

Aborigines in White Australia - A documentary history of the Attitude Affecting Official Policy & The Australian Aborigine 1677-1973

7.6 1963. Petition of the Yirrkala people.

(Commonwealth Parliamentary Papers, *op cit.*, Vol. iv, 1962-1963, "Select Committee on the Grievances of Yirrkala Aborigines, Arnhem Land Reserve, p. 952.)

Following the excision of some 140 square miles of their Reserve area, the Yirrkala people petitioned Federal parliamentarians.

TO THE HONOURABLE THE SPEAKER AND MEMBERS OF THE HOUSE OF REPRESENTATIVES IN PARLIAMENT ASSEMBLED
The Humble Petition of the Undersigned aboriginal people of Yirrkala, being members of the Balamumu, Narrkala, Gapiny and Miliwurrwurr people and Djapu, Mangalili, Madarrpa, Magarrwanalinirri, Gumaitj, Djambarrpuynu, Marrakula, Galpu, Dhaluayu, Wangurri, Warramirri, Maymil, Rirritjinu tribes, respectfully sheweth—

Bark Petition

1. That nearly 500 people of the tribes are residents of the land excised from the Aboriginal Reserve in Arnhem Land.

2. That the procedures of the excision of this land and the fate of the people on it were never explained to them beforehand, and were kept secret from them.

3. That when Welfare Officers and Government officials came to inform them of decisions taken without them and against them, they did not undertake to convey to the Government in Canberra the views and feelings of the Yirrkala aboriginal people.

4. That land in question has been hunting and food gathering land for the Yirrkala tribes from time immemorial; we were all born here.

5. That places sacred to the Yirrkala people, as well as vital to their livelihood are in the excised land, especially Melville Bay.

6. That the people of this area fear that their needs and interests will be completely ignored as they have been ignored in the past, and they fear that the fate which has overtaken the Larrakeah tribe will overtake them.

7. And they humbly pray that the Honourable the House of Representatives will appoint a Committee, accompanied by competent interpreters, to hear the views of the Yirrkala people before permitting the excision of this land.

8. They humbly pray that no arrangements be entered into with any company which will destroy the livelihood and independence of the Yirrkala people.

And your petitioners as in duty bound will ever pray God to help you and us.

(English translation)

Certified as a correct translation. Kim E. Beazley

7.7 1963. Commonwealth policy on Aboriginal reserves.

(*Ibid.*, p. 957.)

The Commonwealth's policy concerning the utilization of proclaimed Aboriginal reserves, by those prospecting for minerals. Special reference is made to the Arnhem Land Reserve.

RESUMPTION OF PORTIONS OF THE ARNHAM LAND RESERVE

25. During the 1920's and 1930's, the general public was becoming interested in aboriginal affairs, and many bodies pressed for the reservation

the special nature of the place should be brought to the notice of the public should be left to the custodians (by which I mean the traditional owners and managers) of the site.

Source: Justice E. A. Woodward, *Second Report. Aboriginal Land Rights Commission*, April 1974, Government Printer, Canberra, 1975, pp. 100-1.

Why are white Australians paying serious attention to Aboriginal claims of sacred sites?

What problems are not solved by this report?

What new problems could emerge?

Junkai protect sacred sites

The Area Officer,
Dept. of Aboriginal Affairs,
TENNANT CREEK, N.T.

This is my report in connection with the N.L.C. and with the Film Unit of Australian Institute of Aboriginal Studies, some of the things that bothered me a bit and that was the Legislative Assembly Group are asking or looking for power to make laws in the N.T. for the Aboriginal people such as to protect: Aboriginal Sacred Sites, Entry into water adjacent to Aboriginal land, the rights of Traditional Aboriginal entry onto Pastoral Leases.

Are the Aboriginal traditional owner and Junkai not good enough to protect their sacred site?

I think this power of protecting sacred sites should have been given to the Aboriginal tribal men instead of given to the Europeans who know nothing of the Aboriginal tribal law. I think the laws in the N.T. Lands Right Bill are not giving any power or rights to any Aboriginal people for their own protection in Aboriginal society. I can see that there is still a gap in between Aboriginal and the European but why do the Europeans want to protect the Aboriginal sacred sites when they have never ever joined with Aboriginals in the ceremony or made an agreement with the tribal men to protect their sacred sites within the ceremony. Europeans have made this law without the Aboriginal tribal men.

There is nothing written in the N.T. Aboriginal Land Rights Bill which says, this is the Aboriginal law or the Aboriginal law says this or according to Aboriginal law. I know that the Government has recognised the traditional owners but not their laws.

Leo Finlay—Aboriginal Community Adviser, Borroloola, N.T. 3/2/77

Source: *Land Rights News*, No. 9, March 1977, pp. 9, 10.

What is the use of laws on sacred sites if the Aborigines have no power to protect them?

How they signed the Ranger agreement

If Viner has said that all the traditional owners were consulted at Oenpelli and agreed to this agreement that is a lie.

from

He showed us the Woodward report and said how we did not have a right to stop the mining. He said the Government must act in the national interest and not just for aboriginals. He said we have to think about the interests of other people overseas. Japan and Australia have entered in agreement. Japan needed these minerals.

He said NLC has been negotiating for a long time. He spoke of meetings with traditional owners that had been at the meetings. He said we've come to the end now. The negotiating team have finished their work. The Government has agreed, the mining company has agreed. It's up to you now to bring it to an end. He said that your people have been fighting this for 6 years now. I think you should get the weight off your shoulders. It's been dragging on for six years.

I said the agreement is too weak. The negotiator himself has said that agreement was not strong enough. Harry Wilson said, "If we accept that agreement now will the lawyers still go out to consult with the communities." Galarrwuy: "Yes. They will still go out to consult. It will be up to the traditional owners to say yes or no to that agreement."

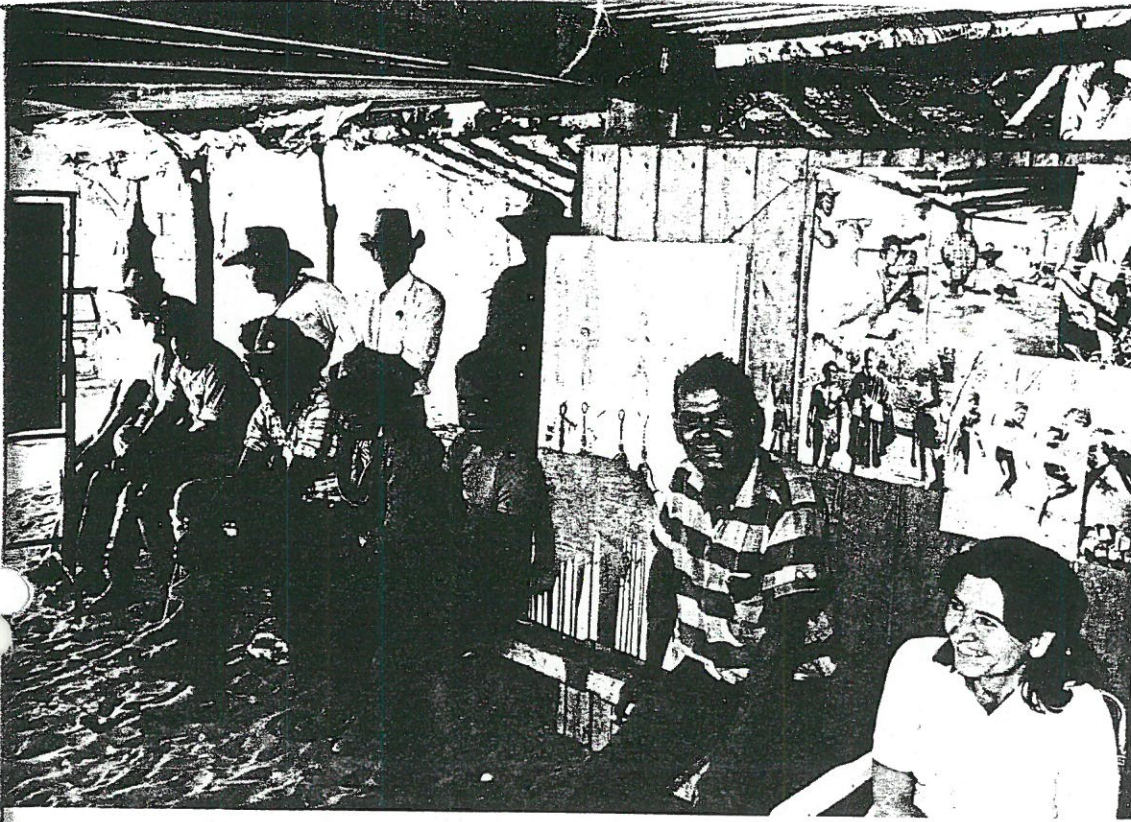
The people, including me, accepted that the consultation was going to continue . . . there had been *no discussion at all about the agreement itself*. Harry Wilson actually whispered to me, "What about those weaknesses in the agreement?" *No-one ever got to even talk about the agreement*. When we got to Oenpelli, Viner and company were there. We waited 1-1/2 hours waiting for the traditional owners. None appeared. Then meeting started. The strong talking traditional owners like Big Bill, Albert Balmana Rachel, Hanna were not present. There were a few family around but hardly any traditional owners.

Viner then spoke and gave a speech again, how it's waited six years with aboriginal people arguing about it and how it's time to bring it to an end. "It has to happen", he said. "The Government will go ahead with this mine."

Dick got up and talked language and said how we have humbugged the Government for six years. The Government really wants it to go ahead. Then John Gwadbu spoke language and said the same thing. Joseph Gwadbu said the same thing. He's a NLC delegate. Then Galarrwuy said, "Now you all heard straight from the traditional owners because Goulburn and Croker Island people belong to the country here and you just heard them speak. Thank you very much for your time and for inviting us here". He never once said the agreement was about to be signed. He never asked even the *Oenpelli owners* who were there if they agreed to sign the agreement. He just told them that they had heard the traditional owners, i.e. the ones who came with NLC. The people from the community did not say a word. The agreement itself was never discussed with them. They were never asked about their opinion of it. The words in the agreement were not talked about at all. Just why they should agree now because it had taken six years. Viner and the others went to office. After lunch a car came to pick us up. We thought we were going to airport but we went to the office and saw the agreement all set to be signed. That was a big shock to me. A lot of people signed and a platinum pen was handed to everyone. I refused to accept one when Viner handed them out.

Source: Leo Finlay, "Statement", *N.T. Newsheet*, No. 7, 14 November 1978.

[Ian] Viner, Federal Minister for Aboriginal Affairs in 1978. Galarrwuy [Yunupingu], member of the N.L.C.



Mirima Council meeting for the National Aboriginal Conference, Kunamurra, W.A. Consultation between black and white Australians was new in the 1970s, but is only the first step towards genuine self-determination.

If Viner says there was two hours discussion about the agreement with the traditional owners at Oenpelli—that is also a lie. The terms of the agreement were never discussed at all.

If Viner says all the traditional owners were present at Oenpelli—that is a lie. In my opinion there were no more than about four out of forty.

Viner knows that pressure was applied by him and other whites that he had at the meeting.

We were given no chance to consult advisers of our choice.

Mr Viner put pressure on the people to make them believe it was their fault that the mining has been held up for six years.

On Wednesday 1st November 1978 I was at the meeting of the Northern Lands Council. I did not think it was a meeting to discuss the Ranger signing. There were about thirty councillors at the meeting plus observers. Some places with missing delegates were Numbulwar, Rockhampton Downs and Roper River.

Galarrwuy started off. He said Viner will tell us the Government's ideas about Ranger.

Viner gave a very long speech. Seemed about 2 hours. He just spoke uninterrupted. He talked about how the Government in Australia had started uranium and entered into agreement. In 1972 the Liberal Government entered agreement to start mining for Japan and then 1974/75 Australian Labour Party entered in agreement with Japan, then 1976 the Liberal Government entered agreement to start the mine. He showed us a paper which was the agreement between the mining company and the Federal Government.

from ABORIGINAL CIVILIZATION
Susan Johnston, Methuen, Syd 1981

Winds of Fury by Keith Cole
Rigby 1977

merits of the Church's teachings and their standing before the Almighty from the damage or corresponding lack of damage that each denomination suffered. It was fun but it was all a bit inconclusive! Working on a plus and minus scale to estimate Divine favour, one could estimate that since the United Church building in Darwin hardly suffered at all this was a plus. But the manse and Nightcliff church were almost completely destroyed (a minus) and the church homes for half-castes were badly destroyed and had little insurance cover (double minus). The Anglican Cathedral, Rectory and Church Hall were destroyed (minus) but the old ramshackle vicarage of a bygone era survived (God seemed to get a bit mixed up here). The fabric of the Nightcliff Anglican Church survived but the Rectory was severely damaged thus the Church building must be more important than the Rectory. The Roman Catholic Church buildings, schools and convents were all knocked around a fair bit but could be used. Perhaps this tells us something about Catholics and their standing in God's sight—or does it? The Mormons, the Seventh Day Adventists and the Lutherans were not badly damaged at all!

As Anglicans we developed an infallible proof of the well-being of the episcopate, that is, concerned with bishops. The Canon Residentiary, the Rector of Nightcliff and I, all Anglican priests, had our houses destroyed. Bishop's Lodge hardly suffered at all, even though the houses on each side were completely smashed. This shows—or does it?—that God looks after bishops more than the inferior clergy. No. This type of reflection and reasoning is as specious as it is stupid.

One interesting reflection on the cyclone came from a group of local Aborigines, the Larrekeyah. One of their totem heroes was Nungalinya, the 'Old Man Rock': part of the worn, coral reef that rears its hoary head at low tide and is visible about 1,000 metres out from Casuarina Beach. 'Old Man Rock' is said to be responsible for earthquakes, storms and cyclones, an understandable belief because the monsoon comes rolling in from the Timor Sea over the rock before it reaches the land at Darwin's northern suburbs.

Very seriously, the Larrekeyah said that we at Nungalinya College were responsible for the cyclone. They thought that we

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had gone out to 'Old Man Rock' and taken from it the sixteen-ton granite boulder which stands as our symbol in front of our College. Apparently old Nungalinga was so enraged by this act of desecration that he sent the cyclone. Thus all Darwin suffered because of this act of sacrilege of the Balanda, the white man.

This opinion was reversed when those Aborigines in the know explained that we had gained permission from them to use the name Nungalinga. They had sent us a congratulatory telegram on learning of our choice of the name, and that the rock in front of our College had been saved from ending up as aggregate for the road when we retrieved it from the natural site of the Mount Bundy Mines, 100 kilometres away.

That bit of speculation on the catastrophic moment did not hold. I have been interested to notice, however, that Aborigines, even more than non-Aboriginal people, try to find some reason for any unusual natural phenomenon. It seems that their 'world view' links man and nature so closely, that the cause for any disruption in nature is to be found in the wrong actions of man.

There are also prophets of doom who denigrate Darwin from a non-religious point of view. Dr F.H. Bauer's exhaustive yet brilliant survey of the historical geography of white settlement in the Katherine-Darwin region (*CSIRO Division of Land Research and Regional Survey, Divisional Report No. 64/1*) ends in pessimism.

He traces the successive failure of European occupation in the north from the first abortive settlement at Melville Island in 1824, through the disastrous South Australian Administration from 1863-1911 and the almost equally calamitous Commonwealth Administration since that time, and concludes, 'While this account of the white man's accomplishments in the Katherine-Darwin region ends on a distinctly pessimistic note it should not be supposed that the future was bereft of all hope... Following the war the Federal Government adopted a policy long overdue: the conduct of sober, exhaustive inventory of North Australia to determine what, in fact was there and which avenues of development promised success. It now appears that some of these investigations will bear fruit.

'Nevertheless, the backdrop against which these new developments must be mounted was painted long ago by the physical environment and by the successes and failures of explorer, miner, government official, grazier and swagman. This project was undertaken to illuminate this background, and the Katherine-Darwin region provided a rich display of highlight and shadow. I would again remind those who feel my account has at times been sombre and acidulous that the end is not yet.'

I had dinner with Slim Bauer after the cyclone and his views had not changed. The white man in Darwin has not learned to come to grips with life in the tropics and his environment and the disaster of Tracy will, sometime in the future, be overtaken by further disaster.

There is great truth and perceptiveness in this viewpoint. Yet Darwin continues after the cyclone. Within five months, people returned in embarrassingly large numbers; embarrassing at least to the bureaucrats, who were seeking to keep their numbers down. One could appreciate the government's endeavour but even the government was forced to realise that the feelings and views of people count more than planning. For many, Darwin was their home, not a bureaucrat's temporary abode. This was where they had their bit of soil, reduced though it was to rubble. This was where they belonged, this is where they found their identity, so this is where they had to return. And return they did, despite endeavours to keep them out.

Is there need for a place like Darwin? Was it right to rebuild the city? Should it have been relocated inland away from the ravages of cyclones, which quickly degenerate into rain depressions when travelling over land?

There is an absolute need for a city like Darwin. Australia is part of south-east Asia and Australians are increasingly realising the significance of this fact. The Vietnam War, the independence of New Guinea, and the Indonesian annexation of East Timor all pressed it home. Australia's future is inextricably bound up with that of eastern Asia. The continued bombing of Darwin by the Japanese in 1942, and the very real threat of invasion of those days, showed us how close we are to Asia. The excellent harbour, the naval base, the high grade airport and the large RAAF base all indicate the strategic importance of Dar-

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