will show how issues of 'internal' Gurindji differentiation affected the Company's long-term viability. The impact of the failure of the older generation to mobilise the younger regarding the Muramulla enterprise varied from that on their other self-determination-like projects, but was nonetheless substantive. Also, we will see in this chapter how both the elders' conflict with their governmental interlocutors and their inability to engender a highly-skilled and motivated core of pastoral workers among younger Gurindji were compounded by the radical technological and managerial changes which transformed the North Australian pastoral industry during the Company's brief life.

As with other aspects of self-determination policy, the Walk-off leaders' pastoral aspirations (as mediated by the CAA) had contributed to the development of the Whitlam Government's policy response to the situation of Aboriginal people.¹ By such means, that

¹ As I describe in Chapter Six, the Gibb enquiry (also commissioned on the advice of the CAA, with terms of reference including the situation of the Gurindji at Wattie Creek) into the situation of Aboriginal people on pastoral properties was also formative. Cecil Gibb *et al*, *The Report of the*

government harnessed the political momentum required to facilitate the provision of governmental support for Aboriginal cattle businesses in the form of land purchases, funding, and the supply of additional expertise. The operating terms of the Gurindji's Muramulla Company were largely determined as a result of its integration within the governmental system of support thus created. The elders' actions post-1973 would indicate that they perceived themselves to be highly dependent on the DAA to realise their cattle plans, yet neither the Gurindji nor their governmental interlocutors identified or understood the constitutive assumptions, beliefs and ascribed purposes which their respective 'business partner' brought to the Muramulla Company's operation. An early indication of this was the shock, bitterness and conflict among Muramulla's Gurindji proponents that ensued when DAA secretary Barrie Dexter informed them of the (compulsory) terms under which the Whitlam Government proposed to provide Muramulla with land and financial support in 1974—a matter I shall return to.² Consequently, Gurindji elders seemingly resisted and/or resented the employment and influence of the non-Indigenous advisers compulsorily employed by the Company under its terms of funding for the remainder of its corporate life (1975–1986). A degree of tension and conflict regarding the Company's fundamental purposes among its senior staff therefore characterised the company's operation.

In light of the Muramulla Company's frequently fraught management and its ultimate failure, it is necessary to explore the points of difference and elision between the government-created 'path' it essentially followed and what is known about the plans, motivations, beliefs and understandings informing the company's Gurindji proponents. To do so, I will draw on statements by those individuals, and examine a series of events in the history of the Gurindji cattle operation to illustrate the frequent unawareness of and/or indifference to Gurindji motivations, beliefs and understandings on the part of authorities. At other times, as I will also show, Gurindji elders refused to accept the conclusions and instructions of their government interlocutors.

Committee to Review the Situation of Aborigines on Pastoral Properties in the Northern Territory, (Canberra, Commonwealth Government Printer's Office, 1973).

² Darwin, NAA, 'Lovegrove to Long' *Muramulla Gurindji Co Pastoral Project*, 29 April 1974 (E460) 1974/1588; Philip Nitschke to Rob and Kay Oke, 5 May 1974, Oke Personal Collection; Nitschke to Josie Briggs, 10 June 1974, Pelczynski Personal Collection.

7.1 Unarticulated and Contrasting Visions

I have argued in the previous chapter that given the then laws of the Australian state, the advice given to the senior Gurindji men by Abschol and others in 1969/70 was essentially correct: for Gurindji elders to earn any income from cattle, or even to legally obtain them, it was necessary that they obtained tenure over an area of land.

Because the Gurindji had made clear they wished to claim a large area of land, and the Whitlam Government could not, before the passage of Aboriginal Land Rights legislation, award them that land without the reasonable expectation of it being used for financially viable purposes, the DAA sought expert assessment of the area's economic potential. To this end, DAA officials returned to Wattie Creek with consultants from the Australian Agricultural Consultancy Management (AACM) company in mid-June 1973. From an aircraft, Pincher Nyurrmiyarri, Jerry Rinyngayarri, Vincent Lingiari and brothers Mick Rangiari and Long Johnny Kijngayari showed DAA staff the boundaries of the country they wished to claim.³ From the AACM's perspective, the purpose of the visit was to identify what was required to turn the land the Gurindji sought into a cattle station like others in the region. This involved assessing the potential of the proposed Gurindji lease for (cattle) carrying, and also—for the purposes of compensating Vestey's—its market value.⁴

The AACM were contracted to advise the DAA regarding the purchase of numerous pastoral properties, and their communication was with senior Canberra-based officials who were concerned to expedite a welter of government promises and Aboriginal aims. During their two-day visit to Wave Hill Station, station manager Ralph Hayes hosted the AACM's consultants, who only engaged in cursory discussions with Lingiari, Nangiari, Nyurrmiyarri and Rinyngayarri *et al.*⁵ Extensive searching has not revealed a copy of the AACM report, though synopses reveal no indication that it included references to the form that the Gurindji elders wished their cattle operation to take. Observations about the emergent contrast between governmental and Gurindji aims were made at the time, however. DAA Project Officer Jack Doolan, who had long experience with Top End Aborigines and had helped

³ Darwin, NTAS, 'Jack Doolan Oral History Interview Transcript', NTRS 226, TS 193, p. 43; Melbourne Gurindji Group, Open Letter, 19 June 1974, Oke Personal Collection.

⁴ Darwin, NAA, 'Visit of AACM Representatives [...] to Wave Hill Station, Libanungu and Daguragu', *Wave Hill Station—Matters Affecting Aborigines*, 13–16 June 1973, NDW 72, 1049.

⁵ Middleton to Oke, 19 July 1974, Oke Personal Collection; Oke to Nitschke, 12 August 1974, Oke Personal Collection.

build the pit toilets at Wattie Creek, was concerned that when his Department considered the viability of Muramulla and other proposed (Aboriginal) cattle enterprises, ‘European priorities [were] being looked at, rather than Aboriginal [ones]’.⁶ He continued:

Vincent and his people are more interested in getting back some of their former land, where they can sit down and enjoy their ceremonies, eat their own beef, turn off enough cattle to provide for the necessities of life as they see it, and work at their own pace.⁷

That the ‘cattle’ vision of the Daguragu elders was more modest than that assumed by the officials and consultants gathered on Wave Hill Station in 1973 was an opinion shared by David Quin, the outsider most intimate with the Muramulla group at the time. Quin noted that while the Gurindji men were very keen to buy horses and a small cattle herd, they ‘don’t consider there is a need to buy a large number of cattle to stock the area (makes it a bit hard to explain to outsiders)’.⁸

This emergent disjuncture between the Gurindji elders’ vision for their cattle enterprise and that of their government interlocutors was little acknowledged. In the self-justifying rush to remedy social injustice which attended self-determination policy implementation, the observations of junior officers and advisers such as Doolan and Quin were ignored. To acknowledge the Gurindji elders’ potential inability to operate a profitable cattle business, or their lack of interest in doing so, would have deprived the government of a definite, identifiable plan to provide the Gurindji with their land, potentially entailing significant political cost and practical impediment to the government’s resolution of ‘the Gurindji issue’. Files show that to avoid this, the DAA and its ministers were keen to accommodate the pressure applied on them by activists to expedite the excision of a pastoral leasehold to the Gurindji.

Accepting the findings of the AACM’s report, the DAA continued to hastily organise the excision and transfer of the Gurindji’s land on the basis of its putative profitability during 1974.⁹ The opinion of the Gurindji’s familiars about the modesty of the elders’ cattle vision did not change, however. Before the Muramulla Company received its leasehold, Vincent

⁶ NAA, NDW 72, 1049.

⁷ Darwin, NAA, ‘Visit of AACM Representatives [...] to Wave Hill Station, Libanungu and Daguragu’, *Wave Hill Station—Matters Affecting Aborigines*, 13–16 June 1973, NDW 72, 1049.

⁸ David Quin to Rob Oke, 2 April 1973, Oke Personal Collection.

⁹ The story of the excision of Daguragu lease from Wave Hill Station is told more fully in Chapter Five on Land Rights.

Lingiari still harboured doubts about the large size of the cattle project proposed by the DAA. These were not expressed to the DAA or the public:

Unfortunately, [the Gurindji elders] have always said they wanted the cattle station. I think if they had known what a tremendous worry it all has been, and the big price they have paid, I don't think they would have gone on the same path. I have spoken about this with Vincent [Lingiari], and he told me he thinks it is 'too big', i.e. too hard. I told him that now they are on a road, and it's hard to get off. He saw this, and said that he hoped the younger men coming on would help shoulder the burdens [...].¹⁰

By 1975, it would appear that the fundamental expectations of operating a mainstream cattle business were apparent to Lingiari and the other elders. Lingiari deemed these, on the area the elders had sought, much 'harder' than the vision he and his coterie had previously entertained. To publicly acknowledge this would have directly undermined the 'viability' justification upon which the Gurindji's proposed lease then being excised from Wave Hill Station, and upon which the Muramulla Company would receive its funding.

If the elders had been canvassed about their understanding of financial 'viability', it is likely that this would have revealed another disjuncture between their vision of Muramulla's development and purpose and that of their interlocutors. In the absence of statements to the contrary, we can assume that the Gurindji leaders intended that their cattle operation would provide any Ngumpit family who sought it with food and an income. Yet in the industry model upon which their Company's funding was based, fewer than a dozen or so individuals were commonly employed on each station, and profits were marginal. Furthermore, the number of employees was decreasing. Compounded by the mutual confusion and

¹⁰ My interpretation differs from Culley's in that I believe it is probable that by choosing the phrase 'too big' to describe the Muramulla enterprise, Lingiari was indicating that the difficulties he perceived with the project were related at least in part to its size. He and his group had chosen the excision area to support themselves with cattle and potentially small scale mining, but now that the *type* of operation they would be required to operate was more apparent to them, Lingiari apparently doubted whether Muramulla could realistically conduct its business over the entire lease. It is worth noting too that Culley and any other supporters aware of the Gurindji leaders' doubts would have been reluctant to relay these publicly as the activists themselves had contributed significantly to the 'path' of incorporation taken by the Muramulla Company and its receipt of funds and the P/L 805 area etc. It is thus likely that Culley *et al* would have felt some personal responsibility regarding the way in which the cattle enterprise was being realised (i.e. the 'road' and 'path' Culley refers to), although they were unrestrained about critiquing them privately. Culley to Wesley Smith, undated [February 1975], Wesley Smith Personal Collection.

assumptions I have described regarding the justification of the Gurindji's land request and the proposed purposes to which they would put their land, this disjuncture between the *financial* 'size' of the cattle business envisaged by Gurindji elders and their governmental interlocutors would create a source of debilitating conflict for the company, as we shall see. The disparity of the Wattie Creek group's imagined means of self-determination regarding cattle, and the state's efforts to enable that vision of the Gurindji's would prevail.

7.2 The Governmental Rationale for Support

Once the Gurindji elders' cattle aspirations became discernible to non-Indigenous Australians, the form provided by the Aborigines' interlocutors to assist those aspirations' realisation was that of an incorporated proprietary company. When sympathetic politicians and bureaucrats adapted the legislative machinery of the settler state to do so, that company was vested with the responsibility of a lessee for the funded, provisional management of a large body of alienated Crown Land. The Daguragu Pastoral Lease granted by the Whitlam Government (as codified by the *Northern Territory Crown Lands Ordinance (1971)*) determined the tenure and terms, and thus the nature and timing of the Gurindji Company's improvements. Conditions placed on the Company's receipt of significant amounts of funding determined that the lessee would also direct its energies towards the production of profit in the open market. These arrangements were contingent on the basis of government projections that the Muramulla Company would be able to return a net profit, given the correct financial and 'technical' (practical) support and monitoring. The Whitlam and Fraser Governments therefore committed themselves to provide the Muramulla Company with financial support only until that profit was obtained. Thus the Establishment Phase (1976–79) of the Muramulla Company began.

While the Whitlam Government rushed to support the Gurindji with funding on the basis of its self-determination and Aboriginal Land Rights policies, to apportion those funds in 1975, the Department of Aboriginal Affairs applied six criteria to its large developmental grants: precedents for government assistance; benefits to the community; consultation; implications of the request *not* being met; eligibility; and economic feasibility. In Figure 2, these are presented [in bold], and the responses to each of DAA Project Officer Barry Hansen are quoted in full. The effects of the governmental assumptions revealed in this document

about the motives and the shared knowledge of Muramulla and other Aboriginal cattle project proponents are observable in the subsequent analysis.

1. **Precedents for Government Assistance:** The Government has previously supported pastoral projects for Aboriginal community enterprises e.g. the Murin, Unia and Yugal cattle projects. In addition, the Government has accepted the Gurindji claim to the land and has promised to support the project;
2. **Benefits to the community:** The project will provide both regular and substantial employment and also provide significant long-term financial benefits, [such as] improved services for the community, resulting from the generation of funds from the pastoral project;
3. **Consultation:** Departmental officers have been in close liaison with the Daguragu Community, and the proposal is in accordance with the desires and ambitions of the community;
4. **Implications of the request *not* being met** [emphasis mine]: If the government did not provide funds to develop this area, the community would be most disappointed and perhaps even feel betrayed. There would undoubtedly be national publicity;
5. **Eligibility:** The Muramulla Company has nine Gurindji people as directors, each holding a one dollar share in trust for the Muramulla Gurindji Association, which represents the full Aboriginal community at Daguragu. Thus the Muramulla Company is eligible to receive assistance from the government;
6. **Economic feasibility:** The area involved was formerly part of the Wave Hill Station and this country is suitable for a pastoral property. Wave Hill Station has operated successfully for a number of years and the only factor that would vary the viability of the Muramulla Gurindji project from that of Wave Hill Station is its size. [...] The fact that [the Department of Northern Australia has] divided Wave Hill Station lease may be construed as indicating that they consider the Muramulla Gurindji lease as being sufficient for a viable pastoral project.¹¹

¹¹ Darwin, NAA, *Muramulla Gurindji Company—Pastoral*, 1975–79, E460, 1975/137.

Figure 2. DAA ‘Report on Application for Funds’, 1975. (Aboriginal cattle project funding assessment, Muramulla Cattle Company).

Although their purpose was to serve as an object of funding assessment for an essentially industry-traditional cattle station to be operated by the Gurindji on their leasehold, the Project Officer’s responses to the six criteria collectively comprise an apologia to their own foregone conclusion: that the Whitlam Government would substantially support the Gurindji’s Muramulla operation. My comment on each follows:

1. **Precedents for Government Assistance:** The use of government assistance ‘precedents’ to justify the provision of further government assistance is largely self-supporting.
2. **Benefits to the community:** The ‘benefits to the community’ perceived by the DAA are listed without any evidence. They are apparently justified by the assumption that a private company (Muramulla) should or could legally fulfil a (municipal?) service provision role within a ‘community’.
3. **Consultation:** As I have described, in hindsight it is possible to see that the consultation conducted to date by Departmental officers did not reflect ‘close liaison with the Daguragu Community’, and neither had it successfully identified the actual nature of ‘the desires and ambitions’ of the ‘community’.
4. **Implications of the request *not* being met:** *‘If the government did not provide funds to develop this area, the community would be most disappointed and perhaps even feel betrayed. There would undoubtedly be national publicity’.* This highlights that while Wattie Creek had been the object of the ALP’s remedial intentions for eight years, the bureaucracy was under significant pressure to resolve the Gurindji’s situation as quickly as possible.
5. **Eligibility:** As this thesis demonstrates, in the light of Gurindji dissociative pressures, any claim that an organ derivative of the elders’ Muramulla Company (or any other incorporated body) is representative of ‘the full Aboriginal community’ at Daguragu is highly suspect.
6. **Economic feasibility:** The claim that the Gurindji leasehold was ‘suitable for a pastoral property [because] Wave Hill Station has operated successfully [on it] for a number of years’ fails to take into account the variability of country within

a financially viable pastoral lease. The area excised by the Vestey company for the Gurindji comprised the poorest country, in pastoral terms, of Wave Hill Station.

The origins of many of the Muramulla Company's subsequent misfortunes can be gleaned in incipient form among the DAA's elisions and oversights within this official justification of the Company's initial funding. Together, the justifications of the DAA cited above tend to confirm that the government believed that the use to which the Gurindji would put their lease had already been decided, and that this understanding had been developed with the Gurindji's full knowledge and participation. This sentiment may have matched the rhetoric of self-determination, but claiming that the proposed legal and financial terms of the Muramulla 'proposal is in accordance with the desires and ambitions of the community' was disingenuous. While it was true that one of the Gurindji elders had said he envisioned 'a big station [...] same as other people have got it', there is no evidence that the full financial management, property development and corporate governance implications of such statements had been explained to the elders, nor the extent to which the industry itself had changed in the decade since they had terminated their routine employment in it.¹² Admittedly, conversations had taken place between the Muramulla proponents and DAA and AACM staff in which a conventional pastoral station/business model had been proposed to the old stockmen, yet this did not include the time-consuming, expert-facilitated process required to develop a shared understanding of what this might mean for the Gurindji. Indications of the elders' assent to, and incipient comprehension of, some aspects of the AACM/DAA pastoral company vision had been observed (the justification, presumably, of Hansen's claim that 'the proposal is in accordance with the desires and ambitions of the community'), but the government had its own extant motivations to promote a 'non-Aboriginal' model of animal husbandry to the Gurindji. Two years earlier, DAA staff had opined:

¹² Committee of Muramulla Gurindji Company to Managing Director of Vestey's, 12 December 1970, Oke Personal Collection.

The manner in which the Gurindji [operate] the project will [...] depend on the terms of the Government making finance available for securing the lease and establishing the project.¹³

To those in the bureaucracy's inner workings, in other words, consultation about the Company's 'manner' of operation was ultimately unnecessary. According to its internal reasoning, the government could create an 'Aboriginal' project simply by providing it with that labelling. Further, according to the DAA:

The basis of costing and income estimation are determined as for a non-Aboriginal project. It is probable that the income of an Aboriginal-operated project will be less and the costs greater if professional management is not provided [emphasis mine].¹⁴

Hence a 'non-Aboriginal project' model was imposed upon the Gurindji with the attached condition of two literate, management-experienced, pastoral industry advisers to guide them, and/or, simply to make the resultant enterprise work. For the DAA and the various governments which would deal with the Muramulla Company, financial accountability was paramount. The means by which it was achieved and the extent to which they involved the Company's Gurindji management were functionally unimportant.

7.3 In/commensurability: the knowledge of elders and their interlocutors

In the above, I have shown that among Muramulla's Gurindji proponents and its government interlocutors, there were fundamental misunderstandings and an absence of clarity about the elders' reasons for choosing the land area that was excised on their behalf, the purposes to which they intended to put it, the number of individuals the enterprise could sustain, and the specific nature of the business which the Whitlam Government began funding the Gurindji to operate. From the government's perspective, the success of their cattle management depended on the elders' ability to create a profitable enterprise. This brings us to a critical issue: what did the Gurindji elders understand about the governance and financial requirements of the business that was created to assist them to realise their aspirations

¹³ Darwin, NAA, 'Muramulla Gurindji Co Pty Ltd', *Cattle Mustering Venture* [...], 12 September 1973, (F1) 1975/4091.

¹⁴ NAA, (F1) 1975/4091.

regarding cattle? In the following, I will explore the question of the Gurindji elders' relevant economic/ financial and practical knowledge.

After building their own cattle yard in 1972, the Gurindji were ready to purchase their herd and horse plant. Abschol Adviser David Quin busied himself with assisting the senior men to buy cattle and horses from local pastoralists. Gurindji supporters were concerned that without expert advice, the Muramulla board might be 'taken down' by profiteers. '[...] Evaluating and negotiating the purchase of stock at current market prices is a totally new experience for them', Jean Leu observed. She asked Donald Nangiari—then a prospective Manager of the company—how much the Gurindji had paid for their first acquisitions. 'Five dollars for some, ten dollars for others', he replied. Later, however, Leu ascertained that the six horses bought from locally-based contractor and Gurindji friend Jack Noble had come at the market price—\$100 (\$990) each—making a total cost to the Gurindji of \$640 (\$6,300).¹⁵ Pending specialised and intensive training for its Board, the Company's reliance on third party numeracy and economic knowledge to conduct its affairs—and the elders' determination to manage those affairs themselves, as much as possible—placed it in an invidious position.

The economic knowledge required of the Company's management was far more extensive than purchasing and sales. After the AACM's brief inspection of the land sought by the Gurindji in 1973, their DAA and AACM interlocutors attempted to ascertain that Lingiari and his coterie were cognisant of the industry's market-focused business precepts. DAA staffer Jack Doolan reported:

It was explained to Vincent that after the initial setting up of the station with assistance from government, it was expected that wages would be paid by the [Muramulla] company to its employees and that this money would have to come from the profit of cattle turned-off [sold].¹⁶

Lingiari affirmed his company's management abilities, replying that he felt sure that Muramulla would be able to pay staff wages from the profit made on selling cattle.¹⁷ Whether he believed this, or saw his assurance as necessary to obtain land, is unknown. Later

¹⁵ Jean Leu to Rob Oke, Oke Personal Collection, 2 June 1973.

¹⁶ Darwin, NAA, 'Visit of AACM Representatives [...] to Wave Hill Station, Libanungu and Daguragu', 13–16 June 1973, *Wave Hill Station—Matters Affecting Aborigines*, NDW 72, 1049.

¹⁷ *ibid.*

experience showed consistently that the elders chose to employ more staff than the company could afford.

As board members of a proprietary company, the Gurindji elders' were required to contribute significantly to Muramulla's organisational governance, or at least maintain the appearance of doing so. There was nothing in their past that could have equipped them to provide the financial oversight required of a normal company directorship, and therefore self-determination policy regularly required mistruths and elisions from them, solicited by those working in their name. These circumstances led to the creation of implausible 'Directors' Reports', which included statements such as the following, signed by Donald Nangiari and Jerry Rinyngayarri:

The Directors submit the accounts of the Company and report as follows: [We have taken] reasonable steps, before the profit and loss statement and balance sheet were made out, to ascertain what action had been taken in relation to the writing off of bad debts and the making of provisions for doubtful debts [etc].¹⁸

For such statements to accrue any veracity, Muramulla's Gurindji directors would need significant training in literacy and business. But while the project's proponents presumably increased their understanding of such matters thanks to their regular board meetings with the Company's Consultant (in which business and financial management were sometimes discussed), no training was proposed.¹⁹ In actuality, no individual or section within the company and its support apparatus possessed the local, financial, entrepreneurial, pastoral, ecological and Gurindji/ social knowledges required to ensure its successful operation. Instead of systematically explicating these bodies of knowledge and attempting their integration within the organisation, members of its advisory, funding, staffing and operational arms attempted to retain dominance over the areas of the company's operation

¹⁸ Darwin, NAA, 'Muramulla Gurindji Co Pty Ltd—Directors Report', *Cattle Mustering Venture* [...], 1 June 1977, (F1) 1975/4091.

¹⁹ Darwin, NAA, 'Muramulla Gurindji Co P/L Report [...]', 5 September 1977, *Muramulla Gurindji Cattle Company, Part 2*, E460, 1981/256. Specialised training for Aboriginal pastoral directors did not occur in the NT until the early 1990s. See Stuart Phillipot, 'Understanding Whitefella Secret Cattle Business', in *Working on Country: Contemporary Indigenous Management of Australia's Lands and Coastal Regions* ed. by Jocelyn Davies, Richard Baker and Elspeth Young (Melbourne, Oxford University Press, 2001), pp. 199–213, (p.202).

which they perceived themselves to have authority, and to assert their opinion and methods onto others.

Most commonly, these conflicts played out along ‘Gurindji’ and ‘*kartiya*/ modern’ lines. Following the departure of the Company’s non-Indigenous adviser in 1979, these tensions erupted. During the following season, instead of conducting all its musters on horseback as it had done in the past, helicopters and light aircraft were used.²⁰ Helicopter mustering was much more arduous for the Muramulla stock, which were unused to the new machines, and, twenty cattle died.²¹ Later, the Gurindji cattlemen vowed that the Company would never muster by plane again. Their resolute refusal to embrace the practices of the modernising industry may be read as their failure to appreciate the economic prerogatives with which the financial ‘viability’ of their enterprise forced them to contend. Equally, the event indicates the failure of the DAA to appreciate or accommodate the elders’ true motives in ‘running cattle’. It may also be understood as a public ‘statement’ affirming the elders’ own abilities and their strong belief in cattle work’s value for their sons and nephews—whatever the cost.

As noted, the Company’s approach to employment was also characterised by perennial tension and conflict. Muramulla’s few financially numerate employees were concerned not to exceed the limited funds at the company’s disposal for wages. The board, on the other hand, saw the employment of all the Ngumpit men who sought work with them as its priority. After the Company’s receipt of its initial operational grant in 1975, eighteen individuals were employed, and John Edey warned that the large payroll this required would drain the company’s accounts.²² DAA officers agreed; pressure was exerted by the Department to temporarily reduce the working hours of employees.²³ Such steps were resented by the Muramulla board. Pincher Nyurrmiarri soon complained to the Minister that the government’s miserliness was forcing the inaction of willing staff:

²⁰ Darwin, NAA, ‘Report and Financials [...], September 1978, *Muramulla Gurindji Cattle Company*, E629, 1978/7/7581; Darwin, NAA, ‘Report and Financials [...], January 1979, *Muramulla Gurindji Cattle Company*, E629, 1978/7/7581.

²¹ Darwin, NAA, ‘Report on Inspection of Pastoral Properties [...], 12–16 September 1979, *Muramulla Gurindji Cattle Company*, E629, 1979/7/7856.

²² Darwin, NAA, ‘Minutes of a Meeting [DAA]’, 21 December 1976 and ‘[...] Daguragu Station Progress Report [...] 9/75–3/76’, *Muramulla Gurindji Cattle Company Part 1*, E460, 1981/256.

²³ DAA to Edey, 27 October 1976, NAA, E460, 1981/256.

[...] We got only four blokes working as ringers in the stock camp, because we got a letter from the government and they cut off the money. How are we going to work the station? We got plenty of cattle. We should have a lot of men working like Ralph Hayes has in Wave Hill Station. [...] A lot of the Aborigines don't work now because the money was cut off. [...] We are just sitting around like a big mob of dogs [...] We worked for the station manager all our life, we were good enough to help them, but the government can't help us now.²⁴

The Muramulla board's ongoing desire to provide work for all Ngumpit who wanted it caused difficulties for their Advisory staff. With John Edey's approval, the Muramulla Co. employed thirty-seven Gurindji for various periods in 1978–79, at a cost of \$60,000 (\$304,000).²⁵ To his DAA interlocutors, this signalled Edey's tendency to 'overspend', which they believed needed to be 'controlled'.²⁶ The Company's funding bodies were simply unreceptive to requests from it for more funds for staffing. Instead, government interlocutors from Minister Viner downwards took the view that the unemployed of Kalkaringi and Daguragu remained so by choice.²⁷ The DAA and ADC's public servants saw the employment of 'excess' staff as an internal matter for Muramulla at such time as it had raised sufficient profit. As we have seen however, indiscriminate hunting and the Company's failure to meet the conditions imposed on it by BTEC meant that Muramulla's progress towards reaching its lease's carrying capacity was massively curtailed and the Company was liquidated before it reached a point of profitability. The conflict between Gurindji and official priorities regarding Muramulla's staffing was never resolved.

Unlike governance and finance, those areas in which the elders' knowledge was lacking, the old men had a significant advantage over their *kartiya* staff and advisers when it came to Muramulla's physical operations. Their knowledge of their leasehold was encyclopaedic, and by all accounts the group possessed top quality fencing, drafting, mustering, droving, broncoing, yard-building and horse-breaking skills. Their intimate

²⁴ Darwin, NAA, Numiari [sic] to Viner, 8 August 1976, *Wave Hill Centre: Policy and Development*, E460, 1981/306.

²⁵ Darwin, NAA, 'Report and Financial Statements [...]', 30 June 1979, *Muramulla Gurindji Cattle Company*, E629, 1978/7/7581.

²⁶ Darwin, NAA, 'Edey to Kimmings [DAA]', 7 March 1978, *Muramulla Gurindji Cattle Company Part 2*, E460, 1981/256.

²⁷ Darwin, NAA, Viner to Numiari, [sic, Undated], *Wave Hill Centre: Policy and Development*, E460, 1981/306.

knowledge of the country also gave them great insight into land management, as this letter written from David Quin to Rob Wesley Smith in 1973 describes:

I talked to Vincent about the fencing and paddocking ideas you suggested for conserving grass and increasing fertility in the herd. He realises the need is there and so it is a case of putting it into practice. [...] He told me how they would do this before I myself had anything much to say.²⁸

Later, during Muramulla's Productive and Consolidative Phases when the Company was forced to employ non-Indigenous staff with expertise in land management, the elders' feared that Gurindji knowledge, and they themselves, might become irrelevant to the Muramulla enterprise.

7.4 Mandated External Support

The decision of the Department of Aboriginal Affairs to mandate the employment of external advisers by DAA-funded pastoral companies demonstrated an uncertainty within self-determination about how long the tutelary phase should last—that is, when advisers should withdraw. Although there was universal agreement that *some* sort of support was required from beyond the elders' ranks, the nature of that support and who should provide it were hotly contested. Officials accommodated the preferences of the Muramulla Company board where they could, but forced the Company to retain an Adviser and Consultant permanently on the Muramulla payroll.

During the Muramulla Company's Consolidative Phase, Lingiari was of the opinion that if the company could employ a bookkeeper, the operation would function well enough under Gurindji management. For this role he nominated Abschol appointee David Quin.²⁹ According to DAA staffer Jack Doolan though, 'they had their horse breaker picked out, they had their yard builders picked out, and they had their manager picked out. They didn't want anybody'.³⁰ There is every indication that this position of the Gurindji elders—that the

²⁸ David Quin to Rob Wesley Smith, 4 April 1973, Wesley Smith Personal Collection; David Quin, Personal Communication, 4 October 2013.

²⁹ Darwin, NAA, 'Visit of AACM Representatives [...] to Wave Hill Station, Libanungu and Daguragu', 13–16 June 1973, *Wave Hill Station—Matters Affecting Aborigines*, NDW 72, 1049.

³⁰ Darwin, NTAS, 'Jack Doolan Oral History Interview Transcript', NTRS 226, TS 193, p. 44.

role of *kartiya* staff should be limited to financial matters—remained unchanged during the Company’s life.

The contradictory opinion of the Gurindji’s governmental interlocutors was similarly entrenched. In 1973, Len Ibbetson, the first DAA Community Adviser posted to Kalkaringi, opined that ‘it would not be possible for the Gurindji people to run an *economically viable* cattle project without *competent management* from an outside source’ [emphasis mine]—an opinion with which his Departmental colleagues agreed.³¹ During the following decade or more, each of the Company’s institutional supporters—the DAA, the ADC and the NT DPP—concurred. In the latter half of the 1970s during Muramulla’s Productive Phase, contention over the issue of outside support continued, although it was kept largely in check by shared optimism about the enterprise’s future among the personalities then involved.

In 1979, the Company’s first tenured ‘advisor’, Stan Andrews resigned, and overt conflict between the Gurindji elders and government officials over the role and contribution of its mandated employees became entrenched. Consultant John Edey, whose workload increased dramatically after Andrews’ departure, was of the opinion that ‘[the Gurindji] are not able to adequately manage their cattle station at this time without competent resident assistance’ and further training, and that Andrews’ position required filling immediately.³² He reported that the Gurindji were of the same view, as articulated in their meetings and discussions with him. When Trevor LaBrooy of the DAA discussed the issue with the directors however, LaBrooy concluded that ‘Donald and all others including Victor Vincent were adamant that they did not require a resident European adviser/manager’.³³

Jerry Rinyngayarri and Donald Nangiari fought for a Gurindji man to take up the Company’s cattle advisor role, and their relationships with their public service ‘friends’ became strained as a result. While the company’s bureaucratic intermediaries considered who should ‘advise’ the Gurindji, the Muramulla Board were again largely excluded from the public servants’ discussions. The NT Department of Primary Production proposed one of its own staff for the role, and to drive home the point that no Gurindji person would get the job, the ADC announced that it was unwilling to fund the company unless they employed

³¹ ‘Visit of AACM Representatives [...], NAA, NDW 72, 1049.

³² Darwin, NAA, Edey to LaBrooy, 19 July 1979, *Muramulla Gurindji Cattle Company*, E629, 1979/7/7856.

³³ LaBrooy to Edey, 17 July 1979, NAA, E629, 1979/7/7856.

a properly qualified (or non-Gurindji) adviser.³⁴ Unable to identify a Gurindji candidate acceptable to the DPP and ADC authorities, the Muramulla board instead sought a *kartiya* adviser seasoned in the ways of the cattle industry and with whom they were familiar.³⁵ The person chosen by the elders was long-term stockman Buck Buchester. When Buchester was later sacked by the Muramulla board for his insistence on mustering by helicopter, according to Stan Davey, the dismissal had barely taken effect when ‘three departments of the Darwin administration descended on Wattie Creek to force [the Gurindji] to give Buck his job back’.³⁶ Even though the Board’s retrenchment signalled their specific dissatisfaction with Buchester, the episode highlights the significant difference between Gurindji and bureaucratic ideals regarding the Company’s management. This was a challenge which the elders were structurally unable to overcome, and they duly reinstated their former employee. Such eventualities were undoubtedly what Vincent Lingiari had in mind when he even-handedly said in 1985 that the government was ‘using their bag of tricks to stop us running [Muramulla] we own way’.³⁷

7.5 In/commensurability: the elders’ aspirations and social dissociation

Regardless of the significantly ‘European’ composition of the operation the elders were encumbered with by virtue of their company’s funding terms, as with the facilities of their proposed community, the elderly proponents of the Muramulla cattle operation intended that the management of their cattle enterprise would be transferred to the younger generation. This supposition became problematic, however. Like their broader project of intergenerational transfer, the Muramulla Company was affected by the widening generation gap and social dissociation among the Gurindji described in Chapter Four.

Working in the cattle industry in decades past had provided Gurindji elders with a purposeful livelihood, and the only ‘mainstream’ forum in which they were able to successfully compare their (usually advanced) skills with Europeans. It may be assumed that the elders’ drive to create a successful cattle operation on their country was motivated by

³⁴ Darwin, NAA, Westbury to Casey [DAA], Community Review [...], 16 July 1980, *Wave Hill Community Development*, E460, 1978/242.

³⁵ Darwin, NTAS, Mick Rangiari Interview Transcript, October 1986, NTRS 226, TS 485, (T4), p. 27–29.

³⁶ NTAS, Darwin, Transcript of Interview with Stan Davey, October 1986, NTRS 226, TS 462.

³⁷ Frank Hardy, ‘In Fear of a Town Called Welfare’, *The Bulletin*, 24 September 1985, pp. 64–74 (p. 69–70).

these two benefits. The old men would also have been extremely aware that traditional pursuits and systems of value were becoming increasingly peripheral and extraneous in their people's rapidly changing life-world. As the elders did not propose alternative avenues by which subsequent generations, particularly of men, might achieve such purpose and self-worth, it appears that working cattle was the only means of achieving these things which the elders perceived.

The corollary of these intentions was that their cattle enterprise should provide employment to a large number (how many was not defined) of Gurindji workers. Especially during its Consolidative and Productive phases (1970–80), there is evidence that a reasonable number of men saw this work as desirable. A frequent oversupply of labour during the late 1970s reveals that the physical day-to-day operations of the Company's workforce functioned as an arena in which men vied for recognition of their social status, and in which European and Aboriginal knowledges frequently found functional coexistence. Physical skill, seniority in Aboriginal law, organisational/hierarchical rank and capability in the English language and *kartiya* culture comprised the indicators upon which individuals staked their claims to authority within the Company's workforce. The importance and complexity of these processes was increased for their Aboriginal protagonists because the gerontocratic system of traditional law was itself in a process of renegotiation in the new 'self-determining' communities. The project of self-management required that the administrators of such communities should identify and foster the articulation of an Aboriginal identity which they deemed both representative of, and receptive to, the government's remedial ambitions. Often the individuals identified for these purposes were younger and/or more fluent in English than the leaders of Aboriginal tradition. At the same time, as we have seen, European school education, greater fluency in English and higher wages were giving young people new grounds for autonomy—and a new basis from which to contest the authority of their elders. Initiatives such as the Muramulla Company—which valorised Aboriginal pastoral skills and knowledge in a largely *kartiya*-defined forum—created an environment in which young Aboriginal men sought to reposition themselves in regards of both their elders' authority and a nominal 'pro-Aboriginal' European socio-political program of development. The Europeans in the midst of this renegotiation bought with them their own hierarchy of value, which often varied from that of both their Aboriginal interlocutors and the precepts of the policy they were required to operationalise.

In light of these factors the emergent interpersonal dynamics of the Muramulla organisation are better understood. As the precepts of self-determination required, during his employment from 1976–79, Stan Andrews’ designated role in the Muramulla Company was to act as an ‘adviser’—not a ‘boss’—to its Gurindji directors. A ‘quiet’ personality, according to those who knew him, he refrained from giving orders to the Gurindji.³⁸ While this approach aligned with government policy, it contradicted popular European perceptions about Aboriginal agency. Many *kartiya* at the time believed that advisory positions such as Andrews’ were in reality designed to provide Aboriginal people with the ‘management’ (direction) that they were unable to provide themselves. According to Andrews’ widow Bev, her husband (and Nangiari) negotiated this paradox adroitly with the Gurindji stockmen:

They’d have a meeting every morning. Stan used to advise them about what jobs needed doing but he didn’t actually say ‘Do this, do that’. He used to say ‘Well this is what needs to be done’, and the old fellow [Donald Nangiari] who was actually given the role of Cattle Manager, he’d just say to the boys: ‘I want this done, I want you to go out and check that bore, that fence’, and that’s what they did, and they all got on pretty well.³⁹

Andrews’ respectful approach to Gurindji knowledge and social authority may be linked to the Company’s relative stability and unity during the late 1970s, but this alone failed to ameliorate the effects of Gurindji dissociation among its Aboriginal staff. Although the relationships developed by Nangiari, Andrews and the Gurindji stockmen allowed their company to ‘work’, Jean Culley perceived difficulties accompanying the insertion of *kartiya* into the Gurindji men’s company and Company—in which ‘cultural’ power struggled to assert itself:

Just by being around, Stan creates a conflict in authority with Donald. There have been several bust-ups in which Donald threatened to leave [...]. There’s ‘industrial trouble’, [...] almost a ‘class struggle’ between Donald and the [Gurindji] stockmen over wages and conditions. Now [...] the younger stockmen go to Stan and complain about Donald

³⁸ Gwen Dickman [nee Moore], Interviewed by Charlie Ward 19 November 2013.

³⁹ Darwin, NTAS, Interview with Bev Andrews, Recorded by Charlie Ward, November 2012, NTRS 3609, BWF 40.

or Jerry and [this] put[s Stan] in a very difficult position of having to (or having to avoid) defining himself in a hierarchy as regards them.⁴⁰

In other words, Andrews' position in the Muramulla Company provided those young men keen to undermine traditional authority with an important forum to attempt to do so.

Since the idea of a Gurindji cattle operation had first been advanced in the late 1960s, an integral part of the vision expounded by its proponents was that young Gurindji men would participate in the operation, learn from their elders and provide a skilled and reliable labour pool, ensuring the company's survival. This project was undermined in two ways. Firstly, the anomalous labour conditions of the Aboriginal pastoral sector provided a range of disincentives to young Gurindji men who worked or who may have wished to work in the industry. Secondly, the perception of pastoral work among Gurindji youth was negatively influenced by the broader trend of Westernisation then underway. I will return to the impact of Westernisation, in the form partly of sedentary domestic life, soon. First though, I will outline the impact of the Company's unappealing, Aboriginal pastoral sector-specific work conditions.

For those 'new generation' Gurindji men who did work in the cattle industry, Muramulla was often not their employer of choice. One obvious reason for this was by the early 1980s, many of those who wanted to work for Muramulla did so via participation in Daguragu Council's federal government-subsidised Community Development Employment Projects (CDEP) scheme. Via the council's participation in CDEP, a subsidised allowance was paid to company staff. The amount was short of the award paid on mainstream commercial stations. According to Billy Bunter, who took on the company's 'manager' role from Jerry Rinyngayarri in the mid-1980s:

Nobody got proper wages [...] it used to be voluntary work. We were saving to build up the station, to get that station running. For four or five years [we] only had a little bit of money for fuel, maybe some repairs. We had to put money aside to get the cattle company going, to work on the troughs and putting up fence. We had a lot of our young people and older blokes working under CDEP. As long as they were receiving CDEP,

⁴⁰ Sydney, Library of New South Wales (hereafter SLNSW), Culley (Melbourne Gurindji Group) to Middleton, 24 February 1976, in *Gurindji at Wattie Creek (Daguragu), Northern Territory*, Hannah Middleton Papers, c. 1966-1976, MLMSS 5866/15.

that was enough, to work for our country. To get proper wages, we had to sell the cattle out, to make that money from cattle.⁴¹

Not all local men were happy with the situation. According to Kerry Gibbs, who spent time with the Muramulla proponents in the mid-1960s and visited them occasionally in the 1980s, ‘most of the young men took off [from Daguragu] to work on different stations and to do different jobs’.⁴² Pincher Nyurmiarri’s son Charlie Pincher was one itinerant Gurindji stockman, and like others his prestige grew among his peers when he returned home with his newly accumulated wealth. Gibbs believes that Charlie and others had good cause to leave Daguragu:

To sit around the camp, chase cattle and see no actual [financial] reward—it’s a pretty good reason to say ‘Well bugger this, I’m out of here. I’ll go where they pay me’.⁴³

The then manager of Wave Hill Station Graeme Fagan supports Gibbs’ assessment. Although the number of Gurindji staff working on the Vestey property was in steady decline, according to Fagan, some of them told him in 1986 that [unlike the Muramulla Co], ‘if you work for Vestey’s, you get paid. Three feeds a day and a house to live in—paid!’⁴⁴

While the few young Gurindji men who were serious about cattle work increasingly sought employment elsewhere, interest declined further among the majority who remained. According to observers, by the 1980s, the poor commitment and inconsistency of those who *did* work for the company was a problem. Graeme Fagan believes that the variable motivation of its staff was a factor in Muramulla’s decline:

‘Flexible’ staffing arrangements—morning shift, afternoon shift and ‘no shift’—they had some really good guys who turned up, and then all the others who came and went, who watched and didn’t do much. It was just a hard slog.⁴⁵

⁴¹ Bunter’s description apparently reflects funding cuts applied by the ADC to Aboriginal pastoral enterprises. NTAS, Bunter, NTRS 3609, BWF 26.

⁴² Darwin, NTAS, Interview with Kerry Gibbs, recorded by Charlie Ward, September 2010, NTRS 3609, BWF 18.

⁴³ *ibid.*

⁴⁴ NTAS, Fagan, NTRS 3609, BWF 42.

⁴⁵ *ibid.*

Similarly, Norm McNair's perception was that by the mid-1980s:

There wasn't that much enthusiasm, I guess this breakdown was occurring, enthusiasm was lost. There'd be times when they would get the cattle in and [brand] them and then there'd be great delays. Eventually a few would get together and do a bit, but the momentum really petered out.⁴⁶

In an attempt to garner the young men's engagement, Daguragu's male leaders requested an Adult Educator to organise training in stockwork for the young men. Once it was underway though, it became apparent that most of the young trainees were non-committal, or participating in the training under duress. Rather than working and camping on the nether reaches of the Daguragu lease for weeks on end as their fathers' generation had done historically, most 'new generation' fellows wished to return to their homes in the community each night.⁴⁷ This domestication was a result of the Gurindji people's recent transition to 'community' life, and one that was perhaps unexpected by the group's leaders. In addition, the increasing exposure of Muramulla's potential labour pool to a broader array of lifestyles and livelihoods was imbuing them with a different perception of cattle work to that of their elders. In the words of Gus George, who was one of the dwindling number of young men who worked for Muramulla in the early 1980s, 'the young ones [were] not interested in the cattle company side, they were interested in the footy and all that. That's why you can see this thing [Muramulla] slowly drop down'.⁴⁸ Some young Gurindji men sought work as mechanics, and others wished to complete their education rather than work with cattle.⁴⁹

As the commitment of new generation men to pastoral work declined, it is likely that their self-identification as 'track mob' did also. As these changes occurred, the elders' influence over younger men and their own cattle operation also faltered. After almost two decades residing at Wattie Creek/Daguragu, the elders' communal, aspirational values were

⁴⁶ Norm and Helen McNair [former SIL Linguists at Libanungu], Interview Recorded by Charlie Ward, March 2010, in possession of the author.

⁴⁷ Jan Richardson, Personal Communication, 2 April 2010.

⁴⁸ Darwin, NTAS, Interview with Gus George by Charlie Ward, October 2010, NTRS 3609, BWF 24.

⁴⁹ See Darwin, NAA, 'Minutes—Daguragu /Libanungu Council [...]', 15 February 1978, *Community Adviser—Wave Hill*, E460, 1974/1028; Darwin, NTAS, Interview with Michael Paddy by Charlie Ward, October 2010, NTRS 3609, BWF 30.

decreasingly desirable to the ‘new generation’.⁵⁰ The result of this convergence of events for the Muramulla Company was perhaps predictable: widespread indiscriminate predation of its cattle. If Mark Lumsden, a former government stock inspector based at Kalkaringi, is to be believed, the impact of casual hunting on the Gurindji herd size approached that of BTEC’s de-stocking. Gurindji community leaders Michael George and Jimmy Wavehill, then Muramulla employees, also believe that their countrymen ‘stealing killers’ hastened the demise of the company.⁵¹ Common thieving by young men from the ‘community’ enterprise so closely associated with their elders may be viewed as a powerful expression of the perpetrators’ social dissociation from the old men and their interests. The scale of the predation is impossible to determine, but Mark Lumsden calculated in the mid-1980s that approximately one in nine of the Gurindji’s herd were being lost to immediate consumption each year. Similarly, Muramulla’s last accountant John Trezona recalls significant and avoidable financial losses that weakened the company, like a new truck engine worth \$5,000 (\$13,000) that was ‘cooked’ on a grog run, and a \$12,000 (\$30,000) stud bull that was butchered and eaten.⁵² While the consumption of an extremely valuable bull could be dismissed as an unfortunate accident, the attack was a small instance of a phenomenon so common that both Gurindji and *kartiya* observers agree that it played a significant role in the company’s demise.⁵³

Despite their collectively declining skills and waning interest in cattle work, a decreasing number of young Gurindji men provided the Muramulla Company with the number of stockmen required by the Company during the period under review. To the extent that the industry’s decreasing need for labour matched the declining interest of young Gurindji in that industry, this was fortuitous. In addition to the elders’ desire that their Company provide jobs for Daguragu’s residents, though, was their intention that the management of the Company itself would be transferred to the next generation of Gurindji men, thereby wresting the company from European control and relinquishing their own

⁵⁰ A lack of ‘community’ support for a ‘community’ cattle venture had already inimically impacted on at least one other Aboriginal cattle enterprise. See Steven Thiele, *Yugul: An Arnhem Land Cattle Station* (Darwin, The Australian National University, North Australian Research Unit, 1982), pp. 38–39.

⁵¹ Michael George, Personal Communication, 27 October 2010, Jimmy Wavehill, Personal Communication, 16 October 2011.

⁵² John Trezona, Personal Communication, 15 November 2010.

⁵³ As a result of hunting and the de-stocking that had been enforced by BTEC, in 1986 the property was carrying only 2,500 cattle—about 20% of its potential. Darwin, NTAS, Interview with Buck Buchester recorded October 1986, NTRS 3164/295.

involvement. The transferral of power envisaged by the elders was in some regards a practical necessity, the effects of which stretched far beyond Muramulla's pastoral operations. By the late 1970s, the elders perceived their need for a transition of Gurindji power, as well as the creation of a Gurindji administrative class to meet the demands of self-management, as urgent.⁵⁴ One of the few younger men to respond to these challenges was Vincent Lingiari's son, Victor Vincent. Victor shared some of his father's key traits: a quiet persona; the fellowship of the Baptist Church; maturation in the cattle industry; and the missed opportunity of a school education.⁵⁵ The young stockman was elected to the board of the Muramulla Company at the company's AGM in late 1978.⁵⁶ He would also soon take the place of his father as president of the newly amalgamated Daguragu Council.⁵⁷

The Muramulla Board, placed significant pressure on Victor Vincent to 'step up' and manage the Company's affairs. But while Victor was concurrently being groomed by the Baptist missionary Gordon Moore as a future Gurindji leader, neither he nor any of the younger men sought to occupy a managerial role in the Company, despite the cajolery of their relatives.⁵⁸ In 1986, Mick Rangiari's gravest concern about the company was its lack of a strong Gurindji leader:

What really made me worried—you know, Vincent. Whitlam gave the dirt to Vincent Lingiari [...], and afterward one of his son, Victor [was made] a company director. But he's not here, he is way out in the bush. [...] He's supposed to take everything in his hand, he is supposed to be taking over. [...] The place is getting bigger, and someone got to really stand up and run it.⁵⁹

While Victor Vincent wasn't 'standing up and running' the Muramulla Co. with the enthusiasm Rangiari desired, the younger stockman was assuming some of the broader leadership duties previously carried out largely by his father. For several years in the mid-

⁵⁴ See Appendix A, which ostensibly reveals the commitments of community leaders to the governance of local organisations.

⁵⁵ Personal Observation; Gerritsen, 1982, *op. cit.*, p.22.

⁵⁶ Darwin, NAA, 'Report [...], January 1979, *Muramulla Gurindji Cattle Company*, E629, 1978/7/7581.

⁵⁷ Darwin, NAA, 'Situation Report [...]', 6 March 1978, *Wave Hill Community Development*, E460, 1978/242; Department of Aboriginal Affairs, *Kalkaringi—Book of the Community* (NT Division of the Department of Aboriginal Affairs, 1977, p. 8.

⁵⁸ Rev Gordon Moore, 'Wave Hill—Annual Report, 1982', Global Interaction.

⁵⁹ NTAS, Rangiari, NTRS 226, TS 485, (T4), p. 32–33.

1980s he was the Gurindji's elected representative on the Central Land Council executive and also worked for the DAA as the local Aboriginal Community Adviser.⁶⁰ To Rangiri and others though, such pursuits—and Victor Vincent's seemingly greater fondness for his traditional country at Berta Werta and planning for an outstation there—reduced what might be called the strategic management of the Muramulla operation.

7.6 Dissolution and Apportioning Blame

In seeking reasons for the difficulties faced by their company, its Gurindji proponents questioned the competence and propriety of all their former *kartiya* advisers. According to Mick Rangiri this was warranted, though it should be noted that if Muramulla's *kartiya* employees had acted improperly, they had done so—unlike staff from every other organisation at Wave Hill—without attracting the attention or censure of either the company's government intermediaries or other European residents. Nonetheless, in 1986 Mick Rangiri cast doubt on the abilities and/or the honesty of all the company's previous advisers:

Interviewer: What was [Stan Andrews] like, a good manager?

Rangiri: Well, he wasn't bin too good, you know. He must have been good in the 'nother hand, but he must have bin little bit robbing people.

Interviewer: You reckon?

Rangiri: That's what I bin reckon, you know.⁶¹

From Rangiri's perspective, Andrews' successor Bill Purdie had also been 'not too good, you know. He been bit of a rogue. [...] He wasn't been stayed too long, because if he could stay a bit longer [...], people complain about it'.⁶² The subsequent adviser Gordon Bauman, who according to my interview with him, subjugated his own opinions entirely to Gurindji prerogatives, was also criticised.

⁶⁰ *Central Land Council Annual Reports, 1983–84, 1984–85* (Central Land Council, Alice Springs), p. 26; Rolf Gerritsen, 'Blackfellas and Whitefellas: The Politics of Service Delivery to Remote Aboriginal Communities in the Katherine Region', in *Service Delivery to Remote Communities* ed. by Peter Loveday (Darwin: North Australia Research Unit, Australian National University, 1982) 16–31, (p. 22).

⁶¹ NTAS, Rangiri, NTRS 226, TS 485, (T4), p. 26.

⁶² *ibid.*, p. 32–33.

Rangiari's, Billy Bunter's and others' criticism of the professional capability of Muramulla's European staff may be warranted, for those possessing the skills required for such roles were rare.⁶³ The Gurindji's criticism is noteworthy in other ways though. Its theme is of European dishonesty, lack of communication, secrecy and/or deceit—of information being withheld. This perception may have been justified, though its implication is that the 'European' knowledge required to operate the company was not only lacked by the Gurindji men, but seemed unobtainable to them. Given that the enterprise ran for fifteen years with both Gurindji and European Australians working proximally, it is apparent that the respective knowledges and subjectivities of each group were objectively inchoate and unavailable to each party, and to the extent they were articulated to their respective 'other', they were substantially ignored.

7.7 Conclusion

By 1986, even Mick Rangiari and other Muramulla board members conceded privately that the Gurindji's cattle enterprise—and their property—was getting away from them. Muramulla remained as solicitor Geoff Eames described it, the 'strictly European legal animal' it had always been.⁶⁴ Governance training—its board members' first—was planned for the following year, but by then the Gurindji's cattle work had become an occasional, recreational-type pursuit.⁶⁵ When Muramulla was liquidated in the late 1980s, it signalled the collapse of the most valued 'fourth pillar' of Gurindji self-determination, and pre-empted the final dissolution of the self-managing aspirations that had guided the Gurindji elders' Walk-off and the establishment of Wattie Creek.

Discussion in this and the foregoing chapter has described a corporate entity built on unstable and incongruous foundations. As Eames intimates, the Muramulla operation—like others in the Aboriginal pastoral sector—was designed by government officers and their

⁶³ The capacity of the Muramulla Company's Advisers and Consultants was questioned by external observers also. Darwin, NTAS, Mark Lumsden [former DPP stock inspector] interviewed by Charlie Ward, August 2014, NTRS 3609, BWF 63; Brian Manning, 'A Blast from the Past: an Activist's Account of the Wave Hill Walk-off', (The Sixth Annual Vincent Lingiari Lecture, 2002), *Vintage Reds: Australian Stories of Rank and File Organising* <<http://roughreds.com/index.html>> [accessed 6 December, 2010], p. 13.

⁶⁴ Darwin, NAA, Eames [CLC] to Muramulla, *Libanungu/ Daguragu*, Department of Aboriginal Affairs, 19 January 1977, CA2605, E242, K9/2/3.

⁶⁵ 'Adult Education: "Know your Community"', November 1986, Richardson Personal Collection.

advisers to function, if need be, without the input or labour of its Aboriginal protagonists and supposed beneficiaries. Although the enterprise and its leasehold was created to cater to the cattle-related aspirations of Gurindji leaders, the Company's regulatory and funding framework ultimately differed little from that guiding its mainstream competitors. Muramulla's significant point of difference was the formidable scope of the mandatory 'improvement' program it accrued by virtue of its government funding. Ironically, the Companies thus established in the name of Aboriginal self-determination were subject to considerably more official engagement, intervention and regulation than their mainstream competitors. While these were provided by governments in the interests of support and accountability, they were often experienced by those companies' Aboriginal protagonists as directly inimical of their own 'rational' decision-making and authority—qualities among Aboriginal people which all parties were keen to increase. The flawed basis of the Aboriginal pastoral sector compounded the 'Gurindji' issues of intergenerational transfer and 'community' support with which Muramulla also had to contend

Ch. 8. ‘A Fragmentation of support’: schooling the Gurindji at Wave Hill

In the previous chapters, we have seen how the achievement and durability of the Gurindji elders’ land-related aims were complicated by the frequent unwillingness and inability of younger Gurindji men and women to assume managerial positions in the organisations of Wave Hill. The Gurindji elders recognised that their own ability to create a new clique of Gurindji administrators and managers was limited, and that to do so they and the state would need to provide a particular form of schooling to Gurindji children. In this chapter, I describe the elders’ intentions in this regard, and show why the failure of those intentions to be realised comprise Gurindji self-determination’s most significant disappointment.

From 1968 until the 1980s, the leaders of the Wave Hill Walk-off called for a school at Wattie Creek, a facility they saw as necessary to assist their vision of an independent homestead. While the Gurindji’s struggle for their land is well-known, community-controlled, bicultural and bilingual education also formed a key component of the Gurindji elders’ vision of achieving a largely autonomous society. As an aspiration of the Gurindji elders, ‘education’ differs from others presented in this thesis. Whereas Gurindji land rights, a cattle enterprise, and an independent homestead were all attempted by the Gurindji and officially supported by their governmental interlocutors during the self-determination policy era, the same cannot be said of the elders’ educative vision. This potential vehicle for Gurindji self-determination was never realised, or even attempted. The reason for this was not Gurindji social change or the incommensurability of *kartiya* and Gurindji knowledges, but state and federal policy and politics, and the practicalities of remote service provision. In the context of education policy implementation and the goals of Gurindji leaders, this chapter explores why neither a school, nor Gurindji-controlled education, were ever realised at Daguragu. It describes also the role that governments’ provision of mainstream

education *did* play in the lives of Gurindji people during the period, contextualising my analysis of Gurindji in/dependence in the following chapters.

8.1 A Gurindji Pedagogy

Vincent Lingiari's generation of leaders placed a high value on education, including the European education that they themselves had been denied. Reflecting on the time of his arrival at Wattie Creek in 1971, long-term Gurindji familiar Alan Thorpe explains that the camp's leaders:

[...] Were always insistent on their kids going to school. The [Wave Hill Welfare Settlement school would] send the Bedford truck around in the morning, and you'd see parents chasing [the kids] with a stick if they didn't get on. [That was because] there's one thing that the old people at Wattie Creek realised, and that was that Aboriginal people needed to get an education, otherwise white people would be running [their affairs] for them forever.¹

For the old people, their children's attendance at the Welfare Settlement school—which had opened in 1962—was a temporary, practical concession. Their intent was to create a school of their own at Wattie Creek, which they could manage and teach classes at, as soon as possible. In 1971, the managing director of the Muramulla Company, Donald Nangiari, dictated a letter to Barrie Dexter (then of the Council of Aboriginal Affairs), encapsulating the elders' desires. In this, Nangiari stated that he wished for his daughter Judith and another girl of similar age to 'see what they can learn' in Sydney, and return to Wattie Creek to 'learn [teach] all children and middle-aged and everybody so we can sign our name [...]'.² Elsewhere that day, Nangiari requested 'a teacher here for the little children [and] middle-aged people'.³ The Gurindji saw their own tuition as complementary to European education; in combination, they would create an independent Gurindji homeland for future generations.

¹ Darwin, NTAS, Alan Thorpe, Interview by Charlie Ward, January 2010, NTRS 3609, BWF 9.

² Nangiari to Dexter, 23 August 1971, Oke Personal Collection. At this time Abschol was attempting to promote the introduction of compulsory subjects on *Ngumpit* culture into the national school curriculum, also at the request of the Gurindji. See Ward, 'Following the Leaders: The Role of Non-Indigenous Activism in the Development and Legitimation of Daguragu Community (Wattie Creek), 1969–1973', *Journal of the Royal Australian Historical Society*, Vol. 100, Pt.1, pp. 69–92, p. 84–86; Lawson to Nangiari, 8 January 1972, Oke Personal Collection.

³ Nangiari to Lawson [Abschol], 23 August 1971, Riddett Personal Collection.

Education and training were identified by the Daguragu leaders as of key importance to their vision in two ways. Firstly, to manage their desired independent homeland, they recognised that their young people would require ‘western’ style education and training in literacy, numeracy, accounting and mechanical engineering. The second aspect of ‘education’ critical to the Gurindji leaders’ agenda at Wattie Creek was that they would also train their children in aspects of ‘traditional’ Gurindji cultural knowledge at the school they envisaged.⁴ The elders also believed it necessary that this schooling would occur *at* Daguragu—a site over which they had some influence and to which many of their Dreaming stories relate.

While the Wave Hill ‘track mob’ developed the Wattie Creek camp in the early 1970s, housing and public health, rather than onsite education, were their leaders’ priorities. The elders did no lobbying on the matter of schooling in that time. Because secondary schooling was unavailable at the then Wave Hill Welfare Settlement however, they sent the first Gurindji children to Kormilda (Aboriginal residential) College in Darwin in 1972.⁵ The unanticipated effects of this in the following years—which I shall describe—increased rather than diminished the elders’ desire to educate their young people in their home community.⁶ In 1974, the Commonwealth government’s proposed expansion of the school at Kalkaringi led the elders to reprioritise education. Pincher Nyurmiarri characteristically expounded on his countrymen’s behalf:

I want a school here in Wattie Creek [...] because we can’t get some children to go to the settlement, because they duck back. [...] If a school starts off here, we’ll have two old [men] to teach them same time with the white bloke [...]. They got to teach all sort of law from Aborigine too. I want you people to help me; I’m fighting hard for

⁴ This second form of education was critical to the Gurindji elders for cultural ‘maintenance’ purposes—the transmission of their skills, values and cultural knowledge for the development of their young people as Ngumpit. Traditionally, such knowledge was acquired by direct modelling and tuition, and instruction in ceremonies that occurred over the lifetime of Gurindji individuals. It appears that the Gurindji elders intended that these practices would continue largely unaltered, with the addition of school-based instruction.

⁵ NTAS, Rosaleen Farquarhson and Susan Cebu, Interview Recorded by Charlie Ward. October 2010, NTRS 3609, BWF 23; Darwin, NTAS, Robert Wesley-Smith, Interview Recorded by Charlie Ward, September 2010, NTRS 3609, BWF 15.

⁶ Such effects are described elsewhere in this thesis. See Chapter Four.

this school. Another word now. We want a clinic right here in Wattie Creek. Not in Settlement. We want treatment right here.⁷

Although the Daguragu people wished that their grown-up children would eventually run a school in their community, Kalkaringi's school facilities were significantly expanded in 1975–76. In 1977, leader Pincher Nyurrmiarri again expounded on the elders' motivation and desires regarding the schooling of their children:

We should have seen the young fellas in work in the Social Club, in Daguragu. Together they've got to be taught. They must learn somehow through old people, they got to know something [...]. What about give a chance for Aborigine to take over? [...] They don't want to be under white Europeans. [To] give them poor buggers a chance we got [to get] our children in school. They got to be teach by old people. We got to teach them so they can work the place. We like to see that, because white European take over all the time [...]. Our children got to take over.⁸

The duration and detail of the Gurindji leaders' entreaties convey that Lingiari and others did *not* want a school at Daguragu in the same way that they wanted a laundry, a mechanical workshop or even a clinic—aims they had listed in 1970 but had little to say about afterwards.⁹ Rather, Gurindji statements between 1971 and 1985 show that they identified the provision of western education at Daguragu to their youth—supplemented by tuition the elders would provide in traditional lore and law—as essential to the achievement of their vision of an ongoing, largely autonomous Gurindji society.

Location was key to their educational vision for two reasons. Firstly, Daguragu was an important site to the Gurindji, and was close to their complex of sacred sites at Seale Gorge. This made the Gurindji homestead an ideal location from which Gurindji children might learn traditional law and lore. Equally, the Gurindji proponents of a Daguragu school were averse to their children being schooled at Kalkaringi due to its large Warlpiri and

⁷ Nyurrmiarri to 'Robbie' [Oke], 19 November 1974, Pelczynski Personal Collection.

⁸ Darwin, NAA, 'Wattie Creek Meeting [...]', 1 November 1977, Wave Hill Community Development, E460, 1978/242.

⁹ Hannah Middleton, *But Now We Want the Land Back- A History of the Australian Aboriginal People* (Sydney, New South Wales, New Age Publishers, 1977), p. 119.

kartiya populations. Gurindji elders feared that among a mix of European/Warlpiri/Gurindji students, their children would absorb too much Warlpiri law and/or ‘*kartiya way*’.

Other Aboriginal ‘outstations’ wanted their own bicultural and bilingual schools in which children would learn about their own culture, as well as enough ‘European’ style education to accrue the skills necessary to administer their communities. Similar circumstances had given another break-away Aboriginal group cause to formulate an almost identical position to that of the Daguragu elders. In 1963, Dooley Bin Bin of the Pindan Nomads Co-operative in the Pilbara told a group of FCAATSI activists:

We want the children to go to school, the young people to be trained, to understand the White man’s law, to explain, to protect us in dealings with the Government... but they must also be trained in our law, so that they can hold fast to it’.¹⁰

The leaders of Bin Bin’s ‘Strelley Mob’, as they were known, were also intent on establishing their own independent school so that they could oversee this process themselves. This hybridised approach to Indigenous education was described by adult educators from the ANU as ‘an education which builds on [Aboriginal people’s] own traditional socialisation practices and concept of informal education, and which is supplemented by the white-man’s skills in the three R’s and oral English’.¹¹ The Strelley Mob’s subsequent journey with schooling, which I will return to, forms an informative counterpoint to the Gurindji’s.

Although the Walk-off leaders’ vision of a school was both modest and clearly (if minimally) articulated, its desired effects were highly ambitious. It was also born out of necessity. Their vision of a school was an untried response to the problem of maintaining traditional values in a rapidly changing social environment and their primary means of containing or even reversing the dissociative process then underway between themselves and their young people. Neither was the second part of their plan—that after basic schooling Gurindji children would be both able and willing to work indefinitely as store managers, accountants, administrators, nurses, mechanics, bakers and the like—based on their own empirical experience: when the Gurindji’s plan for a bicultural and bilingual school was first

¹⁰ Grace Bardsley, ‘Dooley Bin Bin’, *Outlook* (Sydney, August 1963).

¹¹ Chris Duke and Elizabeth Sommerlad, *Design for Diversity: Further Education for Tribal Aborigines in the North* (Canberra, Australian National University, 1976), p. 30.

publicly articulated, no Gurindji people at Wave Hill of any age had undertaken western schooling beyond a primary level. From its proponents' perspectives then, the Gurindji's school was an unknown that would require their dependence on external funding and staff. I will now turn to the question of whether or how the Gurindji vision of education might be reconciled with the policy of Aboriginal self-determination at Wave Hill.

When Prime Minister Gough Whitlam announced in April 1973 that his government wished 'to devolve [responsibility] upon a wide range of Commonwealth, state and local authorities, as well as upon organisations of Aborigines themselves', he was in part signalling his government's intention to avoid the 'one agency' model of governance which the Northern Territory Administration's Welfare Branch had previously maintained in the remote Aboriginal settlements of the NT.¹² As part of this agenda, Whitlam decided not to give responsibility for the education of the Territory's Aborigines to the DAA but to the Department of Education's NT Division (DE(NT)), which assumed responsibility for schooling all children in the Territory.¹³ To facilitate this, DE(NT) was given an unprecedented amount of funding to improve and expand schools in remote communities. Whitlam's decision to remove education from the primary agency responsible for Aboriginal affairs would in time turn out to be critical for the desired educational outcomes of the Gurindji elders.

The government's stated policy of supporting the realisation of Aboriginal goals seemed to favour onsite government-supported schooling of Gurindji children in mainstream education and traditional knowledge at Daguragu. Indeed, it can be said in hindsight that if, as 'ideal' self-determination policy envisaged, Gurindji individuals were to manage community governance and service delivery bodies at Wave Hill, then just such a school

¹² Edward Gough Whitlam, 'Statement by the Prime Minister, the Hon. E. G. Whitlam, Q.C., M.P., to the Ministerial Australian Aboriginal Affairs Council in Adelaide on 6 April 1973.', (1973), p. 2.

¹³ Prior to 19 December 1972, responsibility for Aboriginal education had been with the Welfare Branch of the Northern Territory Administration. In 1973 the Northern Territory Education Division (NTED) of the Commonwealth Department of Education was created. See National Archives of Australia: http://recordsearch.naa.gov.au/SearchNRRetrieve/Interface/DetailsReports/AgencyDetail.aspx?reg_no=CA%202593&singleRecord=T. Accessed 17 June 2014. The NTED retained responsibility for education until it was broken up and its functions were passed to the Commonwealth Department of Education, Northern Territory Office on 1 January 1979. In 1983, the department was renamed the Department of Education and Youth Affairs (DEYA). See: http://recordsearch.naa.gov.au/SearchNRRetrieve/Interface/DetailsReports/AgencyDetail.aspx?reg_no=CA%202975&singleRecord=T. Accessed 17 June 2014.

might be required. Such a development was of little interest to Department of Education (NT) staff, however.

8.2 Official Indifference

With the Whitlam Governments' new federal funding available for schooling infrastructure at Wave Hill, a series of meetings were organised in December 1974 by DE(NT) officials regarding 'a new school complex at Wave Hill township for use by both [Wattie Creek and Kalkaringi families]'.¹⁴ In retrospect these meetings were the most critical juncture in the fifteen-year campaign waged by Gurindji leaders to influence the schooling of their youth. Official talk about the future of local schooling caused the elders and their supporters to refocus their own discussions on the elders' educative plans. Pincher Nyurrmiarri, Patrick McConvell and Jean Culley, a prominent member of the Melbourne Gurindji support campaign, commenced active lobbying about the Gurindji elders' long-sought school, which in Culley's words was to be: 'a community school in which all ages are involved, from toddlers and their mothers to old people who still sign with a mark'.¹⁵ When in Darwin, Long Johnny Kijngayari and others met with DE(NT) staff. Jean Culley described her hopes:

I'm here [...] with Long Johnny to get a truck and to try and get a school for Wattie Creek. Pincher and the others are terribly keen as they see this *as a way to preserve and strengthen the Law*, and I think it's terribly important myself [...] Vincent has written [about it to DAA Secretary] Dexter and Pincher to [Chairman of the House of Representatives Select Committee on Specific Learning Difficulties] Race Matthews [emphasis mine].¹⁶

Kijngayari and Culley's proposal was opposed by Jim Gallagher, the Deputy Director of the Education Department in the NT. Gallagher had formerly been a senior figure in the Education Division of the Welfare Branch and had been pivotal in developing the Branch's education policy for Aboriginal settlements. He used his historic memory to reject Kijngayari and Culley's proposal of a school at Daguragu, claiming that three years earlier

¹⁴ Ford (DAA) to Dexter, 24 December 1974, Oke Personal Collection.

¹⁵ Nyurrmiarri's letter to the Melbourne Gurindji Group of the previous month had opened with 'I want a school here in Wattie Creek'. Nyurrmiarri to 'Robbie' [Oke], 19 November 1974, Pelczynski Personal Collection; Culley to Leu, 22 October 1974, Atkinson Personal Collection.

¹⁶ Leu to Middleton, date unknown but late 1974, Oke Personal Collection.

(prior to the election of the ALP) the Gurindji had maintained that they didn't want a school or any government officials there.¹⁷ According to Culley, Gallagher attempted to fob her and Kijngayari off by offering them a demountable 'preschool' for Wattie Creek.¹⁸ Gallagher, she warned, 'will torpedo the whole thing if he can'. In an attempt to thwart the Department of Education, the activists pinned their hopes on the Minister for Aboriginal Affairs, Jim Cavanagh.

Despite the Gurindji's lobbying, the Education Department merely approved a major expansion of the existing school at Kalkaringi to cater to the children of both Kalkaringi and Daguragu communities. The decision effectively perpetuated the earlier policies of the McMahon and Gorton governments regarding Wave Hill's development: that is, to build up the settlement at Kalkaringi and ignore Gurindji plans for Daguragu. Nonetheless, consent was given by the Gurindji elders to the settlement's continued provision of educational facilities for the children of Wattie Creek—up to 50% of the Kalkaringi school's enrolment came from the bush camp. The Gurindji believed that this commitment would not preclude their aspirations for a school of their own, and refused to relinquish their goal.¹⁹ Even as Kalkaringi's expanded primary school was being built, Prime Minister Whitlam promised Gurindji elders their own school during his 'hand-over' speech in 1975. The new school—ironically dubbed the Kalkaringi Community Education Centre (KCEC)—opened in October 1976, and as a compensatory gesture, the DAA delivered the demountable 'preschool' to Wattie Creek around the same time.²⁰ This was used when a DE(NT) teacher could be found for the remainder of the decade.²¹ From the time of the Kalkaringi school's major expansion onwards, for reasons I will explain, lobbying such as that of Frank Hardy in March 1975 for a school at Daguragu was far less likely to succeed.²²

The marginalisation of the Gurindji elders' educative aspirations was promulgated at the local and NT levels, that is, by KCEC staff and senior officers of the Department in

¹⁷ Culley to Atkinson, 25 November 1974, Atkinson Personal Collection.

¹⁸ *ibid.*

¹⁹ Culley to Oke, 13 December 1974, Oke Personal Collection.

²⁰ Sydney, Library of New South Wales (hereafter SLNSW), Culley (Melbourne Gurindji Group) to Middleton, 24 February 1976, in Gurindji at Wattie Creek (Daguragu), Northern Territory, Hannah Middleton Papers, c. 1966-1976, MLMSS 5866/15.

²¹ Department of Aboriginal Affairs, Daguragu—Book of the Community (NT Division of the Department of Aboriginal Affairs, 1977, p. 12.

²² AIATSIS, 'Visit to Daguragu', *Wattie Creek and Wave Hill*, Jeremy Long Papers, MS 2534, Box 3, Folder 24.

Katherine and Darwin. This marginalisation should be understood accordingly—its causes were systemic. The ‘local’ reasons why the Gurindji’s requests were ignored by DE(NT) bureaucrats are mundane, though as they had the potential to affect the Gurindji’s ‘self-managing’ ambitions significantly, they are worthy of consideration. In 1974 a ‘turf war’ between public servants at Kalkaringi and the activists supporting the desires of the Gurindji at Daguragu was at its peak. Among the Europeans employed at Kalkaringi, a common attitude was that Wattie Creek was an unproductive and ephemeral camp of ‘fringe dwellers’ dependent on the non-Indigenous, service-providing centre of Kalkaringi.²³ Attendant to this view was the notion that it was only a matter of time until the Gurindji abandoned the village they had founded. For instance, in response to entreaties from Gurindji leaders about a school for Daguragu in the late 1970s, a representative of the Department of Education (NT) said that while he personally would ‘like a school [at Wattie Creek]’, this was not possible as he could not ‘convince the planners in Darwin that the people will stay there’. Public servants’ persisting doubts about the permanence of Wattie Creek contributed to the delay/refusal of the Gurindji request to site a school there on more than one occasion.

According to one of its former teachers, some principals and many of the teachers employed at Kalkaringi CEC were similarly unsupportive of, and/or uninterested in, Aboriginal education or local ‘community’ aspirations.²⁴ One such principal was employed during the Department’s consultations during 1974, before being removed as a result of the school’s teachers passing a ‘vote of no confidence’ against him.²⁵ It is likely that this individual saw the establishment of a large school at Kalkaringi as a testimony to his professional capability. He may also have viewed his support of the ‘winning’ proposal as a means to assert his own influence within the Department of Education (NT) against the activists then mediating the requests of the Gurindji. In any event, in the case of Daguragu’s putative school in 1974, the personal priorities of transient staff and the fight for power and ideological dominance raging between whites ‘on the ground’ at Wave Hill subverted the

²³ Lyn Riddett, a former educationist and Gurindji supporter, reports encountering a general aversion to the practice and principal of ‘outstations’ congruent with a preference for centralised services among ‘administrators, bureaucrats [and] officials’. She believes that this preference was inculcated in the Northern Territory Administration during the 1960s and early 70s, and later retained by public servants. NTAS, Lyn Riddett, Interview Recorded by Charlie Ward, November 2009, NTRS 3609, BWF 3.

²⁴ Julia Pannell [former teacher at Libanungu 1975–78], Interview Recorded by Charlie Ward 16 July 2014.

²⁵ It is understood that this vote of no confidence was moved as a result of the principal’s perceived lack of professional competence, rather than being due to his stance on local political matters. *ibid.*

Aboriginal self-determination policy objectives of government and the goals of Gurindji elders alike.

According to official rhetoric, self-determination and self-management policies were heavily reliant on close consultation with Aboriginal groups and communities. In the scenario I have described Gurindji wishes regarding the education of their children were wilfully ignored. As DE(NT)'s local decision-making was impervious or even inimical to the 'self-managing' Aboriginal agent promoted by policy, it is necessary to review the larger context of the circumstances in which this occurred.

8.3 Disjuncture: Policy and Ideological Context

When Department of Education staff were developing their plans for an enormous expansion of school facilities in Aboriginal communities during 1973–74, they were, like their DAA colleagues, breaking deliberately from the past. According to a major review of DE(NT) conducted in 1978 by Mitsuru Shimpo, in 1973 there had been a 'deliberate emphasis on discontinuity of major education policies, [meaning] that materials and curricula were disregarded'.²⁶ Figures 3 and 4 diagrammatise the transition. It was popularly thought among the Whitlam Government's senior public servants that individuals and educational methodologies associated with the old Education Branch of the NTA smacked of paternalism. In the new government's rush to substantiate its new direction, the merits of the NT Administration's previous regime, which achieved school attendance rates that have rarely been observed since, were little considered. Disregarded by the Department of Education (NT) under Whitlam was the so-called Watts/Gallagher report of 1964. This document had provided the old NTA with a specialised pedagogy and curriculum regarding Aboriginal schooling during the 1960s. Teachers in Welfare Settlements had been subject to Watts and Gallagher's maxims that 'Aboriginal culture must be recognised and respected by all teachers and instructors', and 'the education of Aborigines [...] is a special field of education. [...] All who work in this field need special training if educational planning and action are to be fully effective'.²⁷ The adoption of Watts and Gallagher's recommendations

²⁶ Mitsuru Shimpo, *The Social Process of Aboriginal Education in the Northern Territory*, Depart of Education Northern Territory Division (Darwin, Northern Territory), p. 163.

²⁷ Watts and Gallagher, cited in Chris Duke and Elizabeth Sommerlad, *Design for Diversity: Further Education for Tribal Aborigines in the North* (Canberra, Australian National University, 1976), p. 29.

by the NTA during the 1960s distinguished it from Western Australia and Queensland, in which no provision was made for the differing sociocultural backgrounds of Aboriginal children. Although Gallagher himself was employed within the ‘Special Projects’ branch of the new NT Division of the Department of Education, and later as its Deputy Director, his and Watts’s report was discarded.²⁸

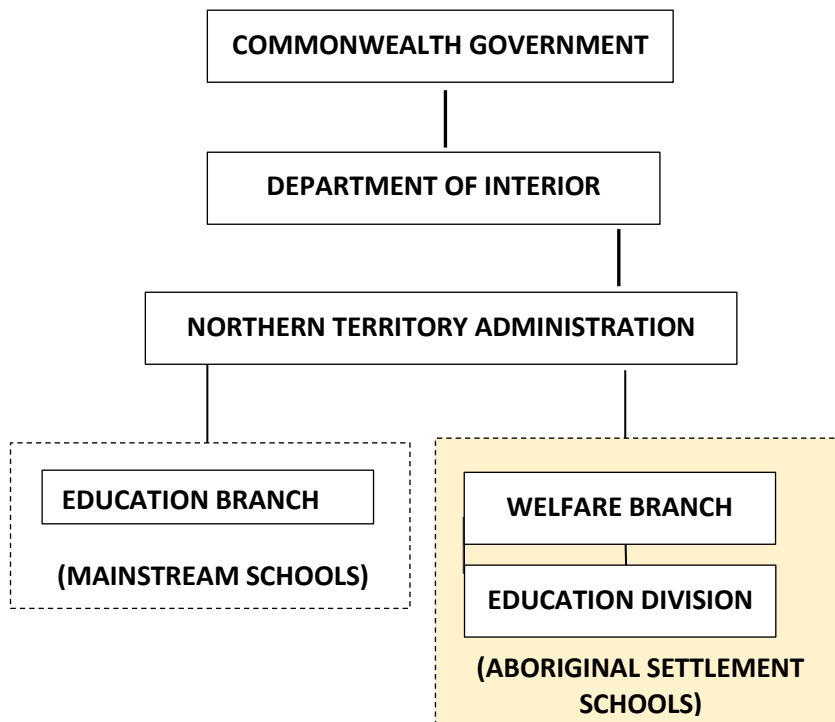


Figure 3: Responsibility for schooling at Wave Hill (shaded), 1956-1972

During the Whitlam years, few Education Department staff were interested in resolving how the government’s policy of Aboriginal self-determination should be translated into school pedagogy or teacher training for Aboriginal schools and students. Exceptions to this lack of interest in pedagogy for Aboriginal children included the establishment of a bilingual education unit within the Department in 1974, increased employment of Aboriginal teachers, and provision for the construction and staffing of ‘outstation’ schools. In the absence of a specialised approach to Aboriginal education, a socially democratic ethos of

²⁸ Chris Duke and Elizabeth Sommerlad, *Design for Diversity: Further Education for Tribal Aborigines in the North* (Canberra, Australian National University, 1976), p. 80.

‘universal education’ prevailed within the Department.²⁹ The Department’s universalist ethics were more congruent with the traditional values of the ALP than its ‘self-determination’ policy, which was vulnerable to charges of elitism due to its recognition of Aboriginal Australians as a distinct group deserving of specific remedial activity.³⁰

As the new policies of the Whitlam Government were operationalised in the mid-1970s, these ideological incongruities were recognised but unresolved within the public service. In 1974, senior bureaucrats of both the DAA and the Education Department conceded that without special measures, the ‘universalist’ approach of remote schools could override the wishes of local Aborigines, effectively contravening ‘self-determination’ policy—at least when it came to the education of their children. Bureaucrats recognised the potentially negative impact of this on Aboriginal people. They believed that ‘a fragmentation of support’ had resulted from transferring education to a mainstream department separate from that responsible for Aboriginal Affairs.³¹ Many remote teachers felt that the Department’s philosophy of Aboriginal education was poorly defined, and that they were significantly hindered by the lack of a ‘development’ plan for the Aboriginal communities in which they worked.³² To remedy this fragmentation between DE(NT) schools in Aboriginal communities and the communities they ostensibly served, a joint taskforce with members from the DAA and DE(NT) issued a memo in 1974 suggesting that in each community, Aboriginal parents and leaders, education staff and DAA community advisers might establish ‘Local Education Committees’ to solicit local views and troubleshoot issues regarding education. Due to the proliferation of such bodies among the many service providers now active in remote communities and frequent ideological differences between DAA and Education Department staff however, few ‘Local Education Committees’ actually met.³³

²⁹ As a result, the ‘Watts Gallagher report’ that had guided Aboriginal Education in the previous decade of ‘assimilation’ policy was frequently used by teachers as a resource to guide them in their tuition of Aboriginal students in remote communities during the 1970s. Duke and Sommerlad, 1976, *op. cit.*, pp. 28–29.

³⁰ ‘600 Demand a Royal Commission into Aid’, *NTN*, 9 March 1973; ‘The Katherine Meeting: What Was it All About?’, *NTN*, 10 March 1973.

³¹ Darwin, NAA, ‘Draft Policy Statements: Health and Education’, *Review of Policy Statements—DAA*, E460, 1982/120.

³² Shimpo, *op. cit.*, p. 100.

³³ Duke and Sommerlad, 1976, *op. cit.*, p. 42.

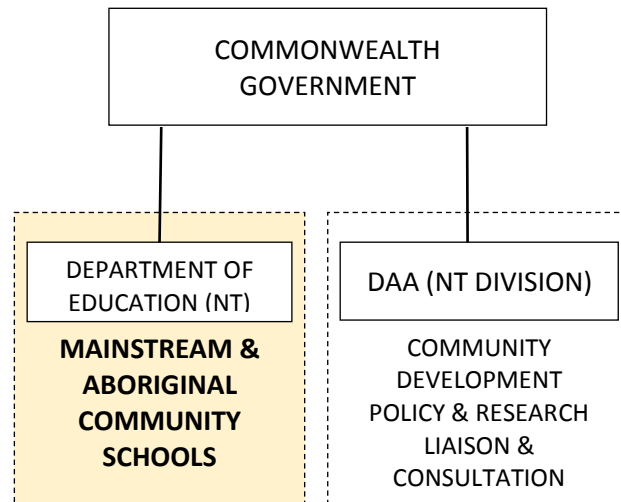


Figure 4: Responsibility for schooling at Wave Hill (shaded), 1973-1978

The ill-defined, fractious and often non-existent relationship between Education and Aboriginal Affairs staff in many remote communities had negatively affected Aboriginal education across the Northern Territory. In Shimpo's 1978 report, he noted that the provision of services by discrete departments had generated significant 'confusion' for Aboriginal people and recommended that governance on Aboriginal communities be returned to a 'one agency policy', under which an Aboriginal Affairs-type agency would resume the responsibility (divested by Whitlam) for education in Aboriginal communities.³⁴ It was a belated recognition of the merits of the centralised, hierarchical *structure* (though not the policies) of the old Welfare Branch. In Kalkaringi, the practical application of Shimpo's recommendation would have meant fewer non-Indigenous 'bosses', fewer agencies and—in theory at least—greater ideological coherence among those then working with the Aboriginal population. Instead, the delivery of Shimpo's report coincided with Northern Territory Self-Government, and rather than responsibility for education on Aboriginal communities being transferred to the DAA, a new NT Government Department of Education (NTED) took up the role—a move which effectively further inculcated official opposition to the prospect of an Aboriginal school at Daguragu.

³⁴ Shimpo, *op. cit.*, p. 158.

Bureaucratic tensions between universalist service provision and consultative approaches to heterogeneous Aboriginal interests were exacerbated and reified among authorities at Kalkaringi by the proximity and politics of its neighbouring Aboriginal bush village, Daguragu. Their irresolution was also exemplified at Kalkaringi due to the mismatch of that community's own tenure and demography. Whereas Kalkaringi was previously designated as a Welfare Branch ration depot on crown land, in 1976 the community was gazetted as an 'open town', by which its residents were subject to the same regulations and ordinances governing the mostly non-Indigenous residents of the Territory's larger centres.³⁵ Ironically, in terms of the Kalkaringi school's pedagogy, the community's 'open' tenure provided a convenient justification for its provision of a 'standard' curriculum, though the great majority of the school's students were Aboriginal. This raised questions for some about whether goals and methods designed specifically for educating Aboriginal children should be used. Such uncertainty was compounded by the absence of specialised training in Aboriginal education for teachers who, like the staff of other agencies, were thrown together into random 'teams' that frequently failed to find any commonality of approach.³⁶ This was the case in Aboriginal communities generally, and the open town of Kalkaringi with its aspirational and controversial neighbour Daguragu in particular.

Tensions between the government's universal and particularist approaches to education also affected KCEC's curriculum. Although it was the policy of both the Whitlam and Fraser Governments to provide a 'bilingual' curriculum in schools in predominantly Aboriginal settlements, applications for a bilingual program from the school at Kalkaringi were repeatedly unsuccessful: the Department of Education (NT) deemed that there had been too much deterioration of the Gurindji language for such a program to be beneficial.³⁷ At the time that the expanded Kalkaringi CEC was opened, the Department's bilingual program was subject to a period of enforced 'consolidation', meaning that no new bilingual programs in schools could be funded.³⁸ The program itself lacked Departmental support at senior

³⁵ This tenure itself was a result of the Gorton Government's efforts to shift public focus away from the Gurindji's request for land in 1968.

³⁶ Shimpo, *op. cit.*, p. 162.

³⁷ Norm and Helen McNair [former Summer Institute of Linguistics staff at Kalkaringi], Interview Recorded by Charlie Ward, March 2010, in possession of the author.

³⁸ It is noteworthy that the timing and intention of this consolidation of DE(NT)'s bilingual program matches the wider processes then underway within the public service, often initiated by the Fraser Government to scrutinise and curtail expenditure on Aboriginal self-determination policy and self-determination policy-like aims. As such, from a community perspective, it too can be seen as comprising

levels, and there was a move within the Department (later denied) to reduce the status of its bilingual program to that of a small pilot project. In these circumstances, the degree to which efforts were made to include Gurindji language and culture in the KCEC curriculum hinged on the proclivities of whoever the school principal happened to be. Both senior Gurindji women and male leaders were of the opinion that half of their children's schooling should be conducted in Gurindji, but rather than the 50% 'two way' pedagogy envisaged by Lingiari and co, in the late 1970s only six per cent of class time—two hours of teaching per week—was conducted in the Gurindji language.³⁹ The refusal by government authorities to implement a bilingual teaching program created the same type of self-serving rationale for DE(NT) and Education Department (NT) staff as the Kalkaringi school itself: while the extant school was used to justify the authorities' refusal to build a second one at Daguragu, infrequent teaching in the Gurindji language did little to slow its 'deterioration', which in turn provided the Department with further justification for maintaining its English curriculum.

In light of the political and ideological tensions I have described, after local debate about a Daguragu school was curtailed by the establishment of the KCEC in 1976, the educative ambitions of Gurindji elders would have been seen by Kalkaringi's school principals as peripheral to the operational concerns of their institution.⁴⁰ From that time, the focus of official arguments against a school at Daguragu switched from that community's alleged deficiencies to the anticipated and deleterious effects that a school there would have on the new KCEC. With some justification, DE(NT) authorities argued that a well-attended Daguragu school would lead to a 50% drop in enrolments at Kalkaringi, and a similar reduction in the number of staffing positions there. The Department's attitude towards the question of a Daguragu school was illustrated by one quip from an official that, because

part of the policy's adaptation and co-option by government during the latter part of the 1970s. Brian Devlin, 'A Glimmer of Possibility', in Brian Devlin, Samantha Disbray and Nancy Devlin (eds), *History of Bilingual Education in the Northern Territory: People, Programs and Policies* (Springer, Singapore, 2017) 11–26 (p. 22).

³⁹ Department of Aboriginal Affairs, *Kalkaringi—Book of the Community* (NT Division of the Department of Aboriginal Affairs, 1977, p. 10; H.C. 'Nugget' Coombs, *Kulinma*, (Canberra, Australian National University Press, 1978), p. 234; McNair Interview, *op. cit.*; Will Sanders, 'From Self-Determination to Self-Management', in *Service Delivery to Remote Communities*, ed. by Peter Loveday (Darwin, North Australia Research Unit, Australian National University, 1982), pp. 4–10, p. 7; Hardy, 1985, *op. cit.*, p. 72.

⁴⁰ Keith Jeans, the Kalkaringi school principal of 1976–78, has no recollection of any 'talk at the time of another school at Daguragu'. Personal Communication, 29 May 2014.

KCEC had ‘cost a million dollars, they [local Aboriginal people] had better appreciate it’.⁴¹ This supports Mitsuru Shimpo’s finding in his review: ‘if the government spends money on a school, it tends to push the people to use it to justify expenditure’.⁴²

The tenure of the land at Daguragu also provided the Department with a fall-back excuse to justify their un-responsive attitude. On 1 July 1978, when responsibility for schooling in the Territory was transferred from DE(NT) to the new NT government, its new Education Department continued an important initiative begun by their federal predecessors, providing tiny schools for dozens of small Aboriginal groups living on their homeland centres or outstations. Although Daguragu was closely linked with Land Rights and was seen as a sort of progenitor of the ‘outstation movement’ in the public imagination, the community itself remained categorised officially as a ‘homestead’ on a pastoral lease, which disqualified it as a prospective recipient of NT Department of Education funding for an Aboriginal outstation school.⁴³ These new, usually one teacher institutions were situated only on Aboriginal freehold land recognised under the *Aboriginal Land Rights Act (Northern Territory) 1976*. For the Gurindji, the situation again effectively perpetuated that of the late 1960s when their lack of tenure at Daguragu provided government with a legal reason to reject their requests for infrastructure and housing. If there had been the political and bureaucratic will to build a school at Daguragu—and there was not—this issue among others would have required resolution. While a successful Land Claim might have expedited their campaign for their own school, the Gurindji’s experience had already shown them that changing the minds of governments could take years, if not decades.

8.4 Engaging Gurindji Students and Teachers: the Educative Edifices of the State

The failure of authorities and the Gurindji leaders and their supporters to realise a Gurindji school at Daguragu was a major blow to the elders’ post-Walk-off vision of an independent society. Yet as the elders acknowledged, education remained central to the Gurindji’s future autonomy. To understand why the group did not succeed in achieving that autonomy in the period (the topic of the following chapter), therefore requires our consideration of education and schooling, not as the elders wished for it, but as the Daguragu group encountered it. How

⁴¹ Pannell interview, *op. cit.*

⁴² Shimpo, *op. cit.*, p. 159.

⁴³ Jan Richardson, Former Daguragu Council Clerk, Personal Communication, 19 September 2014.

did the schooling and training available to Gurindji people as students and teachers in the period affect the ability of ‘new generation’ Gurindji to realise the aspirations of their elders? Or did it disincline them to do so?

During the 1970s, the elders reconciled themselves to the fact that the Kalkaringi CEC would continue to provide their children’s mainstream education. Presumably they had faith in the ability of KCEC staff to educate students in ‘*kartiya* way’, yet the will of many older people to contribute ‘officially’ to the education of young Gurindji remained, their motivation perhaps strengthened by a desire to slow the alienation then growing between themselves and younger generations.⁴⁴ For those old people resistant to this dissociation, the Kalkaringi’s *kartiya* school might have appeared as a practical vehicle to be judiciously utilised for its access to large numbers of (possibly receptive) children. Yet the contribution of Gurindji elders to the ‘Gurindji’ education of students in the Kalkaringi school environment depended on the amenability of recently-arrived European employees. When a sympathetic principal and core teaching staff were employed at KCEC for several years, the old people’s participation in activities and tuition increased in the early 1980s. A precedent for this had occurred in 1969–71, when local elders worked at the NT Administration’s Welfare Settlement school in a voluntary capacity, and taught the children a Gurindji ceremonial form for performance in the annual Darwin Eisteddfod.⁴⁵

These abortive collaborations were hampered by the older Aboriginal residents’ alienation from both the process of mainstream schooling and the buildings in which it was conducted. The KCEC buildings comprised by far the biggest and most highly developed piece of infrastructure at Wave Hill, and it is likely that some of the untraveled older generation had never entered such facilities. According to the linguist-educators Norm and Helen McNair, who worked at the school in the period:

There should have been [...] open buildings with verandas where parents could come in with their children and sit and begin to see what written language was and be part of it. Instead, all of the attention was given to the kids, and all of the owners of the

⁴⁴ According to observers, many Gurindji elders at the time chose *not* to pass on their unique Dreaming stories and knowledge to those they saw as ‘rubbish’, young adults. Norm and Helen McNair, Interview Recorded by Charlie Ward, March 2010, in possession of the author.

⁴⁵ Darwin, NTAS, Charlie Mines (former Wave Hill School Head Teacher), Interview Recorded by Charlie Ward, January 2012, NTRS 3609, BWF 35; Charlie Mines, 1970 Photographs, in possession of the author.

language and the culture were disenfranchised. [...] It all happened the wrong way around.⁴⁶

KCEC school principal Keith Jeans recognised that the involvement of Daguragu's leaders would not increase—while ever they continued 'not [to] see it as their own' and the school retained its 'obvious European design and styling'.⁴⁷ These observations support Mitsuru Shimpo's finding that in Aboriginal communities across the NT, 'school buildings are [seen as] the symbol of non-Aboriginal authority'.⁴⁸ Despite the reservations of their elders, some younger Gurindji adults were minimally involved in their children's schooling. Several middle-aged and young Gurindji women worked as Assistant Teachers at KCEC. In this role, they co-authored Gurindji language resources with Summer Institute linguists. The contribution of these Gurindji educators in the classroom was dependent on the willingness of *kartiya* teachers to accommodate the young women into their classes.

Gurindji collaboration and contribution to the teaching process at KCEC was further hampered by the incompatibility of classroom learning with the strong environmental basis of Gurindji language and pedagogy. Both the subject matter and the teaching styles of traditional Aboriginal education were formulated in and around the natural world.⁴⁹ It is likely that the aging Gurindji were not only cowed by the school environment itself, but found that their teaching methods were ineffective and/or impracticable there also.⁵⁰

In the late 1970s, other than KCEC schooling, education and training opportunities for Gurindji people were limited. For those students completing their primary schooling at KCEC, the only feasible means of continuing their studies was at Kormilda College (Darwin) or Yirara College (Alice Springs). Both these residential colleges had been persistently criticised for failing to adequately cater to the needs of their prime market, Aboriginal students—a fact seemingly confirmed by their great 'difficulties of adjustment'

⁴⁶ McNair interview, *op. cit.*;

⁴⁷ Jeans, *op. cit.*

⁴⁸ Shimpo, *op. cit.*, p. 160.

⁴⁹ Max Hart, 'Traditional Aboriginal Education', in *Aborigines and Schooling: Essays in Honour of Max Hart*, ed. by Bill Menary (Adelaide college of the Arts and Education, Nelly, South Australia, 1981) 1–8 (pp. 4–5).

⁵⁰ Presumably, the elders' determination that Gurindji schooling should be conducted at Daguragu was based on a plan that they would conduct their own teaching outside the school building they desired.

and high ‘drop-out’ rates.⁵¹ At Wave Hill, Gurindji leaders’ expected the students returning from these colleges to work at Wattie Creek, however a significant disjuncture between the skill levels of returning students, available employment, the expectations of the gerontocracy, and the students’ own mutable or inchoate aspirations existed. Much of this was recognised by government authorities, who thought that the Kormilda and Yirara colleges had:

[...] Possible ill-effects on the stability of the social structure of Aboriginal communities (e.g. through inter-group mixing encouraged by the colleges) and doubts as to whether the colleges are providing education which can be meaningfully utilised in the home communities.⁵²

As this bureaucratic intelligence indicates, even for those students who had received some western education, progression to management-type positions in their home communities proved difficult. Michael Paddy—a Gurindji boarder at Yirara at the time—remembers that if anything, the effect of schooling on a number of his peers was to cause criminality in them:

Some kids came back (from school), they used to steal, steal cars, break-in to shop. The kids never listened to old people. I think it was because the lifestyle was changing. A different world.’⁵³

Such youthful behaviour was a ‘far cry’ from that expected by Gurindji elders. Presumably adding to their disappointment and frustration, other ex-Kormilda or Yirara students refused for years to return to their home communities after leaving school—an apparent statement, in part at least, of their greater interest in the opportunities that the outside world offered, rather than the Gurindji homeland project of their elders.⁵⁴

While the school system was largely failing Gurindji secondary age children, and hence threatening the elders’ planned creation of a new managerial class, the poor

⁵¹ Elizabeth Sommerlad., *Kormilda, the Way to Tomorrow?: A Study in Aboriginal Education* (Canberra, Australian National University Press, 1976).

⁵² Canberra, NAA, ‘Ministerial Briefing: Kormilda College’, *PM’s Visit to NT 24–27 April 1978*, A1209, 1978/1050, Part 1.

⁵³ Darwin, NTAS, Interview with Michael Paddy by Charlie Ward, October 2010, NTRS 3609, BWF 30.

⁵⁴ Gwen Dickman (nee Moore, former Baptist Missionary at Libanungu), Interviewed by Charlie Ward, 19 November 2012.

professional skills of Gurindji adults of working age were also impacting on the ‘self-determination’-like visions the elders shared with their government interlocutors. While members of this Gurindji cohort might have received some schooling at the Wave Hill Welfare Settlement prior to the 1966 Walk-off, they were now of an age that many desired long-term employment. Yet in many cases these individuals lacked the abilities and qualifications that even the low-level positions available at Wave Hill required of them. Their situation is typified in the following discussion regarding Gus George and his friend. George was born on Wave Hill Station in the early 1950s and spent most of his teens and twenties working in the region’s cattle industry. In 1978 he returned to Daguragu and worked for the Muramulla Company for a few years.⁵⁵ For a while George received instruction from the local store manager with a view to taking over the role himself.⁵⁶ After this failed to eventuate, according to Colin Muir (CM), the Council electrician at the time:

CM: Gus George was another bloke I had in the powerhouse. He wasn’t a bad bloke, either. [He and another trainee] had a fair few brains, those two. Eventually I trained them up and they [operated] their own power outfit. But once the Department of Works and the NTEC (the Northern Territory Electricity Commission) took over [the local powerhouse], of course they wouldn’t allow them in.

Int: So then they lost their jobs?

CM: Yeah, you know, when you’re running a \$100,000 powerhouse [...].

Int: They didn’t have the right qualifications?

CM: Not really, no [...]. I trained them for about six months, they were actually running the powerhouse at the time. They even went and sat for their exams for housing and construction and got their tickets, but of course [such efforts] didn’t really mean much [to the Department of Works and the NTEC]. I could still employ them as TAs [trade assistants] though.⁵⁷

⁵⁵ Darwin, NTAS, Interview with Gus George by Charlie Ward, October 2010, NTRS 3609, BWF 24.

⁵⁶ Darwin, NAA, ‘[...] Community Report for Quarter Ended 30 June 1979’, *Wave Hill—Review of Projects, Part 2*, E460, 1981/89.

⁵⁷ Colin and Maggie Muir, Interview Recorded by Charlie Ward, 24 October 2012. In possession of the author.

Being aware of many such situations, authorities had come to believe that poor literacy and technical skills were the major impediment to the Gurindji's 'self-sufficiency'.⁵⁸ The under-employment and unemployment of Aboriginal adults due to the inadequacy of their mainstream education was so common in remote communities that the federal Department of Employment and Industrial Relations (DEIR) employed 'Adult Educators' to provide vocational training to their residents.⁵⁹ The employment of these individuals signified the government's belated recognition that the importance of education to, and its relationship with, 'self-determination' and 'self-management' had been badly underestimated.

8.5 Conclusion

In this chapter I have described the centrality of education and training to Gurindji aims, and shown that the lack of education and training of the types desired by Gurindji leaders comprised a little-known but significant failure of quotidian realities to match their 'self-determination'-type goals. I have argued that the allocation of responsibility for schooling Aboriginal children to a department little-aligned to the goals of self-determination policy created the conditions which stymied the Gurindji's educational plan. The over-riding policy factor contributing to this failure was that local responsibility for the provision of education did not fall to the government agency concerned with Aboriginal 'self-determination': the Department of Aboriginal Affairs.

Whether the construction of a Gurindji school at Daguragu would have enjoyed the outcomes envisaged by Gurindji elders is a matter for conjecture. In response to their wish for a Daguragu school, Daguragu Council Clerk Stan Davey organised a group of Gurindji councillors to visit independent Aboriginal schools in the Kimberly in 1984.⁶⁰ A year later however, there was still no indication from government that the Gurindji would get their school. Then, senior law man Jerry Rinyngayarri reportedly told Frank Hardy that his 'deepest concern was that the modern school had been built in the open town [...] instead of at Wattie Creek'.⁶¹ Donald Nangiari wondered whether the KCEC school buildings could be moved to where they were wanted. By this time intergenerational breakdown and the

⁵⁸ Darwin, NAA, 'Community Review Report [...]', 12 October 1979, *Wave Hill Community Development*, E460, 1978/242.

⁵⁹ The first of these at Wave Hill was Len Fracek, who arrived in 1978.

⁶⁰ 'DCGC Study Tour', 16–30 June 1984, Richardson Personal Collection.

⁶¹ Hardy, 1985, *op. cit.*, p. 68.

demands of ‘self-determination’ itself had undermined the old men’s enthusiasm. The Gurindji leaders were now well placed among northern Aboriginal groups to recognise the extraordinary commitment and time required to realise their own and government’s intentions to collaboratively develop new ‘Aboriginal’ institutions from scratch. By the time they received Aboriginal Title in 1986 (and hence were legally eligible to apply for a government-funded school at Daguragu), both their vision and their ability to fight for it was diminished.

Unlike the Gurindji, the predominantly Nyangumarta Strelley Mob in the Pilbara were successful in their efforts to establish and manage an independent Aboriginal school, which is at the time of writing the oldest in Australia. The social situation of the Nyangumarta people in the 1960s–70s has many parallels with that of the Gurindji group, and their leaders’ assessment of their people’s educational needs is striking for its similarity to that of Lingiari, Nyurrmiarri and Nangiari. A study juxtaposing the subsequent ‘self-determination’ and cultural resilience of these two groups would be of interest, though is beyond the scope of this thesis. What is clear regarding the Gurindji and their educative aspirations is that in the absence of their own school, the young cohort of Gurindji managers sought by Daguragu’s elders to effect that place’s self-determination remained elusive. My presentation of ‘education’ as one of the four pillars of Gurindji self-determination potentially affecting the lives of all Gurindji people thus provides important context for the question I address in the following chapter: why were the combined efforts of Gurindji elders to create an autonomous Gurindji homestead, and similarly the efforts of their DAA interlocutors to create a self-managing Gurindji community, of such limited success?

Ch. 9 Gurindji Independence, Part I

More clearly perhaps than any other event in Australian history, the Gurindji people's Walk-off from Wave Hill Station brought a distinct aspirational Aboriginal group with pretensions of independence to the attention of the Australian public. While Gurindji elders themselves said little in English about the specific nature of the independence they sought, their group's illegal establishment of a settlement at Wattie Creek substantiated their assertions that they wished to live on their own terms and create their own self-supporting livelihoods. According to their statements, Daguragu elders came to the opinion over time that their vision of independence and autonomy vis-à-vis the wider world might be realised by achieving Gurindji land rights, a Gurindji-run cattle operation, a school and other facilities. The realisation of the elders' ideal was dependent on the successful realisation of its constitutive parts, and for this reason the exact form which the Gurindji imagined their independence might take was little-explored by them.

Yet how were these pillars of Gurindji independence to be created, managed, and sustained? Lacking evidence to the contrary, we must assume that the elders believed that their extant decision-making and leadership processes could be adapted to the task of 'governing' their homestead. In the Department of Aboriginal Affairs' early years, its functionaries may have agreed, pending the Daguragu group's incorporation. Yet self-determination policy's provision of government funding for reapportionment by Aboriginal people necessitated not only the incorporation of Aboriginal groups but their concomitant compliance with the regulatory reporting and acquittal processes required by government. Further to this, the intention of the Whitlam, Fraser and Everingham Governments to divest themselves of 'local government'-type functions in the remote NT determined their interest in creating 'community council' bodies in Aboriginal communities. Ironically then, Aboriginal groups like the Gurindji who were interested in living with a degree of autonomy were faced with the prospect of operating community councils themselves to provide

services formerly offered by government, or hosting visiting ‘trustees’ in their communities to do so. The role that extant Aboriginal leadership and decision-making processes would play in this was unknown.

For the Gurindji, their obligation to accommodate and/or participate in a community council became apparent after the DAA created an incipient local-government-type body at Kalkaringi in 1973. From this point, the track mob’s ‘independence’ at Daguragu necessarily included the governance of Kalkaringi and/or Daguragu via a succession of local government-supported bodies, for reasons I will describe. Matching the historical priorities of Gurindji leaders’, my intention in this and the following chapter is to focus specifically on the autonomy of the track mob and that of their chosen community, Daguragu. As Gurindji elders were forced to accept in the 1970s however, government and Gurindji in/dependence was physically instantiated at Wave Hill by Daguragu’s proximity to its service-providing neighbour, Kalkaringi. The complex relationship between those two communities is also therefore germane to my analysis. As this chapter and the next will clearly show, in many regards it was the inadvertent effects of government activity at Kalkaringi—as per my description of ‘co-opted’ self-determination in Chapter Three—that adversely impacted the Gurindji’s decision-making and independence at Daguragu the most.

First however, I will substantiate my assertion that Gurindji leaders were motivated by a desire to achieve economic and political independence for their people from the settler society of European Australians. As with the constitutive pillars of Gurindji Independence I have described, I will then outline the ways in which their independence goals were supported by government policy. The remainder of the chapter is concerned with describing the attempts of governmental staff and Gurindji leaders to force their respective aspirations of Gurindji independence into alignment through the incorporation of two council bodies: that which I term Libanungu Council Mk I (1973–74) and Libanungu Council Mk II (1974–77). The chapter ends with my discussion of how this alignment was apparently achieved subsequently, in the drafting of the subsequent Daguragu Community Council’s terms of operation.

9.1 Gurindji aspirations of Independence and Autonomy

Various statements and acts of the Daguragu leadership group show the importance that its members attributed to their group’s eventual freedom from unwanted outside influence.

Lingiari and his coterie had a strong pedigree in this regard. The deliberate cultivation of their own indifference and obduracy to the directives and requests of Europeans was a necessary political tactic with roots originating in ‘strike’ actions taken well before the elders’ 1966 Walk-off from Wave Hill. Senior Gurindji man Long Johnny Kijngayari described his group’s determination prior to the Walk-off: ‘We will not go back, not for anything [we decided]. Whatever happens, whoever tells us to go back, we won’t listen (we said)’.¹ In 1967, Vincent Lingiari encapsulated the independent rationale of his group’s subsequent action neatly: ‘I bin thinkin’ in my mind we can run Wave Hill, without Vestey mob’. He later expounded:

I be number one man. Whitefella not number one no more. That right way, I be thinking [...]. Later on, children know all that read-write business, white fella go ’way. We learn ’em drive motor car, everything. Gurindji people everywhere this country [...] would work for me.²

In this and the following chapter, the fallibility of the elders’ belief that their independence would be realised through the ability and willingness of the younger generations of Gurindji to assume control of Daguragu’s projects and facilities will be fully revealed.

During the Aspirational and Consolidative phases of the Muramulla Company (1966–69 and 1970–75), Gurindji leaders extemporised on numerous occasions about the value they placed on their group’s independence. For instance, during Vincent Lingiari’s Gurindji language speech on the occasion of the Whitlam Government’s pastoral lease transfer to his people, he alluded to his group’s desire for control, at least of their land: ‘You (Gurindji) must keep this land safe for yourselves, it does not belong to any different ‘Welfare’ man’.³ In linguist Patrick McConvell’s notes of his translation of the speech, he observes: ‘Here the conviction is expressed that the hand-over is not merely the transfer of land to a government department but that the Gurindji themselves should control the land’.

¹ Vincent Lingiari, ‘Vincent Lingiari’s Speech’, transl. by Patrick McConvell, in *This is What Happened: Historical Narratives by Aborigines*, ed. by Luise Hercus and Peter Sutton (Canberra, Australian Institute of Aboriginal Studies, 1986), pp. 310.

² Cited in Frank Hardy, *The Unlucky Australians*, Sydney, Nelson, 1968 (2006 edn, Melbourne, One Day Hill), p. 112.

³ Lingiari, 1986, *op. cit.*, p. 315.

As described elsewhere in this thesis, during the late 1960s and early 1970s, Gurindji people developed their Wattie Creek camp illegally, while lacking any substantive government support. At this time, notwithstanding the influence of the activist-supporters they endorsed, the group's *modus operandi* was consequentially autonomous, and collectively motivated. At this time, the Gurindji people were prepared to make significant sacrifices in order to live a collective yet independent life.⁴

While their people's independence was their overarching aim, the elders were also clear that they required the support of outsiders working on the pillars of their self-determination to achieve this. As we have seen in regards of the Muramulla Company, the terms of this support were contested by both the Gurindji and their non-Indigenous intermediaries. When discussing their vision in the early 1970s, Gurindji leaders routinely delimited the amount and duration of the outside support they would require. In 1969, Long Johnny Kijngayari described the relationship he sought between the Muramulla Company and the *kartiya*-dominated domains of the pastoral industry and government: 'work for ourselves [with] little bit of help from white people, but left alone'.⁵ Other members of the track mob expected that government should provide them with substantial funding and support, but that this would only be required while they were establishing their homestead at Wattie Creek.

For instance, while asserting the elders' desire to 'get 'em going and start 'em block here' at Wattie Creek in 1970, Pincher Nyurrmiarri was also keen to remonstrate with the government for not providing, as he saw it, adequate assistance: 'Yeah, we trying to get the government to help we [...]. Y' know, he's supposed to help 'em [us] out'. In light of the elders' goal of a broader, long lasting independence, Nyurrmiarri saw governmental support as necessary only during the formative phase of their various projects:

As long as he help me and give me a start I'll be right! Five hundred [dollars] to get a start, and by and by, we pay him back. Welfare should have helped him before!

Nyurrmiarri believed that the government's reason for refusing to support the group at Wattie Creek was its aversion to Aboriginal independence:

⁴ Darwin, NTAS, Mick Rangiari Interview Transcript, October 1986, NTRS 226, TS 485, (T4), p. 16.

⁵ Long Johnny Kijngayari, cited in Cecil Holmes, 'Wattie Creek,' *Aboriginal Quarterly* (Abschol, Australian National University, Canberra, March 1969).

Oh they don't want to help 'em out you. He want to, same as old fashion, he want to put people back same way [...]. They don't want to see you work your cattle and horses, you know, work your place. They trying to put you back old fashion way.⁶

Similarly, Nyurrmiarri saw the support of activists as desirable if the activists were employed by the Gurindji only for a limited time:

I 'gree with them, people comin' in from south to work for us. [...] We need them fellas comin' in from South to help we get 'em going this place. We're the boss and they the ones going to work for us.⁷

The matter of the Gurindji people's apparent aversion to, and simultaneous reliance on, government support is one I shall return to.

9.2 Facilitative Government Deliberations

As we have seen in Chapter Three, the primary means by which self-determination policy's architects sought to involve Aboriginal people in decision-making about their own affairs was by providing them with the means to incorporate. Aboriginal 'independence' was not touted as a policy aim of self-determination, but was implicitly presented as one of the political or economic goals that newly incorporation-enfranchised Aboriginal groups might embrace. In 1972, C.D. Rowley, one of self-determination policy's primary theorists, provided an insight into his motivations for recommending national legislation providing means for Aboriginal groups to incorporate:

The main purpose of [the 'national strategy' of Aboriginal incorporation] should be to strengthen the political influence of the Aboriginal people, so that they may, within the law and within reason, choose how and where they live, and operate as pressure groups for change.

Similarly, he continued:

⁶ See Pincher Nyurrmiarri, *Pincher Numiari [sic]—Gurindji Plans and Attitudes: An Interview by Warwick Neilley* (Abschol and Save the Gurindji Campaign, 1970), p. 4.

⁷ *ibid.*

The kind of institution I have in mind should provide an area of security for autonomous adjustment. [They] must have an autonomy recognised by law, providing [...] comparative *security from interference*, to develop patterns of leadership [emphasis mine].⁸

Accordingly, when presenting a submission to the Cabinet of the Whitlam Government proposing it approve the drafting of legislation to create a new entity ‘empowered to incorporate Aboriginal communities’, Aboriginal Affairs Minister Gordon Bryant justified his request on the following basis:

The government not only discourages such paternalism [of arrangements previously promoted by the McMahon and Gorton Governments] but is actively engaged in encouraging Aboriginal people to conduct as much of their community’s affairs as they wish, as well as entering into contracts and operating business enterprises [...], to administer their own affairs to the extent they desire.⁹

I infer from these and similar statements by H.C. Coombs that the independence of Aboriginal groups was one of a number of possible outcomes that the Whitlam Government and those involved with self-determination policy’s formulation hoped to foster, by providing special means for Aboriginal people’s incorporation.

The remedial tool of incorporation was double-edged, however. If ‘administering their own affairs’ vested Aboriginal groups with a sense of independence which they desired, it can be assumed that an important policy corollary of self-determination in the early 1970s had been fulfilled. It was also possible that in accepting the responsibility of administering their own affairs, Aboriginal groups might perceive their sense of independence vis-à-vis government to be diminished, and/or that the popularity among Aboriginal groups of the responsibilities that incorporation involved had been over-estimated by the CAA and the Whitlam Government. As we have seen, both these eventualities were realised in the late 1970s, and became intrinsic elements of self-determination policy’s adapted form.

⁸ C.D. Rowley, *Outcasts in White Australia* (Penguin Books, Ringwood, Victoria, 1972), pp. 422–424.

⁹ AIATSIS, ‘Incorporation of Aboriginal Communities’, *Incorporation*, Papers of Jeremy Long, Box 6, Folder 58.

9.3 Government-led efforts to enable Gurindji agency at Wave Hill, 1973–86

Under self-determination and self-management policies, government officials went to great lengths to incorporate a representative local government-like body at Wave Hill, staffed and managed where possible by local Aboriginal residents. Within the period of this review, four such ‘Council’ bodies were incorporated and subsequently folded, as I will describe. If these councils functioned well (and we may generalise that mostly they didn’t), they offered the promise of a particular kind of independence: that of the rationalist self-administration of government funds in an accountable and largely stipulated manner. The model of Gurindji political independence thus promoted via incorporation by government under self-determination policy was effectively a specific type of limited Self-Government. Arguably, this did not confer, or enable, Gurindji independence at all, in some regards. Rather, with the accumulation of the new responsibilities that limited Self-Government entailed, the operation of these organisations increased Aboriginal people’s integration with the processes of the state.

As I have shown elsewhere, the leaders placed greater emphasis on engendering their independence in the 1967–72 period by developing their homestead and cattle operation at Wattie Creek.¹⁰ I have also argued elsewhere that decisions made by Northern Territory Administration staff in Darwin and concomitant actions taken by their colleagues at the Wave Hill Welfare Settlement during this period are illustrative of an intention of some within the Gorton and McMahon governments to increase Gurindji **dependence** on government-provided services at the Settlement.¹¹ At the time, Wattie Creek’s residents reluctantly relied on the Settlement for schooling, a few jobs, major health issues, and much of their food—dependencies which the Gurindji leadership were keen to discontinue. Throughout this time, the track mob by and large provided their own housing/shelter, water, ablutions, and a reasonable amount of their own food. As I have described, they also controlled the establishment of their own cattle enterprise, which was of great importance to

¹⁰ Charlie Ward, *A Handful of Sand: the Gurindji Struggle, After the Walk-off* (Clayton, Victoria, Monash University Publishing, 2016), Ch. 2–5; Charlie Ward, ‘Following the Leaders: the Role of Non-Indigenous Activism in the Development of Wattie Creek, 1969–73,’ *Journal of the Royal Australian Historical Society*, Vol. 100, Pt. 1, (Sydney, 2014).

¹¹ Ward, 2016, pp. 82–83.

Gurindji leaders. The only significant contribution made by outsiders to the Gurindji's affairs in this period was advice given by Gurindji-vetted activist supporters. This arrangement was semi-formalised in 1970, when the first live-in supporters employed on the Gurindji's behalf by Abschol arrived.

While Gurindji leaders sought their group's social, political, and (ongoing) economic independence from the state via the work and lobbying they conducted from Wattie Creek, there is no indication that they had any interest in amending their own system of leadership in light of European Australian local government ideas and processes or any models of political and administrative organisation which they had given rise to. The Gurindji's indifference to these matters is evidenced by their non-engagement with the first organisation incorporated at the Wave Hill Welfare Settlement partially for Aboriginal community purposes. The Wave Hill Social Club was instigated in 1967 by Settlement school teacher Fred Friis.¹² Designed to 'foster community participation in social, cultural and recreational activities among the people of the Wave Hill Welfare Centre', and improve the local availability of groceries by establishing a purpose-built shop there, the Social Club's membership was open to all the Aboriginal residents and staff of the Wave Hill Welfare Settlement.¹³ As the Social Club was specifically a 'Settlement' concern and the benefits of its membership were not apparent to the group at Wattie Creek, it initially attracted little interest from them, even while they patronised the Social Club's store. Later, when staff of the Department of Aboriginal Affairs appeared in 1973 with a governmental charter to create a local council body that the Whitlam Government hoped would enfranchise the Aboriginal residents of Kalkaringi and Daguragu to 'manage their own affairs', Gurindji elders were nonplussed.

9.4 Libanungu Council Mk I: 1973–74

The intention of self-determination policy was to extend a decisive though limited say to Wave Hill's Aboriginal residents in their local affairs, should they want it. In the resultant

¹² Darwin, NAA, 'Constitution', *Wave Hill Social Club*, E460, 1981/100.

¹³ Later, the Club's account was used to hold money on behalf of Gurindji people, though the purposes to which the McMahon Government should allow them to put it were debated by the Minister for Aboriginal Affairs William C. Wentworth, and H.C. Nugget Coombs of the CAA. Oke et al, *What Now at Wattie Creek*, 1970, p. 5; H.C. Coombs, Letter to Mick Rangiarri [n.d]; John Zakharov to Alex Romanoff, 6 October 1971, Oke Personal Collection.

effort by authorities to ‘transfer real authority’ to local Aborigines, including those residing at Daguragu, Libanungu Council was incorporated at Kalkaringi in 1973 with funding and oversight provided by the DAA. The Department’s intention was that the Council would take responsibility for the delivery of local government services, and to achieve this, a *kartiya* manager was employed.¹⁴ The Council was based in Kalkaringi, which the elders then largely sought to ignore. Relations between Daguragu’s leadership and this new ‘representative’ council body were established, though the elders’ later actions reveal that they doubted the new Council’s relevance to their own work at Daguragu. This is understandable—its focus of municipal-type service provision was of little relevance in Daguragu, which remained an un-serviced collection of huts and humpies.¹⁵

These issues were also peripheral to the new Council, which was productively occupied at Kalkaringi. With the town’s conducive tenure, and its historic function as a coordination point for governmental activity, significant building and development there continued. And unlike Daguragu’s residents, Libanungu Council’s ample Kalkaringi-based Aboriginal workforce identified with their employer:

Councillors have acquired a demountable building left by a firm of contractors and have converted it to an office building from which they propose to conduct their affairs. Council workers, some of them in their off-duty time, have spread soil [and] planted grass and trees around their municipal office, which they consider to be their own headquarters.¹⁶

Few residents wished to participate in the Council’s management, administration and governance, though. Those who did so were frequently placed in an invidious position. The enormous increase of financial and administrative responsibilities which the new Council placed upon Gurindji leaders was highlighted when a large funding cheque was sent to the new Libanungu Council, where according to an official it languished for some time.

¹⁴ These functions included general hygiene, road, aerodrome and parks and gardens maintenance and the development of a market garden and poultry farm. Darwin, NAA, *Termination of Training Allowances* [...], E460, 1974/1217; Darwin, NAA, ‘Aboriginal Community Adviser’, 8 July 1974, *Community Adviser—Wave Hill*, E460, 1974/1028.

¹⁵ Tensions at this time about whether the Council should perform basic services such as rubbish collection at Daguragu serve as early indicators of the contradictions of the Gurindji’s in/dependent political stance which I elucidate in the following chapter.

¹⁶ Darwin, NAA, *Wave Hill Community Development*, E460, 1974/242.

‘Regrettably [...] none of the Aboriginals were aware of what this [cheque] represented’.¹⁷ Nonetheless, both Billy Bunter, the youthful council president elected in large part for his literacy and numeracy skills, and Mick Rangiarri, representing Wattie Creek’s residents, were asked to consider whether ‘their’ new Wundamarie Housing Association wished to manage the Kalkaringi settlement’s housing program. They readily consented. The contract was worth the equivalent of \$6 million in today’s terms.¹⁸ Far from Kalkaringi’s Aboriginal residents guiding the community’s extraneous, sudden, poorly-coordinated development by the Housing Association and Council however, they were badly disenfranchised by it, according to activist supporter Jean Culley:

Despite the much-vaunted Aboriginal self-determination policy, the expansion at the settlement [Kalkaringi] is so great that the Warlpiri [residents] are losing track, more and more NACC elections, council, government elections, housing association [*sic*]. They just haven’t got a grasp of it all.¹⁹

Libanungu Council’s immediate strategic problem was its inability to hire residents who could explain these matters to others, or even conduct the administrative work which the Council’s operation entailed.

Libanungu Council’s other primary challenge was overtly political: how could it attain relevance, let alone credibility, in the eyes of local people, particularly Daguragu’s leaders? One year into the Whitlam Government’s self-determination project, Departmental secretary Barrie Dexter was privately concerned that any progress in this endeavour in NT communities was ‘more apparent than real’, and that the DAA had inadvertently created ‘a problem of major proportions’:

Some communities seem to regard the councils as European, and therefore [...] elect to them [...] persons who they believe to be acceptable to European Australians. [...]

¹⁷ Darwin, NAA, ‘Visit to Wave Hill Centre’, 30 January–1 February 1974, *Wave Hill Centre—Policy*, E460, 81/306.

¹⁸ Darwin, NAA, ‘Housing Programme 1973/74’, 7 August 1973, *Home Management Services: Wundamarie Housing Association 1974*, E460, 1974/1486.

¹⁹ The reasons for the presence of Warlpiri families and individuals at Kalkaringi and the broader relationship of Warlpiri with the Gurindji are described in Chapter Two. Jean Culley to Rob and Barbara *et al*, 20 August 1974, Oke Personal Collection.

We thereby set in motion a process that tends to weaken the traditional lines of authority.²⁰

More likely than Dexter's concern that incorporated councils might result in 'weaken[ed] traditional lines of authority' was the likelihood that the extant 'traditional authority' at Daguragu simply saw the new council as largely irrelevant to their concerns. Their group's self-identification and survival had depended upon the ability of its elders to provide competent and coherent leadership. Yet political anthropologist Patrick Sullivan notes in *All Free Man Now: Culture, Community and Politics in the Kimberly Region, North-Western Australia*, to whatever extent Aboriginal people might be aware of the 'historically produced alien cultural system' of European administration, it had a 'lesser claim on them than their own [systems of knowledge and cultural meaning]'.²¹ Furthermore, Sullivan observes that an 'Aboriginal' council of the type incorporated under self-determination policy:

[...] neither abrogates nor dominates other forms of agreement among community members. This poses problems for the effectiveness of representation, consultation and decision-making in the group. None of these activities necessarily attach to traditionally sanctioned authority.²²

As we shall see, attaching a local government-type body to 'traditionally sanctioned authority' was a problem that would preoccupy numerous DAA staff and increasingly the Gurindji elders at Wave Hill throughout the 1970s.²³

9.5 Libanungu Council Mk II: 1974–77

Unable to recruit suitably-skilled local Aboriginal staff to manage their well-resourced new council at Kalkaringi, the Department of Aboriginal Affairs employed former Abschol-employed bricklayer Alan Thorpe as the council's Municipal Officer. The problem facing the DAA, and soon Thorpe, was that of encouraging the extant body of local Aboriginal decision-makers to recognise the Council's relevance to their own political power. It was

²⁰ AIATSIS, 'Community Control', Barrie Dexter 12 December 1973, in *Local Councils*, Papers of Jeremy Long, Manuscript Collection, MS 2534, Box 6, Folder 57.

²¹ Patrick Sullivan, *All Free Man Now: Culture, Community and Politics in the Kimberly Region, North-Western Australia* (Aboriginal Studies Press, Canberra, 1996), p. 46.

²² Sullivan, *ibid.*, p. 37.

²³ *ibid.*

hoped that by such means the Aboriginal population at large, especially that of Daguragu, might recognise the Council's authority. With these ends in mind, Thorpe went to work convincing the Gurindji elders that unlike previous 'Welfare' initiatives at the Settlement, the new Council was—or had the potential to be—an Aboriginal political instrument. By virtue of his marriage to a Kalkaringi-based Warlpiri woman, Thorpe's views carried some weight with Kalkaringi and Daguragu's leaders and the Council's staff. Little is known about the form his discussions with them took in late 1974, but their results were quickly apparent. A decision was made—or conceded to—by the Daguragu elders that went to the heart of their goal of political independence. The outcome of this was announced by Minister for Aboriginal Affairs James Cavanagh, whose press release of 11 December 1974 declared that Vincent Lingiari:

[...] had the pleasure of advising [...] that the Gurindji people of Wattie Creek and the townspeople of Wave Hill Settlement have united in the name of Libanungu Community Council to work together in all projects associated with the development of Wave Hill town and Daguragu Cattle Station [...].²⁴

In practice, what this meant was that half of Libanungu Council's twenty-two seats would be reserved for members from Daguragu, and that the Council would make decisions on behalf of both communities.²⁵ The obvious corollary of this was that Libanungu Council acquired a degree of authority over the nascent Daguragu homestead. While the language of Lingiari's supposed message was not likely his own, the political process behind the decision to which it alludes was entirely Indigenous, if the DAA is to be believed:

The decision to amalgamate the Wattie Creek and Wave Hill township communities [...] was taken after lengthy discussion between the groups concerned, and followed on [from] a series of ceremonies, which had been performed jointly and separately by the Gurindji and Warlpiri tribes. These ceremonies extended into Hooker Creek, Yuendumu and Papunya and involved people from Wattie Creek and Wave Hill, who

²⁴ Australia, The Senate, Sen. James Cavanagh, *Aboriginal Land Fund Bill 1974*, 11 December 1974 (Canberra, Commonwealth Government Printer, 1974); Sen. James Cavanagh, 'Statement by the Minister – Wattie Creek', 11 December 1974.

²⁵ Darwin, NAA, 'Addendum to Original [...] Report', *Wave Hill - Review of Council Programs and Employment Projects*, E460, 1981/89 PART 2.

travelled to those centres. [...] These ceremonial gatherings are explicitly of Aboriginal origin and could not in any way be influenced by non-Aboriginal sources. [The ceremonies] would seem to have some local Aboriginal political theme and [may be] an attempt to resolve potential frictions which were deriving from traditional matters [*sic.*].²⁶

Although this interpretation of the elders' 'amalgamation' decision varies from other non-Indigenous accounts that do not indicate any link between the ceremonies held and discussions about 'amalgamating' Kalkaringi and Daguragu, it is possible that Daguragu's elders saw their merger with Libanungu Council as a conciliatory gesture between themselves and Kalkaringi's (mainly Warlpiri) residents. As shown in my discussion regarding the plurality of the local Aboriginal population in Chapter Two, the issue of Warlpiri people living on Gurindji land and in Wave Hill's nominally Gurindji communities provided a source of growing tension for Gurindji leaders.

Rather than seeing the Gurindji elders' decision to merge their leadership with Libanungu Council as the result of Warlpiri-Gurindji peacemaking however, the most common view—as conveyed in available records and supported by the (almost immediate) subsequent disavowal of the 'amalgamation' by the Gurindji—contradicts that of the DAA. To their unofficial supporters such as Jean Culley, the Gurindji's decision was prompted by pressure and bribery:

The Gurindji have finally been forced to put their heads in a noose to get some goodies. They needed help badly [...]. I feel the threat of a school at Wattie Creek has forced the settlement's hand. [...] Money, money, and more money was what Thorpe [the newly promoted municipal officer of Libanungu Council] offered [...] and so they gave in.²⁷

It was commonly thought by non-Indigenous observers that the 'amalgamation' of the Daguragu group with Libanungu Council was the result of Alan Thorpe's attempt to increase his power over Daguragu.²⁸ What was overlooked by *kartiya* at the time was that Thorpe's

²⁶ Ford (DAA) to Dexter, 24 December 1974, Oke Personal Collection.

²⁷ Culley to Oke, 13 December 1974, Oke Personal Collection.

²⁸ Sydney, Library of New South Wales (hereafter SLNSW), McConvell to Jean, 28 May 1975, in *Gurindji at Wattie Creek (Daguragu), Northern Territory*, Hannah Middleton Papers, c. 1966-1976, MLMSS

marriage to a Warlpiri woman would have aligned him with the Warlpiri in the eyes of Gurindji leaders. The elders' motivation for the merger was not so much the result of Thorpe's bargaining skills as the elder's desire to resolve local Aboriginal tensions.²⁹

After the Minister's announcement about the administrative 'unification' of Kalkaringi and Daguragu residents, the Gurindji elders distanced themselves from the European and Warlpiri power base of Kalkaringi. Although the elders did not, it seems, wish to join with the official instrument of governance at the settlement in the way described by Cavanagh, their concession to 'amalgamate' was nonetheless an astute example of their *real politik*. In amalgamating, the Daguragu leaders sacrificed some of their independence from government—a regrettable outcome, in the eyes of their *kartiya* supporters—while concurrently increasing their entitlement to government services and their own power (or at least relevance) regarding local affairs. By conceding to a body representative of both communities, they had increased their authority over the settlement (including the Warlpiri living there) and compelled the well-equipped council at Kalkaringi to provide services to Wattie Creek. Importantly, they had not conceded any of their ambition for the Muramulla Co. In the words of Lingiari at this time:

My [pastoral lease, excised from Wave Hill Station] is coming. [It] covers the lot. [...] All these councillors, half of the money they're going to chuck it back here [to Daguragu]. Township [Libanungu Council] have his own book [financial records] in Settlement, Wattie Creek going to have his own [too].³⁰

From this short statement, it would appear that Lingiari conceded to the amalgamation because of the funding it would apparently deliver to Wattie Creek, even while he sought to retain the homestead's financial independence. In the eyes of the Gurindji's supporters

5866/15. 'Gurindji Struggle Threatened by Bureaucracy', *Tribune*, 21 January 1975, p. 12; Darwin, NAA, 'Bishaw to Director, *Muramulla Gurindji Association —Wattie Creek Development*, E460, 1975/196; Darwin, NAA, 'Addendum to Original [...] Report]', *Wave Hill - Review of Council Programs and Employment Projects*, E460, 1981/89 PART 2.

²⁹ Considering that Thorpe's power among Aboriginal people at Wave Hill was dependent upon his marriage to a Warlpiri woman, the saga of the Council merger and its subsequent abandonment by Gurindji elders may be read as a result of local Aboriginal plurality—and an example of the largely unforeseen complications this would cause for self-determination policy's implementation.

³⁰ Lingiari's allusion to 'books' refers to financial self-management, as in 'book-keeping', or 'keeping the book' as it was sometimes described. Lingiari to Cavanagh, 27 December 1974, Oke Personal Collection.

however, the cost of this short-lived ‘amalgamation’ was that the Gurindji conceded something of their powerful reputation as the nation’s bastions of Indigenous self-reliance, built over the last seven years. How important this reputation was to Gurindji elders is unknown.

On 30 April 1975, Frank Hardy visited the Gurindji.³¹ Hardy—accompanied by DAA regional manager Alex Bishaw and community adviser Richard Preece—wished to discuss with the elders their relationship with Kalkaringi, and to encourage them to reclaim their independence from Libanungu Council. Although the DAA officers were less prescriptive, the topic of conversation suited them. Due to the impending resolution of the Gurindji’s land tenure ‘in their favour’, Bishaw wished to get some ‘definite expression of [the Gurindji’s] intentions and ambitions [...], for now is the time for them to decide the direction of their future’.³² Discussion ensued between those Bishaw saw as a ‘fairly representative group of Gurindji elders’ and the three visitors. Despite his belief that Hardy’s visit would restrengthen the Gurindji leaders’ vision of an independent Daguragu, Bishaw went to some lengths to make sure that the Department did not interfere with their discussions. During the talks that ensued, it became apparent to the visitors that from the elders’ perspective, the amalgamation of Daguragu and Kalkaringi under one council was effectively over. Instead, the Gurindji men advanced a series of proposals which Bishaw saw as a request ‘for a strengthening of their own social organisation as an entity separate from [Kalkaringi]’.³³ Bishaw described the Gurindji’s desire for ‘separate development’ as a ‘new concept’ without irony.³⁴ Following their talks, the Gurindji leaders ‘held an election to create the new [Daguragu-based] Gurindji Council’.³⁵ The day after, Preece (and Hardy) became ‘almost violently opposed to what they claimed were Alan Thorpe’s efforts to amalgamate the Gurindji people with the Settlement people, [so as to] gain control of most of the daily operations in the whole area himself’.³⁶ Thorpe, who was inadequately qualified to manage

³¹ NAA, E460, 1975/196.

³² *ibid.*

³³ *ibid.*

³⁴ Kijngayari, *op. cit.*; Ward, ‘Tracking Wave Hill—Following the Gurindji to Wattie Creek, 1966–72’ (Unpublished MA Thesis, Adelaide, Flinders University, 2012); NAA, E460, 1975/196.

³⁵ NAA, E460, 1975/196.

³⁶ *ibid.*

the Council, resigned as its Municipal Officer soon afterwards, and took up the management of the Kalkaringi store.

The ‘unification’ of the two Wave Hill communities’ institutional governance that Minister Cavanagh had trumpeted five months earlier was now in tatters. Libanungu Council continued functioning with nominal responsibility for both communities but lacked any mandate from Daguragu’s elders. When Cavanagh visited Daguragu on 29 May 1974, he did not comment on the elders’ about-face. He did, however, recognise the validity of the new (then un-incorporated) Daguragu Council, which accepted a government ‘welfare’ employee, Richard Preece, as its Community Adviser and general assistant—a first for the leaders of Daguragu. Probably more significant in their decision than Preece’s status as a public servant was his ‘pro-independence’ stance and his affiliation with Hardy.

In the weeks after the elders and Cavanagh reached agreement on the creation of a new Daguragu Council and the government’s willingness to support it, linguist Patrick McConvell reported that the general mood of the Daguragu homestead/community improved, and much fencing, gardening and mustering was conducted ‘with no white direction’.³⁷ Street lighting and a sewage system had just been installed, though the ambition of Daguragu’s residents to maintain practical—as opposed to administrative—independence from Kalkaringi remained.³⁸ High among the elders’ goals in this regard was to revive the Muramulla Company-owned store at Daguragu, which had previously operated from a wooden shed under the guidance of Pincher Nyurrmiarri and Jean Culley. For this reason, Preece’s first job as the community’s (or from the elders’ perspective, their homestead’s) adviser was to oversee the building of a ‘proper’ government-funded shop there, which opened in early March 1976.³⁹ As a subsidiary of the Muramulla Company, the enterprise used the Muramulla Company’s Social Club (which had been incorporated in 1971) as a carapace.⁴⁰

While the new Daguragu Council and the recently-funded Muramulla Company enjoyed a period of increased activity at Daguragu during Muramulla’s Productive Phase (1976–79),

³⁷ McConvell to Culley, 8 May 1975, Oke Personal Collection.

³⁸ Darwin, NTAS, Richard Preece, Interview Recorded by Charlie Ward, September 2010, NTRS 3609, BWF 17.

³⁹ Darwin, NAA, ‘Community Development Wave Hill [...]’, 16 March 1976, *Community Adviser—Wave Hill*, E460, 1974/1028.

⁴⁰ Middleton to Roet, 30 December 1970, Oke Personal Collection

the accelerated growth that had characterised Kalkaringi's development during the early 1970s slackened. In September 1976, DAA officers deemed the community to be in 'a state of disarray'.⁴¹ Visiting officials diagnosed Libanungu Council as the cause of its malaise. Evidence of this was obvious to them: underperforming employees were a primary symptom, as was poor 'control of council vehicles', attributed to 'so much ceremony going on'.⁴² The public servants noted that in comparison to Daguragu, Kalkaringi's work gangs now lacked motivation. They attributed the Settlement's decline to the laziness of Council staff and/or a lack of appropriate instruction. It was believed that such issues would be remedied by 'suitable European support', as the following departmental assessment of council employees shows: 'I am convinced that in by far the majority of cases [underperformance] is not from a lack of "will to work" but a lack of knowledge of what to do and when to do it'.⁴³

In the latter part of the 1970s, Libanungu Council slid into dysfunction, as I have described in my book *A Handful of Sand*.⁴⁴ The Council and other Aboriginal organisations at Wave Hill were subject to the same pressures and elisions driving self-determination policy's adaptation elsewhere. With a paucity of qualified or experienced local Aboriginal staff, under-qualified non-Indigenous staff were recruited, and these individuals were then able to influence subsequent staffing decisions in turn. Such employees had little incentive (and perhaps less ability) to improve the Council's departmentally-defined functionality, and harboured divergent or no opinions about what that might mean. In combination with work gangs of Aboriginal staff who were also lax in acquitting the duties required of them, it was thought by DAA officers that the Council was an organisation that 'lack[ed] motivation for change'.⁴⁵ In fact the main 'change' that occurred during this period was the cyclical process whereby new staff arrived, their limitations were discovered by their Aboriginal board or DAA 'employers', and they eventually left, whether of their own free will or not.⁴⁶ Such 'teething problems' of government-defined Gurindji independence at Kalkaringi would soon occur at Daguragu also.

⁴¹ Darwin, NAA, 'Report of Happenings and Changes [...]', 18 November 1975, *Wave Hill Community Development*, E460, 1978/242.

⁴² Darwin, NAA, *Wave Hill - Review of Council Programs and Employment Projects*, E460, 1981/89 Part 2.

⁴³ NAA, 'Report of Happenings [...]', E460, 1978/242.

⁴⁴ Ward, 2016, pp. 226–228

⁴⁵ Darwin, NAA, 'Visit Wave Hill Community 20/21 September 1976', *Wave Hill - Review of Council Programs and Employment Projects*, E460, 1981/89 Part 2.

⁴⁶ *ibid.*

Although there were plans to incorporate the unofficial new ‘Council’ at Daguragu, its DAA intermediaries desired further reform of Wave Hill’s local governance. The Department’s overarching agenda was increasingly to create one local government body. The economic and practical inefficiencies of operating two remote area councils for small populations in close proximity were problematic, as the paucity of staff housing at Kalkaringi and the poor quality of its staff had revealed. Also, as the eventual withdrawal of DAA staff was planned under the terms of ‘self-management’, any new council(s) would hopefully take over local administration and community development from the Department. Such a withdrawal, it was presumably thought, would be easier if there was one (stable) local government authority accommodating both Gurindji communities.

9.6 Developing a council at Daguragu: 1976–77

With these issues in mind, the DAA’s Katherine-based Area Officer John Rutter travelled to Wave Hill in late July 1976. He proposed a new amalgamated council structure to Vincent Lingiari and Billy Bunter which differed from Thorpe’s earlier proposal in one key respect. Rather than the Wattie Creek leadership being subsumed into the existing Libanungu Council structure, in Rutter’s vision the seat of decision-making would shift to Daguragu and the people there would be ensured, but not limited to, equal representation. In short, Rutter’s proposal located administrative control and decision-making at Daguragu rather than Kalkaringi, as Thorpe’s had done. It was an attempt to reflect and support the extant dialectic of ‘traditional’ Aboriginal power in the two communities, while advancing the Department’s other, consolidative aim. The response his proposal engendered among the Gurindji makes a section of Rutter’s report worth quoting in full:

The new Council arrangements would involve five councillors from both Wave Hill [Kalkaringi] and Wattie Creek. Each group of five would make routine decisions pertinent to their own community, but they would act as a council often for general planning and major decisions. Mr Vincent Lingiari told me that this is the way the people had [previously] decided that it was to be, but that efforts to form a single Council had

been [previously] thwarted by Mister Frank Hardy who came to Wattie Creek and ‘kept talking’ until they agreed to change.⁴⁷

[...] I only described this proposal briefly and on one occasion. This was to Aboriginal Community Adviser Billy Bunter and Vincent Lingiari. Both men immediately got very excited and started drawing an organisation in the dirt. Later I borrowed a blackboard from the school in order to describe the concept of the Council, but half an hour later I found several Aboriginals in control of the blackboard drawing their own version of the organisation. They were copying it from a notebook where they had set it out in considerable detail. We were not invited to join the subsequent joint council meeting until it had been going for an hour, and by then there was little left for me to do but make sure that they had not misunderstood what was departmentally acceptable. After I left [Kalkaringi] meetings were held at Wattie Creek on three successive days with attendances of up to three hundred people. Europeans were not permitted to attend. I understand that the proposal as outlined above has been accepted by both communities.⁴⁸

During his subsequent visit to Wave Hill, DAA officer Len Ibbotson was also reportedly told by residents ‘very strongly that they are one people and want one council’.⁴⁹ From his perspective, this had only been prevented by the meddling of an un-named person (Frank Hardy), which had ‘naturally’ confused people. Although Rutter and Ibbotson’s superior Ian Pitman advised caution due to the previous failure of Thorpe’s proposed amalgamation, he nonetheless made it clear that he welcomed ‘amalgamations and rationalisations of this kind, provided that the residents of the communities involved are happy with the arrangements’.⁵⁰ Noting that the extant Libanungu Council had been hamstrung by its need to refer decisions to the Daguragu group, the DAA staff involved in this merger believed that a Daguragu-

⁴⁷ In line with his general vision of an autonomous socialist society at Wattie Creek (as put forward in his film: John Goldschmidt (Dir.), ‘The Unlucky Australians’, Associated Television (ATV), United Kingdom, 1974; it is likely that Hardy had encouraged the Gurindji there to reject proposals emanating from the Settlement by which the governance of the two communities would merge. Hardy—and many others—believed that such moves would lead to the usurpation of the Gurindji at Daguragu by either (or both) Warlpiri and government staff at the Settlement.

⁴⁸ Darwin, NAA, ‘Community Associations Wave Hill and Hooker Creek’, *Wave Hill - Review of Council Programs and Employment Projects*, E460, 1981/89 Part 2.

⁴⁹ Darwin, NAA, ‘Wave Hill/Wattie Creek’, *Wave Hill - Review of Council Programs and Employment Projects*, 23 November 1976, E460, 1981/89 Part 2.

⁵⁰ ‘Assistant Director, Planning and Projects’, NAA, E460, 1981/89 Part 2.

based council would provide a more appropriate vehicle for local political power. Contrary to the earlier, common perception among activists that the government's attempts to unite the leadership of the two communities were designed to bring Daguragu 'under the control' of officials at Kalkaringi, when it finally occurred, the intention of the Department (as described by its Regional Officer) was the 'rationalisation and recognition of the existing [Aboriginal] decision-making process'.⁵¹

As we will soon see, by this time the elders were of the opinion that a European-style council at Daguragu could be harnessed to increase their own authority, and attract funding to further develop their homestead. This marked a major shift in the elder's political stance. Previously, the Daguragu leadership had rightly associated governmental power and resourcing with hegemonic interference and/or neglect from the Wave Hill Welfare Settlement/Kalkaringi. Now, after witnessing Kalkaringi's development under self-determination policy and the associated professional advancement and enrichment of associated *kartiya*, it appears they had concluded that they could similarly capitalise on the resourcing of Daguragu without compromising their independence—or be left behind.

The elders' previous maintenance of an almost exclusive Gurindji 'domain' at Daguragu—for long held in contradistinction by them with the *kartiya* and Warlpiri edifice of Kalkaringi—was similar to that observed by a number of anthropologists and scholars elsewhere in north and central Australia in the 1970s–80s.⁵² The elders' purpose in doing so was to attend to internal matters and (as they saw it) to nurture conditions supportive of the power from which their authority derived, in some isolation from the non-Indigenous realm to which they believed they had been historically over-exposed. We can induce from the elders' promulgation of an autonomous Gurindji domain at Daguragu that they had seen their project of independent self-management there as achievable within the Gurindji realm—with the additional contribution, as we have seen, of specific forms of non-Indigenous support. That stance was one that they sought to experiment with in a consequential way in 1978. Five years of increased government resourcing and 'Aboriginal

⁵¹ Darwin, NAA, 'Community Associations Wave Hill [...]', 13 August 1977, *Wave Hill—Review of Council Programs and Employment Projects*, E460, 1981/89 Part 2.

⁵² Robert Tonkinson, 'One Community, Two Laws: Aspects of Conflict and Convergence in a Western Australian Aboriginal Settlement', in BW. Moore and GR. Woodman (eds), *Indigenous Law and the State* (Foris Publications, Dordrecht, Germany, 1988) 397–411 (pp. 407–408); David Trigger, 'Blackfellas and Whitefellas: the Concepts of Domain and Social Closure in the Analysis of Race Relations', *Mankind*, Vol 16., No 2, August 1986 (99–117).

control' at Kalkaringi (and more recently of the Muramulla Company) had given Daguragu's leaders cause to reconsider their precept of their homestead's self-management as an entirely Aboriginal concern. That is to say, they now considered Gurindji self-determination—or at least the part of that project responsive to the activity of an incorporated Council body—as one to which they could productively harness non-Indigenous governmental machinery. In the same way that they now managed the Muramulla Company at Daguragu with the contribution of visiting non-Indigenous expertise, the elders believed that they might incorporate the new Council's political machinery within their own domain, from where they would seek to control its work, resources, and many non-Indigenous exigencies. To obtain autonomy and control of Daguragu Council, the elders repeatedly insisted that a condition of the new amalgamation was that this organisation should 'keep the book' itself. Any Departmental doubts about 'devolving' self-administration had been quashed by the inadequate work of Libanungu Council's third-party accountants in Darwin.⁵³

It is highly likely that another significant factor in the elders' re-evaluation was the Muramulla Company's recent activity and progress at Daguragu, not only as a cattle enterprise but as something of a civic service provider and a vehicle for community development under the elders' nominal control. While Libanungu Council was criticised for its inactivity, Muramulla—the elders' preferred utility, perhaps—played a consequential role in Daguragu's development. After the Company's store opened in 1976, it became the heavily-patronised centre of activity and community focus at Daguragu. Unlike the massively subsidised pastoral operations of the Company itself, the Daguragu store was financially self-supporting and at times profitable. In 1978, Muramulla consultant John Edey anticipated that the store's 'turnover' would probably exceed \$100,000 (\$506,000) that year. Edey believed that 'the Gurindji viewed the shop at Daguragu with considerable pride and [...] there have been significant social benefits, in addition to the successful direct involvement of Judith Donald'.⁵⁴ Muramulla's workers planted lawns and trees around the

⁵³ Dispersal of financial responsibility exposed community councils to greater risk. When the high likelihood of Libanungu Council running out of funds before its grants were received for the next financial year was identified by a DAA review team in 1978, its accountants were asked why they had not warned the DAA (or the Council itself). The accountant's response was that unlike in the case of their Housing Association clients, they were under no obligation to provide advice about the spending of councils. See Darwin, NAA, 'Funding of Projects', *Wave Hill - Review of Council Programs and Employment Projects*, E460, 1981/89 Part 2.

⁵⁴ Darwin, NAA, 'Edey to Kimmings [DAA]', 7 March 1978, *Muramulla Gurindji Cattle Company Part 2*, E460, 1981/256

store and the area was used to screen well-attended movies with an expensive Company-bought projector.⁵⁵ The successful delivery of these and other ‘community development’ and modest municipal-type services by the company in these years is seemingly indicative of an approximate match between Daguragu’s still modest size, the simplicity of its facilities and the Muramulla enterprise’s staffing and resource base.⁵⁶ By deciding that in addition to their Muramulla responsibilities they would effectively take on governance responsibility for Daguragu Council—a body which would provide local government-type services for both the communities at Wave Hill—Daguragu’s leaders sacrificed any such match.

9.7 Conclusion

The machinations I have described in this chapter provide an account of the Whitlam and Fraser Governments’ efforts to align incorporative governmental tools with the extant arrangements of Aboriginal power at Wave Hill. Simultaneously, we have seen the attempts of Aboriginal leaders to harness and/or accommodate these government-created entities for their own, collective, enabling purposes. After several attempts made by both parties over a period of five years at Wave Hill, an ostensible match between the political arrangements of Aboriginal people with the governmental tools provided to support them was achieved in 1977. In the following chapter I shall explore this arrangement’s outcomes as a vehicle of Gurindji independence and therefore Gurindji self-determination, for both its Aboriginal and non-Indigenous interlocutors.

⁵⁵ Darwin, NAA, ‘Muramulla Gurindji Co P/L Report [...]’, 5 September 1977, *Muramulla Gurindji Cattle Company, Part 2*, E460, 1981/256.

⁵⁶ Ironically, the Company had more success in its community-development-type role than it eventually achieved as a pastoral concern. Although the Company’s store was ‘managed’ by a succession of *kartiya*, its success as an agent of community development, its employment of Gurindji women, its stability in the 1970s and 80s, its heavy patronage by Daguragu’s residents, the revenue it generated for the Muramulla Co, and not least its seeming lack of appeal to thieves and vandalism—warrant its categorisation as a success of Gurindji self-management, as measured against the aims of both local leaders and the Fraser Government. If Daguragu’s scale and complexity had remained akin to that of a large and well-resourced station homestead (as I believe the Gurindji elders’ original vision entailed), the elders’ guidance of the Muramulla Company store in the late 1970s indicate that they might also have possessed the capacity to successfully oversee Daguragu’s management through the Company—if there had been enough of them to manage the pastoral side of its operations as well.

Ch. 10 Gurindji Independence: Part II

After four years of Aboriginal self-determination policy implementation at Wave Hill, by 1977 the Gurindji elders had been given cause to reconsider their previously separatist stance regarding Kalkaringi in important ways. No statements regarding their reasons for this were recorded, though it may be surmised that major development at Kalkaringi and the incorporation of organisations with Aboriginal governance and employment opportunities encouraged the elders to reconceptualise the role of government they envisaged regarding Daguragu's development and governance. This revision had two immediate outcomes: firstly, the elders made it clear that contrary to their earlier position, they now wished for Daguragu to be resourced and developed with similarly-scaled infrastructure to that at Kalkaringi.¹ Secondly, Daguragu's elders had enthusiastically adopted the notion of a Daguragu-based local council, which would include representatives from Kalkaringi on its board and would exercise authority over both Wave Hill's communities. The appeal of this prospective arrangement to the elders may be assumed: such an arrangement would reflect and potentially channel the extant system of Aboriginal power at Wave Hill, which they dominated. Presumably, Daguragu's leaders also now thought that a Daguragu-based council would also provide more jobs for their extended family members residing at Daguragu, and provide more opportunity for those individuals to contribute in meaningful ways to their community's development.

With these newly-acquired apparent beliefs and motives, Daguragu's leaders had accepted some important premises and assumptions of self-determination policy, namely that incorporated organisations could be potentially utilised to realise Aboriginal aspirations,

¹ From the evidence I have obtained, this change in the elders' position was not, apparently, accompanied by any new thinking about how this development should occur. Darwin, NAA, 'Bishaw to Director', *Muramulla Gurindji Association—Wattie Creek Development*, E460, 1975/196.

and that Aboriginal organisation-directed material development and employment, among other things, could enfranchise Aboriginal groups in desirable ways.

Gurindji elders and DAA staff thus incorporated a new council at Daguragu. With both sets of Gurindji self-determination's protagonists apparently enjoying a shared understanding of the new council's *raison-d'être*, this body (and its subsequent incarnations) represented self-determination policy's greatest potential at Wave Hill. My final assessment of Gurindji self-determination hinges on its progress as an enabler of Aboriginal independence.

10.1 Daguragu Council, 1977–82

In early 1977, Daguragu Council was incorporated under the *Associations Incorporations Ordinance* (1964–69).² Although the ability of the Council to influence the activities of government departments in the 'open town' of Kalkaringi was extremely limited, more than any of the Gurindji's other enabling projects and most prominent within the group's generation-long quest for independence, the amalgamated, Daguragu-centred Council incorporated in 1977 represents the historic apex of Gurindji people's self-determinative potential. To understand the Council's impact—or the lack of it—on Gurindji self-determination, we will analyse the factors influencing its operation in some detail.

A combined Council meeting was held on 1 November 1977 at Daguragu to discuss the proposed merger. Sixteen Aboriginal councillors and five government officials were present. As per the DAA's formulaic style of community consultation, each councillor was encouraged to give their opinion on the topic of amalgamation. Unusually, their words were transcribed by DAA staff. Each of the Councillors' speeches were short, and were generally used to affirm their relationships to each other and to express optimism about the amalgamation. All the Aboriginal speakers voiced their faith in Vincent Lingiari's leadership and some also emphasised his status as a leader of all Australian Aboriginal people. Muramulla Manager Donald Nangiari was the first to speak:

We got two councils separate—Daguragu and Libanungu. I think much better to have one council instead of two [...]. This way we will work and help each other [and] have one bookkeeper for both council. [...] We want you young people trained [to] run our

² Darwin, NAA, *Libanungu/ Daguragu*, *Department of Aboriginal Affairs*, CA2605, E242, K9/2/3.

place and [get] more money to build up our country. [Soon] everything have to go through Council or Committee, not the white people without committee.³

Mick Rangiari spoke next:

[...] Whether it's shop, housing, anything, [it] belongs to Gurindji. Put it together this way [...]. We must get strong, we must get up and do something, because our land, our country is ours. We like to see [it], this is the way it should be run by both community peoples.⁴

Kalkaringi Councillor Mick Inverway also spoke, pledging unanimity between the two 'branches' of the Council while asserting his independence:

I'm president of Libanungu. What Donald said, I agree about [Libanungu] together and Wattie Creek. Four of them there—Pincher, Hoppy Mick and Long Johnny, they got the council together and leave the job with me at Libanungu. We agree about [what] Donald Nangiari [said]: we don't want books separate because we are one group.⁵

In the first election of the combined council, most of the Daguragu leaders were elected. Though the capacities of Vincent Lingiari and Donald Nangiari had been impeded by age, both men continued in their (non-elected) positions as President and Vice President of the new Council unchallenged. If the confidence and assertiveness of its board members (as was soon displayed by their management of local organisations) were a reliable measure, the new council seemingly reified and reinvigorated the authority of Gurindji leaders, in their own perception at least. From DAA Community Adviser John Millhouse's perspective too, 'Wattie Creek are assuming full control of the township'.⁶ At public meetings, 'strong talk' from councillors became a commonplace, and Council members asserted their control of local organisations. Mick Rangiari and others questioned Stan Andrews' conduct in his advisory role with the Muramulla Company, and the independent management style of Bev

³ Darwin, NAA, 'Wattie Creek Meeting [...]', 1 November 1977, Wave Hill Community Development, E460, 1978/242.

⁴ *ibid.*

⁵ *ibid.*

⁶ 'Project Review Visit [...]', August 1977, NAA, E460, 1978/242.

Andrews at the Daguragu store was also noted.⁷ The Wave Hill Social Club committee (which was comprised mostly of members of the new Council) confronted shop manager Alan Thorpe in a two-day meeting over what they had increasingly come to see as his autonomous and unaccountable management of the Kalkaringi store. The Council also expelled several young Ngumpit and Warlpiri trouble-makers from the area.⁸

Evidently, the new local government structure bolstered the Gurindji leaders' 'traditional' power, as evidenced by their termination of incompetent and underperforming staff. Effectively evicting troublesome *kartiya* and Warlpiri from Kalkaringi also confirmed to the Gurindji gerontocracy the extent of their agency under the new policy regime. For the elders, these experiences—and DAA Community Adviser John Millhouse's dedicated encouragement of Aboriginal assertiveness—presumably gave practical meaning to the rhetoric of governments in previous years about self-determination and self-management. The elders' newfound agency was heavily circumscribed, however.

While the new Daguragu Council vested local elders with a greater 'say' about some managerial aspects of local affairs than in the past, their voluble assertions of their own authority require contextualisation. Firstly, the power of the board was evidently limited and complicated by government-imposed legislative and financial strictures, not to mention its dependence on non-Indigenous staff to interpret and advise on these. While the Gurindji leaders' cultural authority was no longer overtly ignored or contested by the government agency tasked with responsibility for Aboriginal Affairs, Aboriginal cultural authority itself was being increasingly subject to interrogation from other sources, as I have outlined in Chapter Four. The two fronts on which this attack operated I have explained: one was via the dissociative rebellion of many, mostly younger, Gurindji residents. The other challenge to Aboriginal cultural authority—which the younger generation had adopted and co-opted in part themselves—was that created by the unprecedented exposure of Wave Hill's residents to westernising influences and cultural normativism. One instance of this was (for instance) the usurpation of Aboriginal punitivism via the inclusion of Aboriginal criminality into the settler legal system, not least due to the 'equality-before-the-law' *modus operandi* of new Aboriginal Legal Aid agencies. As my account of Rowse and Watts' 'trusteeship'

⁷ 'Report on Current Situation [...]', 21 February 1978, NAA, E460, 1978/242.

⁸ *ibid.*

function of co-opted self-determination policy also articulated in Chapter Three, other aspects of ‘self-determination’ policy impacted inimically on the authority of Aboriginal gerontocracies. The policy’s practical requirements tended to enfranchise a younger leadership whose power derived from extrinsic sources.⁹ In light of these and other dynamics then impacting upon Aboriginal gerontocratic power, the exhortations of the Gurindji elders about the authority of Daguragu Council may be seen more as *assertions*, rather than expressions of, their authority. In other words, repetitive refrains by Long Johnny Kijngayari, Jerry Rinyngayari, Mick Rangiyari and others about the strength of the Daguragu Council can be understood as entreaties designed to help the elders re-establish greater control. When the Council began operating in 1977, it remained to be seen whether the alignment of ‘traditionally’ powerful Gurindji individuals with the new forms of authority bestowed by government-created organisations at Wave Hill would protect the elders’ cultural authority from Aboriginal and governmental deconstruction.

From a retrospective governance/policy perspective, Daguragu Council’s ability to assert its authority over both Wave Hill’s communities via an amalgamated council also appears tenuous. Although there was truth in the claim of DAA Community Adviser John Millhouse that ‘any form of leadership that exists [at Kalkaringi] does so only with the blessing of Wattie Creek’, it remained the case that the official extension of the Daguragu elders’ political authority to Kalkaringi was without precedent. While the achievement of an amalgamated council with the locus of its authority at Daguragu can itself be regarded as a milestone—perhaps the apex—of the Gurindji’s power as an independent ‘self-determining’ group, it not only required the elders to extend their power in unprecedented ways, but also represented an improbable governance proposition. This is apparent when the situation is viewed in terms of the governance model of ‘decentralisation’ then commonly operating among remote Aboriginal communities and their satellites.

‘Decentralisation’ was the term used by policy-makers in the 1970s to refer to the (then officially supported) historical dynamic whereby Aboriginal people established permanent

⁹ Rolf Gerritsen, ‘Blackfellas and Whitefellas: The Politics of Service Delivery to Remote Aboriginal Communities in the Katherine Region’, in *Service Delivery to Remote Communities*, ed. by Peter Loveday (Darwin, North Australia Research Unit, Australian National University, 1982) pp. 16–31; AIATSIS, Jeremy Long Papers, BG Dexter, ‘Community Control’, *Local Councils*, MS 2534, Box 6, Folder 57.

shelter and basic amenities on (or closer to) their traditional country.¹⁰ Accommodation and infrastructure from that befitting a large permanent homestead to a bush ‘holiday camp’ was increasingly desired by Aboriginal people in the 1970s as a reaction to both their recent aggregation in large government or church-created settlements and to the chaos wrought by the government’s new liberal policies.¹¹ In light of Daguragu’s infamous origins as an experiment of Gurindji autonomy, its status as a smaller settlement dependent on the larger town of Kalkaringi perfectly matched the decentralised model of service delivery. Prior to the amalgamation of the councils of Daguragu (arguably a satellite ‘homeland’) and Kalkaringi (its service and support centre) this model had unofficially applied to the Kalkaringi-Daguragu relationship. With a new single council operating from Daguragu however, it seemed understood that the small ‘outstation’ community was to provide leadership and local governance to the central settlement *from its satellite*. How Kalkaringi, with its concentration of functional government agencies, resources and services, its pluralistic Aboriginal population and a rapidly changing population of powerful *kartiya* would be externally managed by a small group facing the significant challenges I have described, remained to be seen.

To support Daguragu’s new role as the centre of local governance, in February 1978, the new council began holding meetings (and elections) in that community for the first time. The council expected that *kartiya* employees would commute from Kalkaringi to the newly-built council office in Daguragu.¹² Despite or because of the board’s reliance on ‘well-intentioned Europeans’ whom they were unwilling to live amongst, its members refocused their attention on the un-remedied issue now standing between them and Daguragu’s sustained independence: the inculcation of a new generation of more appropriately-skilled Gurindji leaders. In one of Daguragu Council’s early meetings on 1 March 1978, councillor Donald Nangiari announced his priorities:

This council is going on forever. Not with the old people but with the younger people. We old people are just about gone. You mob have to start picking it up. We have ten men on the council now. This is the Gurindji area, we all stood up to Lord Vestey, but

¹⁰ Gerritsen, *op. cit.*, p. 58.

¹¹ ‘The Outstation Movement’, *Aboriginal News*, Vol. 3, No. 9 (Canberra, Australian Govt. Publishing Service for the Department of Aboriginal Affairs, 1980), p. 28.

¹² Darwin, NAA, ‘Situation Report—Wave Hill [...]’, 6 March 1978 and ‘Current Situation—Wave Hill [...]’, 26 February 1979, E460, 1978/242.

that was when I was younger. You people have elected this council. It's all under Daguragu, you all understand that. You know that foreman, leading hand. He's your boss.¹³

The Council board's rhetoric then shifted to creating more disciplined work habits among younger men, presumably in the hope that they would eventually replace both the *kartiya* employees of the Council and other organisations, and the aging councillors themselves. During Daguragu Council's early meetings, the councillors spoke clearly of their expectations of younger residents and also the good behaviour they expected from staff. It was explained that the Council would not tolerate drinking at Daguragu and that it expected workers to prevent begging by managing their own finances better. The misuse of council vehicles was also to cease. Councillor Banto captured the new hard-line attitude of the board: 'We have a Council here now, and a policeman'.¹⁴ The Council's threats were not mere hyperbole: local elders had a reputation for severity when it came to the punitive treatment of miscreants.¹⁵

Affected and motivated as they were by their broader dissociative project then underway, few younger people paid any heed of these challenges. One of those who ignored this trend was a young Warlpiri man, Billy Bunter—to the extent that he had recently been compelled to resign from many of his positions due to overwork.¹⁶ As something of an 'intimate outsider' to the Daguragu leaders, Bunter perhaps had fewer disincentives to 'step-up' in the way unsuccessfully demanded of the young Gurindji men. This status also granted him the freedom to candidly point out a troubling but no doubt common perception that went to the heart of the gerontocracy's concerns: not only were local young adults failing to take up the challenges offered by the DAA and their elders, by disrespecting or ignoring the elders' opinions, 'high' Gurindji language and cultural authority, they were also 'pushing

¹³ See Darwin, NAA, 'Minutes—Community Meeting [...]', 1 March 1978, Community Adviser—Wave Hill, E460, 1974/1028.

¹⁴ *ibid.*

¹⁵ Elaine Reeves, 'Law Reformers at Work—Turning White into Black', *National Times*, 4–9 July 1978, p. 18.

¹⁶ See Appendix A, which ostensibly reveals the commitments of community leaders to the governance of local organisations. Darwin, NAA, 'Retirement of Mr. B Bunter [...]', 24 February 1977, *Wave Hill Community Development*, E460, 1978/242.

down old people'.¹⁷ The only other younger person occupying leadership roles in community organisations at the time was Vincent Lingiari's son, Victor Vincent. While a board member of the Muramulla Company, Victor soon took the place of his father as president of the newly amalgamated Daguragu Council.¹⁸

Regardless of the elders' threats of imposing high professional standards and harsh workplace discipline, the newly-amalgamated council's operation as a vehicle enabling collective Gurindji independence was soon revealed as a failure by any immediate measure. In part this was due to its staffing and governance issues, as I shall now illustrate.

10.2 Internal dysfunction and staffing

Many of the problems that had characterised the former Libanungu Council persisted in the new Daguragu-based body. By December 1978, officials had recorded a long list of the new Council staff and board's misdemeanours, indiscretions and oversights. It would appear from DAA files that while Daguragu's elders *did* plan to police the behaviour of staff strictly, they were less concerned or less able to forestall their fellow Councillors' misuse of Council assets and work time. From the perspective of the DAA, 'severe faction fighting' developed among councillors about access to council vehicles, which were being used for non-Council purposes. According to regional DAA officer Neil Westbury, Daguragu Council's work output was poor, and neither were its vehicles under control: 'Two council trucks unaccounted for—apparently on a trip somewhere near Alice Springs'.¹⁹ Westbury believed that the leadership of the Council, especially its Kalkaringi representatives, was particularly lacking, except when 'it came to being paid, or using council vehicles for their own purposes':

[...] Notorious characters, namely Mick Inverway, Banto Banto and Wonga Bill [have been] jockeying for positions of influence and using council trucks for their own

¹⁷ Darwin, NAA, 'Minutes of Daguragu Council Meeting [...]', 30 April 1979, *Wave Hill—Review of Projects, Part 2*, E460, 1981/89.

¹⁸ Darwin, NAA, 'Situation Report [...]', 6 March 1978, Wave Hill Community Development, E460, 1978/242; Department of Aboriginal Affairs, *Kalkaringi—Book of the Community* (NT Division of the Department of Aboriginal Affairs, 1977, p. 8.

¹⁹ See Darwin, NAA, Westbury to Casey [DAA], 'Daguragu Council', 14 December 1978, *Wave Hill Community Development*, E460, 1978/242.

purposes such as visiting promised wives, exhibiting promised wives, grog runs to Top Springs and various other jaunts around the VRD [region].²⁰

Even Gurindji councillor Wonga Bill—himself the subject of allegations about vehicle misuse—claimed that council vehicles were used to illegally ferry grog into the communities at times.²¹

Regional DAA officers also quickly found that little work was being performed by Council staff—a view that was supported by John Edey of the Muramulla Company.²² Victor Vincent, the young President, seemed reluctant or unable to channel the authority of the Council against its workforce and his fellow, mostly older, board members. Instead, DAA staff considered a range of remedies to improve the Council’s work performance, and as a result decided to reduce its fortnightly payroll from \$12,000 (\$60,000) to \$7,500 (\$37,000) in September 1978.²³ Neil Westbury believed that the new Council’s indulgent operating style had set back the entire self-management project at Wave Hill by making it very difficult for other large employers, namely the Muramulla Company and Wundamarie Housing Association, to force more exacting requirements upon their own staff than those required of Daguragu Council’s. Conversely, Council members felt that if they were to force more labour from their employees, Wundamarie Housing Association and other organisations would have to do the same.

In light of the ‘professional’ misconduct of some local councillors, it would appear that they did not understand or value the concept of a government-imposed mandate to act in the ‘common good’ in a local government/municipal service delivery context—or equally, the nature and extent of the *work* necessitated by this interpretation of a representative role. This is not surprising: the financial, legislative and organisational concepts inherent in the model of local ‘self-management’ presented to the Gurindji and other Aboriginal groups by the DAA were the product of centuries of accumulated European political thought and social

²⁰ *ibid.*

²¹ Darwin, NAA, ‘Daguragu Council Meeting [...]’, 15 May 1978’, *Wave Hill Social Club*, E460, 1981/100.

²² Edey felt that the Muramulla Company was restrained by its limited funding to employ only assiduous, hard-working staff, yet the Council was extremely tolerant of underperforming workers. Darwin, NAA, ‘Muramulla Gurindji Co P/L Report [...]’, 14 August 1978, *Muramulla Gurindji Cattle Company Part 2*, E460, 1981/256.

²³ Darwin, NAA, ‘Message No. 63’, 20 August 1978, *Wave Hill—Review of Projects, Part 2*, E460, 1981/89.

development—epistemological histories of which the Gurindji were oblivious. Neither had Wave Hill’s Aboriginal residents generally lived in a town in which local government functioned, let alone had training in its history or workings. Similarly, they also lacked their own social conventions regarding the management of non-sacred material property.²⁴ In assessing Gurindji people in their roles as Council office-bearers and employees by applying western social mores regarding financial management, punctuality, sobriety and leadership, DAA staff overlooked (or chose to ignore) the possibility that the meanings and motivations they themselves attached to Daguragu Council differed markedly from those of its Aboriginal board and employees.²⁵

To create a plausible account of the Gurindji’s likely concepts of representation, responsibility and authority, and how they may have viewed the political processes and organisational structures in which they were enmeshed in the late 1970s, we shall turn again to ethnographic, anthropological and political scientific literature regarding other remote Indigenous groups in the period. As I have argued in Chapter Four, the importance traditional Wik people placed on personal autonomy, as described in the work of anthropologist David Martin, was also characteristic of Gurindji individuals. Martin describes the values Wik ascribed to and vested in their social relations thus:

Assertions of uniqueness and personal autonomy [...] were an omnipresent feature of Wik life. Yet, also distinctive was a strong ethos of equalitarianism, a manifest pressure to conform, and an emphasis on reciprocity and on equivalence in social transactions.²⁶

Writing of Aboriginal Australia more generally, anthropologist Les Hiatt found autonomy and authoritarianism formed the dialectic of value and cultural meaning between which traditional groups formed their social existence.²⁷ Similarly, anthropologist Fred Myers

²⁴ Robert Tonkinson, ‘Outside the Power of the Dreaming: Paternalism and Permissiveness in an Aboriginal Settlement’, in Michael Howard (ed.), *Aboriginal Power in Australian Society* (St Lucia, Queensland: University of Queensland Press, 1982) 115–130 (p. 118).

²⁵ For a full elaboration of equivalent potential differences in nearby Bulman, see Gillian Cowlshaw, ‘Erasing Culture and Race: Practising “Self-Determination”’, *Oceania*, 68 (1998), 145–169.

²⁶ David Martin, ‘Autonomy and Relatedness: an Ethnography of the Wik people of Aurukun, Western Cape York Peninsula’ (Unpublished PhD thesis, Australian National University, 1993), p. 9.

²⁷ Cited in Tim Rowse, *Remote Possibilities: the Aboriginal Domain and the Administrative Imagination*, (Darwin, North Australian Research Unit, 1992), p. 23.

described the Pintupi social polity as ‘a temporary jurisdiction of relatedness among autonomous equals’, and elsewhere as a ‘society of autonomous, egalitarian actors’.²⁸ Seen in this light, the indulgent behaviour of individuals on the Daguragu Council board, and the board’s collective apparent indifference to that behaviour, are rendered comprehensible by their shared perception of that forum as an egalitarian coalition among autonomous, culturally entitled equals.

The valorisation of these attributes by Daguragu Council board members may go some way towards explaining the behaviour described by DAA Community Adviser Neil Westbury and other interlocutors of the Gurindji at the time. Another factor to consider though must be the group’s attitudes towards ‘government’, the complex of European power which the Council both peripherally embodied, and was in some sense sustained by. In a broad sense, the European convention of political representation was relevant to these attitudes of the Gurindji leaders, and their understandings of political representation can hence be profitably evaluated for insight into how the Daguragu Council board may have seen its responsibilities to government and its constituents. According to political scientists Peter Loveday and John Summers, this accords with the common opinion of Aborigines in the NT at this time: ‘the notion of representation, *even if foreign to traditional culture*, is understood by many people’ [emphasis mine].²⁹ While the European concept of political representation itself was readily adopted by the Aboriginal population at Wave Hill, councillors’ and staff misuse of Council resources suggests, among other things, that they were unfamiliar with notions of the public good, professional performance and public accountability: the cultural meanings with which political representation is linked in mainstream society. Notwithstanding Vincent Lingiari’s elevation above his peers (which was contested by the late 1970s in any case), it is more likely that Gurindji elders saw their political responsibilities in similar terms to the Pintubi people of the Western Desert. Anthropologist Fred Myers describes that among the Pintubi:

²⁸ Fred Myers, *Pintupi Country, Pintupi Self: Sentiment, Place, and Politics among Western Desert Aborigines* (Washington, Smithsonian Institution Press, 1986), p. 256; Fred Myers, ‘A Broken Code: Pintupi Political Theory and Temporary Social Life’, *Mankind*, Vol. 12, No. 4, December 1980, 311–326 (p. 311).

²⁹ Peter Loveday and John Summers, ‘Mobile Polling’, in Dean Jaensch and Peter Loveday, ed., *Under One Flag: The 1980 Northern Territory Election* (North Sydney: Allen & Unwin, 1981), p. 55. See also Tim Rowse, “Democratic Systems are an Alien thing to Aboriginal Culture”, in *Speaking for the People: Representation in Australian Politics*, M. Sawyer & G. Zappala (eds) (Melbourne University Press, 2001) 103–133, p. 110.

There were no individual leaders, no single “bosses”, who could be said to represent a whole group. This, it seems to me, was the basis of the remarkably “egocentric” quality of Pintupi social thought, in which the concept of “community welfare” is conspicuously absent.³⁰

Myers also notes that when Pintupi people involved themselves with local governance in the 1970s:

The expected duty of the Councillor [...] is essentially ambiguous in the absence of agreement about what constitutes appropriate action, the “common good”, or even “the community” itself.³¹

As Myers alludes, making sense of the behaviour of Daguragu Council’s board requires us also to consider the group’s understandings of the power relationship with the Australian state in which, as council board members, they had become enmeshed. Myers’ analysis of the Pintupi’s notion of *kanyininpa*, or ‘holding’, is of relevance here. *Kanyininpa* forms the basis of the Pintupi’s mode of hierarchical social relations, as anthropologist Robert Tonkinson summarises:

Just as the elders mediate the power of the Dreaming in looking after their people and protecting the integrity of their social order, so [they believe] should local whites (who are likewise not sources but mediators of power) look after Aborigines in all matters pertaining to the impingement of alien society on Aborigines’ lives.³²

In its classical Aboriginal conception then, *kanyininpa* obligates those of more advanced standing in their acquisition of ceremonial knowledge to provide for those who ‘come behind’. Relative novitiates are thus in a position of subservient dependence upon those who are obligated to support the novitiates’ social advancement and provide for their physical wellbeing. In the context of ‘Aboriginal’ organisations like Daguragu Council, similar perspectives held by those organisations’ Aboriginal staff and board members gave them reason to ascribe to their employers a welfare-oriented purpose in addition to their

³⁰ Myers, 1980, *op. cit.*, p. 314.

³¹ Myers, 1980, *op. cit.*, p. 315.

³² Tonkinson, *op. cit.*, p. 129.

governmental functions. From the perspective of Gurindji staff and board members, the Council's obligation to support them was a function arising from their kinship-based identity and relationships, rather than their professional performance.

As factors explaining the Daguragu Council board's misuse of resources, the councillors' nurturant model of social hierarchy and their individualistic (albeit collectively-oriented) model of social relations are partial but inadequate. For its councillors, their own incipient perspective of Daguragu Council was informed not only by their perspectives of their rights and responsibilities regarding each other and their position as citizens of a postcolonial nation state, but also the rights and responsibilities accruing from the 'project' initiated by Lingiari and his coterie at Daguragu. Their allegiance to this project varied though. While the Gurindji elders' acceptance of a Daguragu-based, government-funded local council showed their willingness to experiment in their attempts to realise an independent Gurindji-run community, such collective ambitions were less important for the Kalkaringi-based councillors whom Neil Westbury described misusing Council resources soon after its incorporation. For the Kalkaringi-based councillors, the primary function of Daguragu Council was one of 'holding' its board members.

By the time of Daguragu Council's incorporation, the track mob's 'consensus', or even clarity, around the elders' vision had been further problematised by Gurindji dissociation and the politics of self-determination policy. Both Daguragu's transformation into an increasingly European-influenced and managed 'community' in the 1976–79 period and its new council's expansion as an extraneously-resourced agency with responsibility for Daguragu *and* Kalkaringi had given the elders cause to question whether the Council was as representative of their interests as they had initially hoped. With the cohering influence of the Daguragu elders' 'collective' interest waning along with their sense of control over Daguragu, by the lights of their own egalitarian apparatus of meaning and authority, the councillors lacked any right to exercise a moderating or restraining influence over each other's actions. The extraneous origins of Daguragu Council's authority—and the limitations of the councillors' ability to exert a decisive influence over it in the interests of 'their community'—were increasingly overshadowed for them by their model of hierarchical power. Accordingly, the elders increasingly saw the government-resourced Council—representing and putatively able to mediate the *kartiya* knowledge that the elders ultimately

sought for their people—as obligated to nurture, look after or ‘hold’ their extended families and provide for their own physical needs and wellbeing.

For the reasons outlined above, within a few years, some of the Daguragu-based councillors of Daguragu Council had also adopted a lax and exploitative attitude to Council resources.³³ Their firsthand observations and experience of governance and resource (mis)management during 1978–80 also gave them cause to reconsider their earlier assessment that their role as councillors might be to ‘hold’ the Council for ‘their’ community. By the early 1980s, it seems that like their Kalkaringi counterparts, Daguragu’s councillors frequently decided that their Council’s function was rather to ‘hold’ them and their dependents. With such unresolved dilemmas plaguing its leadership, similarly afflicted council staff were left with little guidance. As a result of these issues, Regional DAA Officer Neil Westbury noted that the young Daguragu Council President Victor Vincent took ‘a low profile and considers the problems of the council workforce [...] a burden he could well do without’.³⁴

The role of non-Indigenous staff in the Gurindji leaders’ reassessment of their Council’s function should not be overlooked. As we have seen, the Council’s lack of skilled management was inimical of a sense of corporate responsibility among its other staff and board members. If Gurindji councillors were to make practical association between the achievement of their social vision and the (to them) esoteric processes of decision-making and resource allocation promoted by Daguragu Council, it would seem their best chance might have been to learn from the *kartiya* staff it employed. Yet this approach—if it had been seriously attempted—was massively flawed. During 1978–81, it appears that Daguragu Council lacked managerial staff entirely. The paucity of adequately trained *kartiya* staff is highlighted by the provisional re-employment of the Daguragu Council mechanic as its Works Supervisor.³⁵ Appointments to senior positions were made in unfavourable circumstances and poorly considered. Many—if not most—of the *kartiya* staff employed by the Council in the late 1970s were exponents of the unmotivated, incompetent and/or

³³ Jan Richardson [former Daguragu Community Government Council Clerk], Personal Communication, 12 January 2015.

³⁴ See Darwin, NAA, Westbury to Casey (DAA) ‘Daguragu Council’, 14 December 1978, *Wave Hill Community Development*, E460, 1978/242.

³⁵ *ibid.*

avaricious approach to ‘self-management’ that the DAA wished to *prevent* the Gurindji from pursuing.

Brazen thefts of government and/or Daguragu Council property by *kartiya* employed to ‘help’ the Wave Hill communities dwarfed the indiscretions of Gurindji councillors. At Daguragu and Kalkaringi, government expenditure in the late 1970s remained at a level conducive of significant growth and development. A plethora of poorly-coordinated organisations operating with high levels of staff turnover provided significant opportunities for unscrupulous individuals to capitalise on poorly-monitored government largesse. Examples included the theft of a DAA barge which had been purchased to make Daguragu accessible during the wet season and the unmonitored sale of new, slightly damaged DAA-purchased 4WD vehicles and new kit homes by locally employed *kartiya* contractors and others.³⁶

Unfortunately, individuals with such character traits were far more common than those required by the ‘ideal’ form of self-management policy. In reality, the skill-set required to successfully elicit Aboriginal-managed community organisations was, and has remained, exceptionally rare. Even if there had been a pool of honest staff at Wave Hill proficient in municipal service delivery who were also willing to train Aboriginal employees, it is unlikely that they would have had English-as-a-Second-Language (ESL) *and* Adult Education skills *and/or* fluency in Gurindji *and* expertise identifying (let alone describing) the concepts and administrative and legal practices which local government operationalised elsewhere in the country. The DAA’s Community Advisers were perhaps the candidates best-qualified for the job, though it is unlikely that one Adviser per community (as the Department commonly apportioned) would be able to meet the training needs of its residents, let alone fulfil the other requirements of their position. Aboriginal individuals with this combination of skills and knowledge were unheard of, and there was no broad-scale effort by authorities at Wave Hill in the late 1970s to create such a group through training. Instead, local people were elected to ‘lead’ organisations which were poorly understood by them and their white intermediaries. Co-opted Aboriginal self-determination and trusteeship became the norm.

³⁶ While the abundance of such tales retains an aura of bush mythology, these accounts were relayed by firsthand observers. Gerritsen, *op. cit.*, p. 20; Colin and Maggie Muir, Interview Recorded by Charlie Ward, 24 October 2012. In possession of the author.

10.3 Intergenerational pressures

I have described in this thesis how the cumulative effects of liberal social policies and westernisation created an environment in which social tensions among the Gurindji group were given greater opportunity for expression. The rift in collective purpose that this dissociation caused does not wholly explain the common failure of young Gurindji adults to engage in managerial work in the new community organisations of the 1970s, however. The effect that all Gurindji people's inculcation in their 'domestic moral economy' (as described in Chapter Two) had on their employment also demands consideration. According to the dictates of Gurindji demand sharing, when kin of employees of Daguragu Council were asked by their relatives to provide them with preferential treatment such as advancement on a waiting list for housing, they were placed in a position that could only result in their loss of favour—or worse—with either their employer or their families.

Aboriginal staff holding positions that mediated access to goods or services in local organisations were thus faced with an almost unresolvable conundrum: on the one hand, if such employees conceded to the demands of their relatives, aside from the likelihood of losing their jobs, they would lose their standing among the coterie of *kartiya* managers at Kalkaringi and beyond. It was likely that this course of action would compound their extant frustrations and difficulties with negotiating and advancing in the entire Eurocentric, *kartiya*-dominated realm of paid labour. Nonetheless, for reasons I will describe, when placed in this unenviable situation, Aboriginal employees' concession to the demands of their relatives was in fact the most commonly chosen option. By the mid-1980s, the kinship-mediated effects of 'demand sharing' on those Gurindji working in local organisations were thus the bane of the bureaucrats and other *kartiya* staff tasked with fostering self-management in the Gurindji's communities.³⁷

From the perspective of Gurindji staff in the period, it is likely that the 'costs' of rejecting the requests of their kin were far greater than those incurred by their non-participation in, or exclusion from the paid workforce. Anthropologists such as Les Hiatt have described generosity (as mediated by kinship sharing systems once prevalent

³⁷ Darwin, NAA, 'Tonkin to Wright', 11 February 1982, *Wave Hill Social Club*, E460, 1981/100; Darwin, NTAS, Interview with Bev Andrews, recorded by Charlie Ward, November 2012, NTRS 3609, BWF 40; Muir Interview *op. cit.*

throughout Australia) as the primary measure of Aboriginal social value.³⁸ For this reason, if young Gurindji staff attempted to ignore their kin/relationship-defined responsibilities to their extended family members—even in a largely European work context—anthropological literature indicates that the likely outcomes of ostracisation and isolation from their families would impact fundamentally on their sense of identity. In other words, refusing the requests of relatives could not only alienate Gurindji staff from their families but might also threaten their sense of personhood, and this was therefore to be strenuously avoided. It is unlikely that Gurindji elders initially had much idea that their young people’s staffing of Wattie Creek’s organisations would require those staff’s withdrawal from, and hence the deconstruction of, their society’s fundamental socioeconomic order.³⁹

10.4 Daguragu Community Government Council, 1982–

The Gurindji’s relationship with authorities in Darwin and Katherine deteriorated after Northern Territory Self-Government in 1978. The ‘forfeiture notice’ issued to the Muramulla Company by the NTG in 1979 marked a new low in the elders’ the post-Walk-off attitudes towards the bureaucracy. Instead of improving in 1980–81 as the effects of the staged transferral of powers under the terms of Self-Government were implemented however, the functionality of Daguragu Council and its relationship with authorities continued to decline.

The transferral of responsibility for the Gurindji and ‘their’ organisations under the terms of Self-Government from the DAA to another government entirely surely impressed further upon the leaders of Kalkaringi and Daguragu the fact that their relationship with the Australian state was one of dependence over which they had no control. Dispiritingly, neither did the political disposition of the first NT Government bode well for remote Aboriginal people. Although Chief Minister Paul Everingham’s Country Liberal Party ostensibly supported the principle of Aboriginal self-management, the concept was so ill-defined by

³⁸ L. R. Hiatt, ‘Traditional Attitudes to Land Resources’ in *Aboriginal Sites, Rites and Resource Development*, ed. by R. M. Berndt (Perth, University of Western Australia Press), 13–26 (pp. 14–15).
³⁹ Hannah Middleton, *But Now We Want the Land Back—A History of the Australian Aboriginal People* (Sydney, New South Wales, New Age Publishers, 1977), p. 119; Nicolas Peterson, ‘Demand Sharing: Reciprocity and the Pressure for Generosity among Foragers’, *American Anthropologist*, 95 (4), 1993, pp. 860–874.

1981 that he was able to downplay his government's responsibility for funding organisations like Daguragu Council:

What slice of the budgetary pie should be given to the population minorities that choose to live well away from the main centres? To what extent should the rest of the community subsidise those who live in inconvenient areas where distance, terrain and diseconomies [*sic*] of scale make the provision of services such a costly affair? [...] Of course, there are times when government is guilty of being overzealous in its responsibilities to remote communities. We ought not to be chasing after people with services from which they are running away [...].⁴⁰

Coinciding with this promulgation of uncertainty, the Gurindji's interface with government had splintered. As a result of Self-Government, most of the DAA's responsibilities in remote communities had been devolved to the NT Departments of Community Development and Transport and Works, both of which Daguragu Council was now beholden to for funding. The Kalkaringi school and clinic were also caught up in the changes: responsibility for them had been transferred to the NTG's new education and health departments. According to geographer Jackie Wolfe, each of these agencies in Darwin and Canberra marched to its own, not the Gurindji's tune: 'on the all-important question of coordinating agencies of administration, the [local] councils had no power whatsoever'.⁴¹ Amongst all this, Daguragu Council was caught on the back foot, unable to attain equilibrium.

Under the name of 'community government', the Gurindji's new Northern Territory Government intermediaries in the Department of Community Development (DCD) were intent on completing the latest in a succession of government-led reforms which had created and subsequently restructured a number of local, community council-type representative bodies in Aboriginal communities. For these reasons, NT DCD staff worked with Daguragu councillors in 1982 to reincorporate their council under the *Northern Territory Associations Incorporation Act (1978)*. Although the Whitlam Government's *Aboriginal Councils and Associations Act (ACAA)* had nominally been designed for this purpose, incorporation of

⁴⁰ Chief Minister Paul Everingham, 'Opening Address', in *Service Delivery to Remote Communities*, ed. by Peter Loveday (Darwin: North Australia Research Unit, Australian National University, 1981) 1–3, p. 1.

⁴¹ Jackie Wolfe, *That Community Government Mob': Local Government in Small Northern Territory Communities* (Darwin, Australian National University, North Australia Research Unit, 1989), p. 20.

Daguragu Council under the *ACAA* was not considered at Wave Hill: the NTG overtly discouraged Aboriginal communities from adopting it, and as the federal Act only allowed for Aboriginal membership and representation, it would also have been problematic for a council incorporated under the *ACAA* to exercise its authority within the ‘mixed’ town of Kalkaringi. Instead, while the Territory government itself described the *Associations Incorporation Act (AIA)* the DCD was touting at Wave Hill as ‘more closely related to commercial enterprises’ than ‘council-type bodies’, it saw it as an intermediate step towards ‘full’ community government.⁴²

Although the NTG had touted its community government agenda (and the *Associations Incorporation Act*) as designed for local adaptation, at Kalkaringi the generic government-created constitution provided for Daguragu Council by the Act was adopted largely without amendment, signifying the disengagement of Gurindji leaders and the officers of the DCD. The council’s lacklustre engagement with the first phase of the DCD ‘community government’ reforms marked the first time at Wave Hill that public servants had been unable to rouse anything more than the most cursory Aboriginal response to their initiatives. Given that the Daguragu Councillors were struggling to cope with the Council’s existing responsibilities, it was unsurprising that their enthusiasm was muted while the Everingham Government sought to divest more functions upon the tiny council office at Daguragu.⁴³

The reforms forced upon Daguragu and other remote councils as a result of NT Self-Government showed that communities’ attempts to give policies of self-determination and self-management operational meaning were incidental to the exigencies of government in Canberra and Darwin. It was therefore ironic that although *all* the towns and smaller communities in the Territory were subject to the NTG’s mooted ‘community government’ reforms, in settlements with a high Aboriginal population such as Kalkaringi, the new policy was promoted under the rubric of Aboriginal ‘self-management’. The justification for this conflation of self-determination’ with ‘community government’ provided by the NTG was

⁴² *Conference of Council Presidents and Community Advisers* (Kormilda College, Darwin, January 1980), p. 16.

⁴³ In this, the Gurindji had much in common with other small populations faced with the development of local government ‘from above’. Ruth Atkins, ‘Local Government’, in *Public Administration* (ed. Richard Spann) (NSW Government Printer, Sydney, 1973) 221–246 (p. 221).

that under the reforms, community councils hitherto administered by the DAA would accrue a far greater number of responsibilities.⁴⁴

When the newly-named Daguragu Community Council was incorporated under the *Associations Incorporation Act* on 1 March 1983, it claimed functional responsibility for many roles and services typically provided by local government, for example the supply of services and amenities to local residents, the drafting of by-laws, rules and regulations, and the provision of sewerage and drainage facilities.⁴⁵ While the NTG's motivation for its community government reforms may be debated, the reforms incontestably delegated more power and responsibility to the local level. After its incorporation under the *AIA*, in addition to a number of 'soft' welfare, cultural and financial functions, the Daguragu Community Government Council was able to undertake any and all of the following on behalf of local residents:

[...] To develop the communities' buildings and works; to supply services and amenities; to establish parks and gardens and recreational areas; to make by-laws; to operate communication facilities and a mechanical workshop; to operate sewerage [and] to operate drainage facilities.⁴⁶

As a result of the reforms, Wave Hill-based federal or NT government officers responsible for community development and/or governance would potentially no longer be needed. Instead, the new council clerk positions provided for under the *Associations Incorporation Act* and later the *Local Government Act NT* effectively subsumed the previous roles of both Kalkaringi's old DAA community advisers *and* those of the old Libanungu and Daguragu Councils' municipal officers.⁴⁷ As a result of this restructuring and the new council's increased number of functional responsibilities, the 'local' power potentially wielded by the

⁴⁴ Wolfe, *op. cit.*, p. 38.

⁴⁵ This postulate is supported by the prominence of the following 'object' of the Council's incorporation: 'to establish, assist or support the establishment of any institution or Council established for the object of or having similar powers to the council [...]'. 'Notice of Intention to Apply for the Incorporation of an Association', Public Notice, *NTN*, 1 March 1983.

⁴⁶ 'Notice of Intention to Apply for the Incorporation of an Association', Public Notice, *NTN*, 1 March 1983.

⁴⁷ It has been argued that despite this appearance of greater *local* autonomy, the NTG's grants system accompanying the reforms actually increased the power of the NTG over community decision-makers. See Martin Mowbray and Kathryn Shain, 'Self-management: One Northern Territory Experience', *Legal Service Bulletin*, June 1986, pp. 106–111.

new council clerks—although heavily constrained by the NTG’s strict financial requirements in the new community government legislation—increased significantly.

Regardless of these changes, by 1982, the Gurindji elders had largely withdrawn from Daguragu Council. Council meetings were rarely held, and the organisation lacked effective *kartiya* management. Billy Bunter was struggling to cope with the duties thrust upon him as president, and in a major blow to the elders, the council’s accounts had been transferred to a new DAA-created resource agency, the Yulngu Association in Katherine.⁴⁸ I have described this situation and the concomitant loss of control perceived by Gurindji elders in my book *A Handful of Sand*.⁴⁹ Daguragu’s leaders were by this point so disillusioned by the development of Kalkaringi and the corruption of its non-Indigenous staff that those among them holding positions at Kalkaringi initiated a protest ‘Walk-off’. In *A Handful of Sand*, I described it thus:

With their activist supporter friends long gone and few ‘mates’ among the government mob then (it seemed) pushing them around, they decided that their best option lay in the type of demonstrative disobedience that had shaped their past: industrial action. Who took part in this protest is unknown, but in 1982 an exodus of Gurindji from the settlement to ‘sit down’ at Daguragu occurred. It was seen by its participants —like the Gurindji’s spectacular protest of 1966—as a ‘Walk-off’ or ‘stop work’.⁵⁰ The scale of the strike is hard to gauge: numbers were artificially swollen as a result of new housing at Daguragu. According to Baptist missionary Gordon Moore however, the people of ‘all but two houses’ left Kalkaringi. From Moore’s perspective, the people’s move to Wattie Creek and quitting their jobs was purely a protest against Frank Dalton’s Bar and Grill [a bar at Kalkaringi popular with *kartiya*].⁵¹ The move displayed more than petulance about the behaviour of Dalton’s patrons though; it was an expression of many Gurindji people’s frustration and despair about the domination of

⁴⁸ NTAS, Darwin, Transcript of Interview with Stan Davey, October 1986, NTRS 226, TS 462, p. 13.

⁴⁹ Charlie Ward, *A Handful of Sand: The Gurindji Struggle, after the Walk-off* (Clayton, Victoria, Monash University Publishing, 2016), pp. 283–84.

⁵⁰ Will Sanders, Personal Communication, 19 November 2013.

⁵¹ Gwen and Gordon Moore also believed the death of the local church leader, Pastor Clancy Barlanga, fomented the ‘unrest’ they observed in the community. Rev Gordon Moore, ‘Wave Hill—Annual Report, 1982’, Personal File, Global Interaction.

kartiya and their opaque institutions at Kalkaringi: a fact synonymous with the community's development over the last decade.⁵²

This protest by the track mob was arguably the nadir of their relationship with government, and formed the recent background to Daguragu Council's reincorporation as a 'community government' entity. Rather than provide a detailed account of Gurindji people's efforts to engage with and/or exert influence over the 'new' DCGC as I do in *A Handful of Sand*, I will offer a truncated summary here.⁵³

With the majority of younger Gurindji still proving uninterested in long term training and education, Daguragu's leaders made their last attempt to obtain control. Pincher Nyurmiarri and others played a decisive hand in recruiting Stan Davey, a capable community development worker they had known since their 1966 Walk-off, as DCGC's first town clerk. With Davey and his wife Jan Richardson, the elders instigated a 'nine skin' system of representation for council board elections, ensuring democratic representation apropos of gender and local demographic particulars.⁵⁴ During 1983–86, Davey and Richardson created a professional environment in which young Gurindji adults, mostly women, were able to obtain some proficiency in administration and basic book-keeping.⁵⁵ These individuals were employed by DCGC, and some were repeatedly elected to its board, including to the role of president. These events can be construed as the 'initiation' of a small group of 'next generation' Gurindji leaders as holders of some of the *kartiya* knowledge which had long been desired for them by Daguragu's old men. They did not, however, include the employment of Gurindji individuals in Daguragu Council's managerial roles, or lead to those individuals' employment in those roles in other organisations. Nor did the greater engagement of Gurindji people with DCGC lead to a quotidian version of 'Gurindji independence', as envisaged by either Gurindji elders or self-determination policy's earlier, ideal formulation. Rather than an enfranchised Gurindji polity exerting broadly observable influence on Daguragu and Kalkaringi's politics, the interdepartmental and interpersonal

⁵² Ward, *op. cit.*, pp. 283–84.

⁵³ Ward, *op. cit.*, pp. 285–97, pp. 305–308.

⁵⁴ 'Daguragu Vote', *7.30 Report Northern Territory*, Australian Broadcasting Commission (ABC TV), 21 November 1988; NTAS, Davey Interview, *op. cit.*, p. 16.

⁵⁵ Darwin, NTAS, Roslyn Frith, Interview Recorded by Charlie Ward, October 2011, NTRS 3609, BWF 33.

politics of government agencies and their non-Indigenous staff and other private residents of Kalkaringi proved the decisive factor in local developments.

10.5 Legal and governmental limitations

To this point I have mainly discussed the quirks and operational failures of Daguragu Council and DCGC arising from what were essentially council staffing issues. The other reasons for the failure of a Daguragu-based council as an instrument of Gurindji independence were legal-governmental and situational: the Council's 'external' operational context. In essence, the authority of Aboriginal council bodies incorporated at Wave Hill regarding the 'open town' of Kalkaringi was limited, and the influence there of Daguragu Council and the Daguragu Community Government Council were further curtailed by their relocation to Daguragu. Neither of these bodies was able to intervene effectively when they assessed activities of government agencies and/or self-supporting Europeans at 'the Settlement' to be inimical of the track mob's interests.⁵⁶ Any influence they might have exerted over Kalkaringi's other 'stakeholders' relied more on effective negotiation and mutual good will, which were frequently lacking, than the Council's legal mandate. These environmental or situational parameters were little affected by Daguragu Council's (dys)functionality, or even that Council's re-incorporation after several years' operation. Such matters were largely incidental to the operations of other government agencies at Kalkaringi, and the conduct of its residents.

While the aims of the Gurindji elders remained out of reach, as we have seen, in the open town of Kalkaringi, European-Australian residents commonly pursued their own interests with notable success. As per self-determination policy's 'co-opted' form and Rowse and Watt's 'trusteeship', whites and others commonly arrived in the community to take up positions of power in local organisations. While authorities recommended that various government advisory services should take control of the management of Wave Hill's government-subsidised enterprises, a small European entrepreneurial class also established itself and flourished on a largely Aboriginal customer base. As the result of competition from a fuel and takeaway shop opened in Kalkaringi by a *kartiya* resident for instance, the

⁵⁶ We have already seen an example of this writ large, regarding the decision of Commonwealth and Northern Territory education bureaucrats not to provide a government school at Daguragu. See Chapter Eight.

Gurindji's Karu Bulangkarni store suffered financially.⁵⁷ Similarly, Daguragu Council's mechanical workshop lost business to its commercial, *kartiya*-owned competitor, and former Kalkaringi police officer Denis Watson operated a bus service driving local customers to and from Katherine.⁵⁸ More controversially, an establishment serving alcohol opened at Kalkaringi in 1981, and became hugely popular among *kartiya* residents, tourists and the region's pastoralists. As the amount of alcohol sold and consumed at Wave Hill increased, the attention of disaffected and disengaged Daguragu residents shifted increasingly towards Kalkaringi's licit and illicit liquor trades.⁵⁹ That a licensed club could operate at Kalkaringi regardless of most local leaders' staunch opposition illustrates again how little influence they exerted there—a point I shall illustrate by describing alcohol consumption's management at Wave Hill in the early 1980s.

For many of Kalkaringi's *kartiya* residents, ascertaining their 'right' to drink was a pre-condition of seeking employment in frequently 'dry' Aboriginal communities. To those so motivated, the alcohol-mediated process of social dissociation being fought between generations of Gurindji was of little concern. Kalkaringi's white drinkers displayed their priorities in late 1984, when notwithstanding the easy availability of alcohol at Kalkaringi's popular bar, they petitioned the NT Liquor Commission to revise the town's by-laws so that they might also apply for individual permits to drink privately in their own homes.⁶⁰ Although the great majority of senior Aboriginal women and most of their male counterparts had lobbied for alcohol to be banned entirely from Kalkaringi (as it was in Daguragu), the Europeans' application for personal liquor permits to be issued was successful. When the legalised consumption of alcohol by whites at Kalkaringi increased as a result, then language worker Helen McNair recalled the effect on the Gurindji people's attitudes to grog:

⁵⁷ Elspeth Young, *Outback Stores: Retail Services in North Australian Aboriginal Communities* (Darwin, North Australia Research Unit, Australian National University, 1984), p. 24.

⁵⁸ Richard Pullin, 'Frank Hardy revisits Gurindji to Help with New Problems', Unknown Source, Date Unknown [c. 1985]; Will Sanders, Personal Communication, 19 November 2013.

⁵⁹ Darwin, NAA, NT Liquor Commission Chair to DAA, 23 December 1982, *Wave Hill Centre: Policy and Development*, E460, 1981/306; Rev Gordon Moore, 'Wave Hill—Annual Report, 1982', Personal File, Global Interaction.

⁶⁰ Norm and Helen McNair, Interview Recorded by Charlie Ward, March 2010, in possession of the author.

Straight away some of the influential Aboriginal people said ‘we want permits too’, so it was useless, basically. Kalkaringi was so-called ‘dry’, but with permits. That was used and abused like anywhere. Once again, what [the core of the Gurindji leadership] wanted didn’t happen, because whites over-ruled.⁶¹

Many Daguragu Councillors and most Gurindji women wanted Kalkaringi’s status as a ‘restricted area’ to be reinstated, and the licence of Kalkaringi’s new bar to be revoked. In the public meeting they called for with the NT Liquor Commissioner, the Commissioner found that most of those present ‘did not understand the purpose of the meeting, or did not care whether the restricted area was restored or not’.⁶² Rather than banning grog from Kalkaringi as the council desired, the Commissioner bemoaned the community’s failure to curb its demand for alcohol. Ironically, he criticised DCGC for its weakness on the issue, and left.⁶³

The weakening of unanimity among local male elders’ and the ineffectiveness of their political leadership regarding alcohol serves to illustrate the complexity and scale of the challenges which the Gurindji elders faced in their efforts to realise Daguragu’s independence and the limitations of their power. It is consequently difficult to regard the adverse environment that Kalkaringi and Daguragu’s entwined economic and social interests created for the DCGC as a ‘success’ of Aboriginal self-determination. On the frequent occasions that Daguragu Council took a stance supportive of Aboriginal enablement on local issues, the majority of Kalkaringi’s *kartiya* residents saw this as incidental, or even antithetical to their own interests. Among them, their own self-interest or quality of life and local financial and political power were mostly of greater importance.⁶⁴ For these reasons, many of the *kartiya* residing in Kalkaringi were resistant to Stan Davey and Jan Richardson’s efforts to ‘empower’ the Daguragu Community Government Council, or even to ‘Aboriginalise’ its operations.⁶⁵

⁶¹ *ibid.*

⁶² Darwin, NAA, NT Liquor Commission Chair to DAA, 23 December 1982, *Wave Hill Centre: Policy and Development*, E460, 1981/306.

⁶³ *ibid*; Moore, 1982, *op. cit.*

⁶⁴ Jan Richardson [former Daguragu Council clerk], Personal Communication, 2 April 2010.

⁶⁵ Darwin, NTAS, John and Elaine Bullock, Interview Recorded by Charlie Ward, October 2012, NTRS 3609, BWF 44.

By 1986, when the period of this analysis ends, Davey believed that the government's espoused aim of Aboriginal self-management was a chimeric impossibility at Kalkaringi and Daguragu. Aside from the dearth of competent and committed local Aboriginal staff Wave Hill's organisations faced, he believed that the requirements of the government (or the 'pressures of the bureaucracy', as he termed it) precluded Aboriginal control.⁶⁶ In Davey's reckoning, these pressures amounted to a situation in which governments 'controlled, stifled and suppressed' Kalkaringi and Daguragu via their 'self-determination' policies.⁶⁷ Equally significantly, he also thought that given the difficulties and work involved, the Gurindji—or a critical number of them—lacked the will to manage Kalkaringi and Daguragu independently. If the 'elders [had] supported their trainees, Gurindji [people] would have taken over the roles', he said.⁶⁸

10.6 Conclusion

As I have argued in Chapter Two, when Gurindji elders formulated their vision of an independent Daguragu society in the 1950s and 60s, they conceptualised this as a project to be conducted within the Gurindji realm. Their intention was to create a large self-managed pastoral station homestead, which would eventually be operated by their young relatives. From the outset, the productive engagement of their youth with the 'community' that the elders wished to form was critical to the Gurindji elders' plan. The elders acknowledged that aspects of these things would require a small amount of non-Indigenous assistance, mostly in the form of training and education. When increased funding for remote Aboriginal groups by the Whitlam and Fraser Governments resulted in Kalkaringi's rapid expansion and development however, it caused Daguragu's elders to reconsider the modesty of their separatist vision, and the role they thought that government might play in their affairs. When those elders enthusiastically accepted the notion of a Daguragu-based council, on the board of which they would sit, they showed their willingness to experiment with utilising self-determination policy's extraneous forms of governance for their own ends. It was not until the mid-1980s that the terms of this experiment were settled upon: a small number of 'new

⁶⁶ NTAS, Davey Interview, *op. cit.*, p. 6.

⁶⁷ Davey to 'David', 14 September 1984, Richardson Personal Collection.

⁶⁸ NTAS, Davey Interview, *op. cit.*, p. 6.

generation' individuals operating as board members and in positions of midlevel responsibility in local organisations would comprise Gurindji professional leadership in the *kartiya* domain. Elders would, at times, also occupy positions on the boards of those organisations. The broad uptake of managerial roles by young and middle-aged Gurindji once anticipated by the elders and self-determination's government proponents did not occur.

Experience quickly revealed to the elders that the administrative complexity of the new council was beyond the resources of younger Gurindji individuals to manage, and that their young people were unwilling to do so. At the same time, the elders' unwillingness to constrain the behaviour of their fellow councillors also limited their ability to control Council resources. These two developments within Wave Hill's Aboriginal domain created an incentive for the elders' government interlocutors to employ non-Indigenous staff to perform key roles in 'Gurindji' organisations and other agencies operating there. This had a twofold effect on the elders' vision of independence. Firstly, it marginalised Gurindji people within 'their' organisations, creating further disincentives for them to participate. Secondly, it increased the number of *kartiya* living at Kalkaringi. For reasons I have described, in many instances those individuals and their employers were little concerned with Gurindji self-determination, and their interests tended to win out over both those propounded by Daguragu's elders and those put forward by the elders' interlocutors in the Gurindji's name.

As I have described, the cumulative effect of these developments on the elders' vision was transformative. Kalkaringi's (and to a lesser extent, Daguragu's slower) growth and transformation during the 1970s caused the elders to revise their initial, modest view of Daguragu in the future. It became apparent to them that managing the community which Daguragu had become would be a complex undertaking with multiple layers of responsibility vested in individuals managing a broad number of agencies, all reliant on extraneous *kartiya* knowledge. The Australian state's experiment in Aboriginal self-determination assumed that *kartiya* knowledge could be judiciously employed in key areas by Gurindji youth, augmenting extant Gurindji work practises and cultural behaviours. In actuality though, it showed the leaders of the Wave Hill Walk-off that for Gurindji individuals to manage facilities and service provision on behalf of a Gurindji public, their own society's demand-sharing kinship responsibilities would have to be forsaken by the Gurindji individuals employed in those endeavours, and by the Aboriginal people who dealt

with them. This task was one that few Gurindji people had enthusiasm for, and one which the elders' themselves apparently lacked sufficient motivation to support.

Two parts comprised the independence that Lingiari's generation of elders sought: freedom from intervention and control at Daguragu, and autonomy and independence through Gurindji self-management. As an exercise in Gurindji self-determination of the type initially conceived by self-determination policy proponents in the early 1970s, Kalkaringi and Daguragu's 'Aboriginal' organisations were a failure. As the diversity and contradictions of Gurindji political opinion evolved and became apparent to officials in the 1970s–80s, co-opted self-determination emerged as a practical means of filling the shortfall between government ideals, policy requirements and local Aboriginal priorities. The developments I have described in the previous two chapters show that the onerous requirements of local organisational management delivered by the Whitlam and Fraser Governments' devolution of power caused many Gurindji individuals to choose freedom from intervention via non-participation or 'disappearance', over accepting the responsibilities of self-management. As I have shown also, Daguragu's generations became clearly divided about what, if any 'freedom from intervention' they sought in actuality. Without clarity on this issue among Gurindji individuals, it is likely that the decisions of *kartiya* residents and functional government departments based in Kalkaringi had a greater inimical impact on the ability of Gurindji elders to realise their sought-after independence and freedom from intervention.

Conclusion

Members of the Aboriginal group which left Wave Hill Station in 1966 are rightly known as proponents and beneficiaries of Aboriginal Land Rights, however the progress of Gurindji people and their government interlocutors towards Gurindji self-determination in the period after the Walk-off was characterised by concession and dissolution of Aboriginal and governmental ideals. Particularly in terms of the idealistic goals espoused by the Department of Aboriginal Affairs during 1972–73, the ‘journey’ of self-determination those parties undertook during the 1970s–80s was a declension. Broadly, the causes of ‘ideal’ Gurindji self-determination’s failure were binary. On one hand, the group upon whose unity Gurindji self-determination depended underwent its own disaggregation, driven by internal tensions and greatly facilitated by changes in external circumstance. Ironically, many of the most significant circumstantial shifts the Gurindji experienced in the 1960s–70s came about largely as a result of the federal policy of Aboriginal self-determination and its liberal, rights-focused predecessors. On the other hand, after 1973, self-determination policy was adapted (and in terms of its initial ideals, compromised) by its bureaucratic protagonists to accommodate extant governmental and political considerations, and in the Gurindji’s case, the professional limitations and/or lack of interest of the policy’s Aboriginal subjects. As we have seen, the broad-scale employment of non-Indigenous people to ‘manage’ the Gurindji’s affairs was the practical outcome of this adaptation, resulting from the inability of the bureaucracy to accommodate the professional limitations and/or lack of interest of many Gurindji people regarding their participation in the organisations created in the name of Aboriginal self-management in any other way.

In light of the radical adaptation of self-determination policy’s implementation in this way, the work of the Gurindji people’s DAA interlocutors towards Gurindji self-determination may be seen in its wider context: as necessitated by the Whitlam Government’s intention to ‘devolve’ much of its responsibility for directly maintaining the affairs of Aboriginal Australians by creating a plethora of government-funded Non-

Government Organisations comprising a large ‘Aboriginal domain’. This ambition was shared by the Fraser and Everingham Governments, and became a significant aspect of those governments’ policies of Aboriginal self-determination and self-management. As explained in Chapter Three, the program of devolution intended by Commonwealth and later NTG authorities required them to prioritise the incorporation, operation and accountability of government-funded Aboriginal organisations over the participation of local Aboriginal people in those organisations’ management and governance. In accordance with Rowse and Watts’s ‘trusteeship’ and Batty’s intercultural partnerships, the latter project was commonly compromised as a result. Arguably, practices of ‘trusteeship’ and ‘intercultural partnership’ were adopted by the Gurindji’s government interlocutors in response to young Gurindji adults’ abnegation of their responsibility for official forms of collective advancement. As a result, despite self-determination policy’s delivery of a new class of ‘community’ organisations at Wave Hill, the policy’s stated aim of Gurindji management of those organisations (and thus Gurindji people’s supposed independence) was rarely if ever realised. Instead, the apparently permanent addition to the local population of a large managerial clique of non-Indigenous functionaries resulted, and the Gurindji people’s dependence on that clique for the operation of those organisations and the services they provided. In their broad effect at Daguragu and Kalkaringi, ‘trusteeship’ and ‘intercultural partnerships’ thus forestalled the achievement of the Gurindji elders’ aims.

Another significant theme of this thesis has been the many inherent discrepancies between the assumed and actual modes of operationalisation which Gurindji elders and their government interlocutors brought to the project of Gurindji self-determination. These discrepancies were not static but responsive and changed over time. For instance, we have seen that as the requirements of ‘self-determination’ revealed themselves to Gurindji people during the period under review, ‘next generation’ individuals (and from the end of the 1970s, their older generation of leaders) revised their ambitions regarding Gurindji ‘governance’ and management downward. That is to say that once the (to them) largely alien nature of participation in the policy’s projects and organisations and the potential impact of that participation on their kinship bonds and lifestyle became apparent, some Gurindji individuals relinquished their intention or desire to occupy the roles initially expected of them by the leaders of the Wave Hill Walk-off and self-determination policy’s protagonists. Similarly, the more highly developed housing and infrastructure which became available in

the remote NT in the 1970s also caused Gurindji leaders to revise their expectations. This thesis contends that Lingiari and the old Gurindji men had modelled the independent homestead they envisioned at Daguragu on their observations of large pastoral homesteads during and prior to the 1960s. As such, when the scale and complexity of government-funded housing and infrastructure at Kalkaringi and Daguragu became apparent to Gurindji elders, their entreaties to young Gurindji adults largely failed to generate the managerial and administrative activity among subsequent generations that ‘Gurindji self-determination’ required to succeed. As I have argued, the elders’ vision also largely failed to recognise the significant extraneous requirements of administration which the provision and maintenance of government housing and infrastructure would eventually require of them. For these reasons too, Gurindji people and Aboriginal self-determination policy failed to find a shared means of achieving their common goals.

In this thesis, I have asked: was the Australian government’s vision of a self-determining Aboriginal constituency realised by the Gurindji? Caught in a matrix of self-perceived inadequacy and/or lack of interest regarding their participation in the communally-focused projects of Gurindji elders and their DAA intermediaries, many Gurindji people chose instead to redefine their relationships with both Gurindji gerontocratic and non-Indigenous authority along individualist lines. Quotidian actions of Gurindji individuals were autonomously undertaken for purposes that while inchoate to outsiders, can be seen as constitutive of a collective form of socio-political resistance against the ‘community’ priorities of authorities. The resultant form of social closure which Gurindji people developed in this period I have termed one of ‘disappearance’. By such means, individuals were readily able to avoid the demands of DAA officials and Gurindji elders alike. By doing so, they thwarted the efforts of those authorities to identify or define a self-determining Gurindji subject.

I have also asked in this thesis: how influential were changes within Gurindji society on the outcome of interactions between Gurindji people and their DAA and other self-determination-focused interlocutors? I have devoted a large part of its analysis to showing that the Gurindji social order underwent its most significant transformation specifically during the period under review. Gurindji people’s dissociative, individualist renegotiation of social responsibilities and kinship-based relationships in the 1970s–80s militated against their ongoing participation in the communally-oriented social programs of both Gurindji

elders and self-determination's bureaucratic proponents. As I have shown, this disinclination had longstanding causes, and its expression was catalysed by virtue of Gurindji society's changing economic, political and cultural position vis-à-vis settler society in the 1950s–80s. Of all those changes which occurred, the most significant in terms of the Gurindji's self-determination was the increased receipt of cash incomes by Gurindji adults—a trend that climaxed in the 1970s as a result of the Whitlam (and later Fraser) Governments' universalist, Keynesian social welfare policies, and the increased and better paid employment opportunities created at Wave Hill by Aboriginal self-determination policy itself. As we have seen, the resultant reorientation of Gurindji people regarding their society's endogenous political and social power and moral authority frequently had a profoundly inimical effect on their participation in the collectively oriented projects proposed by both Gurindji leaders and non-Indigenous authorities at Wave Hill.

Readers will also have noted the third question focusing this doctorate: was the realisation of the Gurindji vision regarding their independent homestead, school, land rights and cattle enterprise thwarted or supported by the actions of the public service charged with operationalising self-determination? Dozens of public servants (and equally, the short-to-medium term employees of Wave Hill's Aboriginal organisations) endeavoured to engender the participation of Gurindji individuals in the 'community' projects and programs which the bureaucrats had initiated. In most instances however, local people were unaware of the rationales underpinning these projects or their intended outcomes. With the concomitant scale and pace of development at Kalkaringi and then Daguragu increasing in the 1970s as a result of those and other projects, the Gurindji people's sense of 'ownership' or control of their new communities was substantially eroded. We may thus conclude that at an individual level, while public servants within the DAA expended great energy in their efforts to engender Gurindji self-determination, the net progress made by the Department itself to realise the Whitlam Government's early ideal of Aboriginal self-administration at Wave Hill was negligible. The efforts of individual DAA officials, while productive of Gurindji engagement at best or ineffective at worst, were cumulatively detrimental to Gurindji self-determination, in that they ultimately engendered indifference and/or dependence among many Gurindji people regarding the management of their own affairs.

As we have seen, one of the main components of the Gurindji elders' program for the development of their own independent society—a school offering bicultural and bilingual primary and secondary education—was never initiated, even in an 'adapted' or compromised form. Let us reconsider the reasons for the failure of governments during the Aboriginal self-determination policy era to provide such a school at Daguragu. Initially, the expansion of the Kalkaringi school during 1974–76 reflected the inability of centralised governments to anticipate and accommodate local circumstances during the implementation of broad scale policy initiatives. The reasons for the subsequent failure of governments to reverse or ameliorate the school's expansion, and thus accommodate clearly held local desires, are also characteristic of governmental power. Such power is indicated by, among other things, its own tendencies of self-maintenance and self-justification, which draw upon positivist and economic rationales to deflect criticism and justify the status quo. At Kalkaringi and Daguragu, these qualities resulted in Education Department staff's ongoing support of the Kalkaringi Community Education Centre, and the absence of any equivalent facility in the community established by the track mob. As noted, the effect this had on Gurindji self-determination may have been profound, but is ultimately immeasurable.

In contrast to the Australian state's inaction regarding a Gurindji school, successive governments took significant steps to ensure that the Gurindji's receipt of significant property rights occurred. As I have shown, the Gurindji elders' receipt and subsequent retainment of both pastoral lessees' rights and those conferred to them under *ALRA* may be regarded as a pronounced success of Gurindji self-determination, albeit one rich with unintended outcomes. The Gurindji Land Trust's consistent decision to sublease the entirety of the Gurindji's land in the decades since the elders' land rights victory can be construed as 'ideal' Gurindji self-determination in action, yet when considered in its broader context, it is notable that Gurindji subleasing obviously precluded (and still precludes) attainment of their former elders' main goal, that of operating a cattle business on their own land.

As an index of their own self-determination, the independence of the track mob's Daguragu homestead is one I have adopted in this thesis as a key measure of Gurindji self-determination. Yet independence was perhaps never achievable by Gurindji people in any ultimate sense. Even the elders' vision of self-managing a financially profitable cattle enterprise would have required their subjection to the land management and stock control laws and regulations of the Australian state, as well as rendered Daguragu families

dependent upon the national and/or international cattle markets and their vagaries. Similarly, the 'independence' potentially conferred by Aboriginal self-management policy may be retrospectively considered as the freedom to operate organisations, corporations and councils within the terms prescribed by settler society governments. In this regard, self-determination policy's potential for the Gurindji was always one which would conscript them further into the governmental project of settler society. The question the policy posed for Gurindji people was whether their participation in the governmentality of the Australian state would be as proactive political administrators or passive citizen consumers. In the period under review, the choice between these two options was one which confronted a large number of Gurindji individuals. The answer they commonly arrived at was one which preserved a measure of freedom of choice over their individual circumstances, even as it habituated them to their disengagement from and dependence upon the governmental processes of the Australian State.

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Abbreviations

AIATSIS – Australian Institute of Aboriginal and Torres Strait Islander Studies

NAA – National Archives of Australia

NTAS – Northern Territory Archives Service

SLNSW – State Library of New South Wales

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Glossary

Arbitration Commission: the central institution of Australian labour law, the Commonwealth Conciliation and Arbitration Commission is a tribunal with powers under the Workplace Relations Act.

Daguragu: the Gurindji name for the place by Wattie Creek where they chose to build the Daguragu community.

Droughtmaster: a tropical breed of beef cattle developed in North Queensland by crossing Brahman and British breed cattle such as Beef Shorthorns during the early 1900s.

Dry Season: Northern Australia's cooler season (typically 18–32 degrees celsius); usually from March to September.

Gurindji: an Indigenous language group whose country centres around the upper Victoria River in the Northern Territory of Australia. The Gurindji and neighbouring groups such as Bilinearra, Nyininy, Mudburra, Malngin, and Ngarinyman groups are part of the Ngumpin language family. Inter-marriage and close relations between Ngumpin people have increased since European settlement and have been facilitated by the development of a regional Kriol. In the text, the term 'Gurindji' is used to refer to the Indigenous people who lived on Wave Hill Station and who subsequently re-located to Wattie Creek. This group includes members of all of the above.

Kalkaringi/ Kalkarindji: name(s) given to the former Wave Hill Welfare Settlement, which is still often referred to as 'Settlement' by the Gurindji. As befitting the 'Settlement's' contested history, according to linguist Patrick McConvell:

For a few years the 'township' was known as Libanangu which was as close as people who wrote the name could get to the traditional name of the Wave Hill area—Lipananyku. However, following the upgrading of the airstrip, which was between Libanangu and Daguragu, it was decided (by whom is not clear) that the airstrip should have a new name; and soon after the township itself was assigned that name (without

consultation with Aboriginal people as far as I know). The airstrip was named Kalkurung but variations, with a -ji ending unknown among the Gurindji, also circulated at the time. The town is now known as either Kalkaringi or (since 1986, officially) Kalkarindji. This was named after the waterhole on Wattie Creek downstream from Daguragu which was closest to the airstrip Kalkarriny.¹

Kartiya: white person, white people.

New Generation: the people of Kalkaringi and Daguragu refer to people born during or after the 1960s as ‘new generation’. The ‘new generation’ stands in contrast to the old people of the station era, now mostly deceased. It is commonly understood that ‘new generation’ have different values and interests than previous generations, the most obvious being a much greater appreciation and knowledge of mainstream cultures and technologies.

Ngumpit (*Gurindji*): Gurindji word meaning ‘Aboriginal person; people’; the Gurindji’s name for themselves and neighbouring Indigenous groups (See ‘Gurindji’).

Skin Name/Group: eg. ‘*Jungurra* skin’: ‘Skin’ names refer to a classificatory system in which all *ngumpit* are members of one of sixteen ‘skin groups’ at birth. One’s ‘skin’ is determined by maternity and dictates the roles and relationships a person is able or obligated to form with others.

Track mob: the Gurindji’s English name for those who took part in the Wave Hill Walk-off and ‘tracked’ to Wattie Creek.

Warlpiri: a large Aboriginal language and cultural group whose traditional land includes the Tanami Desert, to the south of Gurindji land.

Welfare Branch: the Welfare Branch was a branch of the Northern Territory Administration, which sat within the Commonwealth Department of the Interior. The Branch was established in 1953 with the passage of the *Welfare Ordinance*, which designated Aboriginal people deemed to require ‘special care’ as government ‘wards’ and gave

¹ ‘Changing Places: European and Aboriginal Styles’, in *The Land Is a Map: Placenames of Indigenous Origin in Australia*, ed. by F. Hodges, J. Simpson and L. Hercus (Canberra, Pacific Linguistics and Pandanus Press, 2002), pp. 50–61 (p. 52).

significant powers over them to a 'Director of Welfare'. This arrangement continued until 1963, when the *Social Welfare Ordinance* was passed. The Welfare Branch (or later, the Welfare Division) was disbanded in 1972 by the Whitlam Government. The Branch/Division was replaced by the DAA.

Wet Season: usually from January to February, much monsoonal rain can fall in this time in the north Australia, causing significant floods and isolation of remote areas.

Woodward Commission: the Whitlam Government's 1973–74 Royal Commission into Aboriginal Land Rights, led by Justice Edward Woodward. The Commission's findings were used to draft the *Aboriginal Land Rights (Northern Territory) Act 1976*.

Yolngu: the collective name for the Indigenous people of north-east Arnhemland.

Appendix A: Board Memberships and Office Holders of Local Organisations, September 1976.

The individuals who were board members of more than one organisation have the number of organisations of which they were a board member denoted in brackets after their name. Mick Rangiarri was also the communities' representative on the National Aboriginal Consultative Committee. Karu Bulangkarni Co. Ltd was a wholly owned subsidiary of the Wave Hill Social Club, which owned and managed the Libanungu/Kalkaringi store. The membership of both entities was the same. All memberships are obtained from 1976 sources except Karu Bulangkarni Co. Ltd (1977).

Libanungu Council (1974–78)

President: Billy Bunter (3)

Mick Inverway (4)

Bessie Yimara

Victor Vincent

Splinter Igairi

Ronnie Booth

Daguragu Council (1977–2008)

Banjo Long

King Langardi

Pauline Banto (3)

Marie King

Agnes Dodd

Rodney

President: Vincent Lingiarri (3)

Donald Nangiarri (3)

Jerry Rinyngayarri (3)

Pincher Nyurrmiyarri (2)

Wonga Bill

Long Jack

Starlight

Hobbles Danayarri (3)

Mick Rangiarri (5)

Long Jonny Kijngayari (5)

Muramulla Gurindji Cattle Company (1970–?)

Director: Vincent Lingiarri (3)

Long Johnny Kijngayari (5)

Pincher Nyurrmiarri (2)

Mick Rangiarri (5)

‘Captain Major’ (Lupgnagiarri),

Jerry Rinyngayarri (3)

George Manyo

Donald Nangiarri (3)

Wundamarie Housing Association (1973–?)

Joint President: Billy Bunter (3)

Joint President: Long Johnny Kijngayari (5)

Frank Frith (3)

Robert Crowson

Mick Palasco

Mick Rangiarri (5)

Billy McCann

Mick Inverway (4)

Wave Hill Social Club (1967–?)

President: Billy Bunter (3)

Mick Inverway (4)

Alan Thorpe

Pauline Banto (3)

Frank Frith (3)

Long Johnny Kijngayari (5)

Carol Nungala

Hobbles Danayarri (3)

Mick Rangiari (5)

Karu Bulangkarni Co. Ltd (1972–present)

Mick Inverway (4)

Alan Thorpe

Pauline Banto (3)

Frank Frith (3)

Hobbles Danayarri (3)

Mick Rangiari (5)

Long Johnny Kijngayari (5)

Carol Nungala (2)

Muramulla Gurindji Cattle Company Social Club (1976–?)

President: Donald Nangiari (3)

Assistant Secretary: Jerry Rinyngayari (3)

Treasurer: Vincent Lingiari (3)

Secretary: Stan Andrews (European)

Appendix B: Special Terms of Pastoral Lease 805 (Truncated)

To excise land for the Gurindji in 1974/74, Wave Hill Station (PL 529) was subdivided under the provisions of section 25C of the *Northern Territory Crown Lands Ordinance (1971)*. Section 25 C allowed for a lessee (in this case the Wave Hill Pastoral Company, a Vestey Company subsidiary) to apply to the Administrator of the NT to subdivide their lease. This the Wave Hill Pastoral Company did. The Administrator's approval was subject to the consent of the Minister (in this case, the Minister for the Northern Territory, Dr Rex Patterson). Section 23 and Section 37 of the *Crowns Land Ordinance* were especially salient. These and the main covenants to which PL805 was subject are reproduced below.

Section 23. Leases under this Ordinance (other than miscellaneous leases) shall contain reservations, covenants, conditions, and provisions, as follows:-

- (a) a reservation of a right of entry and inspection;
- (b) a reservation of all minerals;
- (c) a reservation of a power of resumption;
- (d) a covenant to pay the rent annually in advance;
- (e) a provision that if the rent is not paid on or before the expiry of three months from the date on which it becomes due an addition of five per cent. per annum may be made in respect of the rent overdue;
- (f) a covenant by the lessee that he will use the land only for the purposes for which it is leased;
- (g) a provision that the lessee, having paid all rent due by him may at any time, in manner prescribed, surrender the lease;
- (h) a provision that the lease shall be liable to forfeiture if the rent is unpaid for six months or more;

(i) a provision that the lease shall, subject to this Ordinance, be liable to forfeiture for non-compliance on the part of the lessee with any covenant or, condition of the lease; and

(j) any other reservations, covenants, conditions, and provisions which are prescribed, or which are considered by the Administrator to be necessary under the circumstances of any particular case, and are specified in the Gazette notice that the lands are available for leasing.

Section 37. In addition to the matters provided for in Division 1 of this Part, pastoral leases shall contain reservations, covenants, conditions, and provisions as follows:-

(a) a reservation of all timber and timber trees and of all trees producing bark, resin, or valuable substances;

(b) a reservation in favour of the aboriginal inhabitants of the Northern Territory;

(c) a covenant by the lessee that he will stock the land, and keep the land stocked, in accordance with the provisions of the lease but that, if a notice is served on him under section thirty-nine A of this Ordinance, he will comply with the requirements of that notice;

(d) a covenant by the lessee that he will comply with the laws in force relating to the destruction of vermin and noxious weeds;

(e) a covenant by the lessee that he will not, without the consent of the Administrator, cut any timber trees on the leased land except for use on or in connexion with the land;

(f) a covenant by the lessee that he will not in clearing the land destroy any timber or timber trees or trees producing any valuable bark, resin, or other valuable substances, except as allowed by the regulations;

(g) a covenant by the lessee that he will not obstruct any public roads, paths, or ways, or interfere with the use thereof by any person, and will not interfere with travelling stock lawfully passing through the leased land;

(h) a covenant by the lessee that he will not pollute, divert, or obstruct any water flowing in a defined natural channel unless by consent of the Administrator;

(i) a covenant by the lessee that he will observe and comply with the regulations under this Ordinance for the time being in force; and

(j) a covenant by the lessee that he will comply with the requirements of the lease as to developmental work and improvements, and, during the continuance of the lease, maintain developmental work and improvements on the land comprised in the lease to the satisfaction of the Administrator.

Particular Conditions (Covenants)

In addition to the special reservations and conditions as set down under Section 23 of the *Crowns Land Ordinance* and in addition to the reservations, covenants conditions and provision as set down in Section 37 or the *CLO* as applying to Pastoral Leases, the following particular conditions will apply:

Term. The term of the lease to commence 1 July, 1975.

Rental. Annual Rental of \$1.07 per square mile until 30 June, 1985.

Stocking. The lessee shall stock the land with a minimum of two head of branded cattle per square mile within two years from the commencement of the term of the lease and five head of branded cattle per square mile within five years from the commencement of the term of the lease and thereafter keep the land so stocked.

Buildings. The lessee shall within three years from the commencement of the term of the lease erect a homestead with usual and necessary outbuilding to the value of \$20,000.

Dip and Yard. The lessee shall within two years from the commencement of the term of the lease erect a cattle drafting yard capable of working at least 500 head of cattle with a cattle dip or spray attached.

Fencing. In addition to any fencing existing at the commencement of the term of the lease, the lessee shall—

1. Within two years erect at least 25 miles of internal stockproof fencing.
2. Within five years erect a further 25 miles of internal stockproof fencing.
3. Within seven years erect a further 50 miles of internal stockproof fencing
4. Clear a vehicle inspection track along the full length of all fencing.

Water. In addition to any bores or made waters existing at the commencement of the term of the lease, the lessee shall—

1. Within two years equip the three existing bores situated in the north western portion of the lease.
2. Within five years sink and equip three additional bores or provide some other made water each capable of watering at least 500 head of cattle.
3. Within ten years sink and equip a further three bores or provide three other made waters each capable of watering at least 500 head of cattle

Maintenance. The lessee shall maintain all improvements existing on the lease and all improvements erected during the term of the lease to the satisfaction of the Administrator. Extant improvements shall include:

1. Fencing— Names fencing
2. Water—Burtawarta Bore
3. Yards—those located at Mountain Springs, McDonald, Neave Creek, 7 mile, Seales, Gill Creek and Bobs Gully.

Conservation. The lessee shall at all times take reasonable precautions to the satisfaction of the NT Commissioner of Soil Conservation in order to prevent accelerated soil erosion occurring as a result of stocking, clearing or cultivation of any of the land or the construction of fixed improvements including fences, firebreaks, roads and airstrips.

(Source: Darwin, NTAS, NTRS 246/P1, Box 66, PL 805 Pt 2).

Appendix C: Terms of Gurindji Special Purpose Lease 353

As noted in Chapter Five, the Muramulla Company applied for a Special Purpose Lease to obtain some form of tenure over the land at Daguragu. This was nominally approved by the McMahon Government and finally awarded under the Whitlam Government.

Date of Issue:	6 April 1973.
Land:	Approximately 8 square miles, subject to survey.
Term:	Fifty years.
Purpose:	To establish and maintain a communal settlement and purposes ancillary thereto.
Rental:	One half of one per cent of the unimproved capital value of the land to be assessed by the Valuer General.
Re-appraisalment:	Nil.
Survey Fee:	\$148
Conditions:	(I) The lessee to complete by 30 June, 1975 the erection of buildings to the value of at least \$25,000 and thereafter maintain. (II) The lessee to fence the southern boundary of the lease by 30 June 1975 and the eastern and northern boundaries by 30 June 1976 and thereafter maintain all such fencing in stockproof condition. (III) The lease to be subject to any easements required by the Commonwealth for water tanks and pipelines. (IV) The lease area to exclude all recognised roads passing through the area.

Source: *Muramulla Gurindji 825 Portion 1459—Wave Hill, Part Two*. Central Records Unit, Northern Territory Government.