

SHARED SPACE – DIVIDED CULTURES: AUSTRALIA TODAY

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It is with considerable trepidation that I give this lecture. The topic is not just complex and immense, but it has been so taken over by the media and so politicised by so many varying and vested interests, that any objective discussion that satisfies everyone will be impossible. In the light of this, I decided to present a personal view based on past study and fieldwork.

I have been rather nervous about giving this lecture knowing that many reading would be better versed in the complexities of the issues than I am. But in preparing it I remembered the Academy symposium of 1981 when, as a relatively new Fellow, I chaired a session on Aboriginal land rights. What I remember most was sitting on the platform between Charles Perkins on one side and Hugh Morgan on the other and trying to keep some focus and calm discussion. So let me begin.

As a student doing field work for my PhD, I visited the fruit growing areas along the River Murray in South Australia during the grape picking season. At the time, Aboriginal people who were living on missions or reserves were not eligible for any form of social security. To eke out a difficult and marginal economic, as well as social, existence, they visited various regions where seasonal work was available. During the grape harvest before there was any mechanisation, seasonal workers were in demand and thus several Aboriginal families visited the area to pick fruit. Farmers, or blockers as they were then known, were required to provide white casual workers with accommodation but this was not expected for Aboriginal workers. They often had to make do, which usually meant camping on crown land or vacant areas along the river.

One day, while the men and older children were at work, I visited one such camp. The only occupant was a mother who was nursing a young baby while her older child, a girl of about two, played nearby. While I was sitting there chatting, a police car drove up and the young male driver came over to us. He ignored me and with a few words about the law which allowed police to remove Aboriginal children for their 'own good', he snatched the baby, grabbed the toddler and bundled them both into the lap of his companion in the police car. The children cried, the mother yelled and so did I. But I was severely warned that he had the law on his side and that I could be arrested for obstructing police carrying out their duty. Off he drove at speed.

There is much to be reconciled. *Bringing Them Home. The Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families*, tells many stories of such forced removal.¹ It tells of the anguish of the children as they recall the trauma of parting and the fear and insecurity that followed. It also tells of the anguish of the mothers from whom the children were taken and who were not even given the human courtesy of being told where their children were. In most cases they were never to meet again. Too late a change in policy made it possible for many of those children, now adults, to trace their families but by then for many their mothers had died, and died never knowing what had happened to their babies. I watched the incredible sadness on the face of one who met her brother for

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the first time. He had not been taken because he had an Aboriginal father. He told his now adult sister how daily his mother asked after her and requested when she was dying that he continue the search for her. What a meeting between brother and sister so many years later; but too late for the mother to know that her baby had been found. What immeasurable and unnecessary suffering in the meantime.

But this belief that it was right to take children from their mothers because of the colour of their skin was not a short-lived policy. Although the situation discussed in the report of the stolen generation refers primarily to those indigenous children who were taken from their families during the big purge of the 1950s and 1960s, official government policy had always favoured such actions. Indeed the South Australian Protector of Aborigines in his 1840 report said:

Our chief hope now is decidedly in the children; and the complete success as far as regards their education and civilisation would be before us, if it were possible to remove them from their parents.²

There is a long history of such paternalism. I hope that the present discussions about reconciliation can progress without that same tenor of 'we know best' that has dogged all attempts to date, without any consideration of the feelings of the indigenous people concerned.

Worse, few of the past attempts seem to have even achieved the goals with which they set out. The report, *Bringing Them Home*, has much statistical evidence to show that those taken away from their families for their own good were not better off in educational or financial terms than those who stayed with their families.

In the studies I did in the early 70s following up on some of these children who had been taken away from their families, I found it had not been for their own good in far too many cases. There was a high correlation between those who had been taken and placed in institutions, or even foster homes, and their later over-representation among those in juvenile detention and adult gaols. Their institutionalisation at an early age, rather than freeing them, had made them more unable to cope with European society and more dependent on welfare and institutional provision.

What was 'good' changed with time as new policy makers came to power. Let me tell you of a woman I know. She was born to an indigenous mother and a white station manager. She grew up understanding him to be her father. She did not live with her mother and her step brothers in the Aboriginal camp on the station but was cared for in a building adjoining the homestead by the Aboriginal housekeeper, whom she knew as auntie. However she spent much time each day, as she remembers it, with her mother and playing with her step-brothers. She remembers with great warmth the day her father gave her a pony and she thrills as she tells how, when the men had been out mustering, he would ride in ahead just before they reached the station and take her out so that she could ride in with the mob on her own horse. But this was the period of taking away children with white fathers and Aboriginal mothers and placing them in isolated institutions away from family, whom they were never again allowed to contact.

Three times the girl remembers police coming for her. On one occasion the father was there and drove them off threatening them with a shot gun and saying he

planned to send her to the coast so that she could go to school as soon as she was old enough to leave the station and her family. On another occasion the Aboriginal stockmen who were working around the station saw the cloud of dust signalling the arrival of a vehicle that they guessed could be the police. One of the men called to the women who hurriedly took the girl out bush and hid her for several days. This was, as she remembers, the first time she ate bush tucker and slept on the ground. But the police came for her yet a third time and on this occasion they planned the manoeuvre more ruthlessly. Those police came when the father and all the working men were out mustering. The women were by the river gathering food and the children were playing near the camp. They watched the dust coming across the plain but did not realise what it meant. The police drove right up to her as she was playing with the other children. She recalls that they did not switch off the engine, but just grabbed her and put her in the back of the ute and drove off. She remembers the trauma well. And she remembers being put into a police cell that night with two other Aboriginal children they had collected along the way from another station. They drove all next day in the sun in the back of the ute and when they stopped the policeman threw them a bottle of water and vegemite sandwiches wrapped in newspaper. She remembers how stale the bread was. She had come from a station where fresh bread was baked every day.

She was given a new name on arrival some days later at an isolated mission on an island. Later she found out that her name was changed by the police to make sure her family did not find her or she ever trace them. They were to be segregated, as official policy of the day decreed, well away from the influence of both indigenous people and Europeans. Here were three children with no idea why they had been taken so far away. They were told nothing. They were, for reasons of some policy theory at the time, being separated from both worlds, indigenous and European, to grow up identifying with neither culture.

Theoretically, they were separated from their mothers so that they could be Christianised and educated as English men and women, although how that was thought to be possible in such total isolation it is hard to imagine. At the mission they were initially placed in dormitories for boys or girls with lots of other children, none of whom they knew. Here at the mission they started school, ostensibly the reason for being brought in. But after a few years covering just the elementary grades, against much opposition from the school teachers, the girl I know was taken out of school to work. There was a change of policy on the mission. Dormitories were out and cottage homes were in. She was now old enough to become a cottage mother and help with the younger children.

A few years later there was a new government and yet another new policy. Segregation was out and assimilation was the name of the game. So this girl, by now in her late teens, was sent to the city far away to be placed in a foster home and sent to a high school with young people her age. She well remembers the shock and the feeling of stupidity as she scarcely knew what they were saying, let alone the ability to study at that level after such gaps in her formal education.

It was, of course, 'For Their Own Good' as Anna Haebich so appropriately entitled her book on the various phases of government policy in the Southwest of Western

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Australia.³ AO Neville, the Chief Protector of Aborigines in Western Australia, for the period 1915 to 1940 said:

The native must be helped in spite of himself! Even if a measure of discipline is necessary it must be applied, but it can be applied in such a way as to appear to be gentle persuasion . . . the end view will justify the means employed.⁴

That paternalism covered our whole history of interaction between indigenous and other Australians. Our forebears apparently had no difficulty in justifying and reconciling their actions with their morals and beliefs.

At Pinjarra, south of Perth, the Nyungar people were massacred as they camped in 1827. Governor Stirling set out from Perth with a party of 25 and was joined by Thomas Peel with his dog pack. Peel was hoping to develop the land and it is assumed he wanted to be rid of the local people. Nevertheless whatever role Peel may have had, it is clear that this massacre was an official government action. It was led by Governor Stirling who carried out a clearly planned ambush of the people as they were quietly gathered at an important camping place. Some of Stirling's men were sent into the camp of about 70 or 80 people but when the Nyungars tried to retreat across the river rather than enter into conflict with the government men, they faced the firing line of the main group of Stirling's party. Those who attempted to escape downstream were shot by a further group of men who had been stationed at the second crossing point on the river. This massacre, which completely destroyed the social life of the Nyungar people and made it impossible for them to ever again function as a cohesive group, was clearly a well executed government attack. According to Mulvaney⁵ the death toll was reported in Perth on their return as 35, primarily able bodied men, but the diary of one of the participants in the massacre suggests it was likely to have been more than that. Nor, it seems, was the killing limited to the men.

Some 165 years later the site was nominated as a place to be entered on the Register of the National Estate as recognition of its part in our history. But when a visit was made by members of the Australian Heritage Commission to try to establish the exact location and boundaries of the massacre site, some members of the shire council of Pinjarra protested. They did not wish to recognise the scene of the massacre and they did not want to allow that historic battlefield to be registered on the National Estate. They did not want visitors to this pretty town to know that the land had been taken at such human cost. Eventually agreement was reached and the Pinjarra Battle Memorial Area was registered in June 1992. Soon after, descendants of those Nyungars who had originally died in the conflict attempted to reconstruct the massacre from oral and written sources. They wrote and performed a play in Perth recounting that massacre. It was a poignant play enacted by those whose ancestors had been so badly treated. It was a portrayal of fact, reconstruction, memory and deep feeling. By contrast with the descendants of those who took the land and the lives of its inhabitants, it was in many ways a play of reconciliation. The play was so open and positive and it was performed with both pathos and humour. I was deeply moved by the play coming so soon after the problems the Heritage Commission had in even getting the past recognised. Though very much alive in the minds of the Nyungar people and still handed on to their children as a vivid part of

their history, it is for most non-Aboriginal people a happening in the past for which we take no responsibility. Or, as I discovered on the Heritage Commission, a desire to have it completely forgotten. We have just begun to realise that we need to share this land, and only after a long road of suffering by those who actually owned the land.

When the land was taken from the Kurna people in 1836, to establish Adelaide as a new settlement which was to recognise the rights of the indigenous inhabitants, Governor Gawler arranged for the distribution of basic food rations as meagre compensation for the loss of their food sources. When only a year later the people began to refuse this offer of food which was seen by the Governor as benevolent, the Protector of Aborigines, Walter Bromley, reported that they were like spoilt children who would not eat their porridge.⁶ Later oral history has given a different reason. The Kurna had heard from their neighbours that white man's flour could poison and kill with excruciating pain. Ration flour was in many places being laced with arsenic. Spoilt children indeed. That complete misunderstanding sums up our past relations.

If only such incidents were in the long distant past, reconciliation might now be easier. But they have happened in our time. The Coniston massacre was certainly during the lifetime, if not in the memory, of some readers. The 1928 massacre on Coniston station was reputed to be in punishment for the murder of a white prospector. There was an official inquiry at which the police who had carried out the raid admitted to killing 17 Aborigines. They were exonerated, as such large-scale punishment was all in the name of police duty. It was later found that there was more than one raid. In fact many people were murdered in a whole series of raids that were carried out over a wide area. The police killed people while they were gathered for ceremonies and easy targets. In this way whole land holding and religious groups were destroyed without recrimination for their murders. Nor was this the last lot of officially condoned murders. The Killing Times, as the descendants of those indigenous people call this period, continued through the 1930s. Those massacres are very much alive in the minds of their descendants, who are now expected to demonstrate conclusively their traditional ties to land in order to gain land rights under legislation. We insist on the evidence which, to a large degree, we destroyed.

When I was in a country hospital giving birth to my daughter, I discovered that an Aboriginal woman, whom I knew through my field work, was also in the same hospital giving birth. I asked to see her and her baby. I was refused permission to cross into the area where she was, because Aboriginal people had a separate section of the hospital and there was no crossing permissible between the two areas. However our babies were together in the same nursery. So I was able to see the baby but was not able to visit the mother. When I filled in the form given to me before I left hospital I found it explicitly excluded Aboriginal mothers from maternity allowances and child endowment for their children. I questioned this and was told they did not need these benefits, as they were well cared for in other ways on the mission.

It is important to realise that this attitude is not in the distant past. It is not only a part of my lifetime, it is also in the lifetime of my children. David Lowenthal described the past as a foreign country. Are these attitudes really so foreign to us today?

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When I was doing my doctorate in the late 50s I began to realise the strength of that paternalism and the power the various Aborigines Departments had over the people they deemed to be Aboriginal. And this was a very wide net they cast. For example in South Australia in 1939 the definition of an Aboriginal was changed in the Aborigines Act to include all those 'descended from the original inhabitants of Australia'. The report of the Aborigines Protection Board, as it was euphemistically known, said, and I quote because the archaic wording is important in understanding the present:

The change was found to be necessary, as some of the quadroon, and nearly white aborigines, appear to need a greater measure of supervision than those of the full blood.⁷

This power was indeed enormous as I learnt during my PhD days. Let me quote first from the report of the South Australian Aborigines Protection Board Report of 1957.

There is little doubt that where an aboriginal or part aboriginal child is removed from its parents because it is neglected or for some other reason the child concerned has a much better opportunity when placed in a private home or institution where it can be properly cared for, educated and eventually placed in gainful employment.⁸

I questioned this. Indeed, I was already collecting evidence to show that it was false. I spoke out as a somewhat intrepid student and was reported on radio. Immediately following the news report I received a phone call at home from the then Head of the Welfare Branch of the Northern Territory. He severely reprimanded me, told me I did not know what I was talking about and said that he prohibited me from entering the Northern Territory. I was dumbfounded that he had even bothered to ring me himself let alone seem threatened by what I had said. I realised afterwards, when I calmed down and stopped shaking, that of course he could not stop me going to the Territory. But I soon came to realise as well that he could stop me from visiting any of the missions or institutions or having access to any people in the field or any records. My thesis topic, which was originally intended to cover the Northern Territory and South Australia, was changed from a study of the movements of relocated Aboriginal descendants in the Northern Territory and South Australia to focus solely on South Australia. What shocked me more was the realisation that if he had such power over me, an independent white student living in Adelaide, he could indeed rule the lives of all Aboriginal people in his realm.

To a large degree the pastoral industry, whilst usurping and radically altering the landscape and destroying much of its water and its resources, did offer for a time, respite from the all-out destruction that was taking place in the south. Aboriginal knowledge and labour were essential to the development of the cattle economy. The pastoralists depended upon their Aboriginal workers in many ways. Without indigenous knowledge of the country, the water sources and the local foods, the centre and northern Australia could never have been developed into the vast pastoral empires that grew up. It was the skill of the trackers that led to the recovery of lost cattle. They led cattle to the often scarce but essential water supplies for these big mobs of thirsty animals demanding water in the quantities that no previous occupants had ever known. The skill of Aboriginal stockmen was legendary in

droving, mustering and breaking in wild horses. Their mechanical skills in fixing broken windmills and then vehicles also soon made them essential to the further development of the pastoral industry. It was the Aboriginal women who substituted for wives for the owners, managers and drovers who mostly came, at least initially, without wives or family. Yet in return for their accommodation, as the above story has shown, their children were taken from them.

The mansions in southern cities that we can still admire, with their great Victorian architecture and their wrought iron lace decorations, are a memorial to the Aboriginal people who made it possible for those fortunes to be made.

Although the relationship varied from one station to another depending upon the owners or managers, in many of the stations a symbiotic relationship grew up. Aboriginal families could live in contact with their land in a way that the southern and eastern people could not. They could keep up their bush skills, so valued, though sometimes grudgingly, by the pastoralists. During the quieter times those living and working on the stations were able to go away and so continue with ceremonies to connect with their families and their land. They lived on the stations as families and groups and could be proud of their expertise with horses and cattle. For all its inequities it had many benefits compared with the marginal life so many led after being forced to leave the economic security of the stations. Some of the exclusion from their station homes would have taken place with the mechanisation and decreasing carrying capacity of the land but the well-intentioned introduction of equal pay for stock workers hastened this removal. Well-intentioned and ultimately right, the change in pay structures was not introduced with the support that such a radical change needed. Suffering resulted from this as from so many other well-intentioned government decisions.

In southern and eastern Australia where the rainfall was more reliable the Europeans felt more comfortable and able to farm more intensively. Here the indigenous people, if not killed intentionally or by western foods and diseases, were taken from their lands and had great difficulty in maintaining the essential spiritual links. In that loss of land they lost that inseparable bond between land, language and religion.

Much of the desert and the north remained in the hands of the Crown. It was not land that anyone wanted to purchase. What was suitable for sheep or cattle was usually leased and the rest stayed with the Crown. Here on this unwanted land the indigenous people were not at first greatly affected and they were able to retain those essential roots with country.

Ironically however it was that very land which for almost two centuries Europeans did not want, that are the lands that have been contested and gave rise to the first land claims. These lands, unwanted for farming or even pastoralism, are the lands where mining resources lie and where more recently tourism has developed. Where people were for generations relatively safe from exploitation and able to keep their language and ties with their land, in more recent years they have been faced with new and powerful forces. In Arnhem Land mining and tourism have rapidly encroached on people who were relatively protected by isolation, rugged landscapes and laterite soils. But these are precisely the factors that now attract miners and tourists.

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Probably the first non-paternalistic moves towards recognition of human equality and the realisation that the indigenous people of country were the original owners came with the passing of the Aboriginal Land Rights (Northern Territory) Act in 1976. This followed many unsuccessful attempts by various groups of Aboriginal people to have their ownership and prior occupation recognised at law. There was considerable publicity when the Gurindji walked off Wave Hill station in 1966. The Yolngu of northeast Arnhem Land tried by every means available, legally and politically, to have their ownership of the land they occupied officially recognised when they discovered that without consultation the Commonwealth Government had leased a portion of their land to the mining company, Nabalco, to establish a bauxite mine. They took out an injunction to stop the mining, but Justice Blackburn used the concept of *terra nullius* to deny the recognition of their ownership. In a report of the case Blackburn said the 'evidence showed the Aboriginals belonged to the land but the land did not belong to the tribes'.⁹

At the time this seemed but another failure in the long history of indigenous attempts to have the recognition of their prior occupation and land ownership recognised. It was a long fight, as in one part of the country after another they were not seen to be owners of the land. Even in the establishment of the colony of South Australia, where much was said about the need to recognise the original inhabitants and to ensure their well being, the Foundation Act of 1834 specifically described the new territory as 'unoccupied lands'.

In many ways however, the ingenuity, persistence and timing of the Yolgnu fight did lead to eventual recognition. Certainly their presentation to the House of Representatives of a petition on a large piece of bark gained international publicity and helped Australians focus on the just issue. It was in an attempt to reach some kind of compromise that Justice Woodward was appointed to head the Aboriginal Land Rights Commission in 1973 and his reports paved the way for substantial changes, at least in the Northern Territory. They were his findings that contributed substantially to the ground-breaking legislation in 1976. Subsequent actions in the various states have been variable. In South Australia, following state legislation a reasonable portion of land in the north has been passed to indigenous ownership. By contrast, Western Australia is still debating the issue. But the High Court ruling in the Mabo case made it clear that this continent was not *terra nullius* or unoccupied. No wonder this decision has led to so much debate and concern.

The recognition of land rights is not only a recognition of prior ownership but also a recognition of the close relationship between land, economy, health, society and belief. The outstation movement that followed land recognition led some people back to their country and in many cases a healthier way of life where they could access some of the traditional food sources. I heard one woman say, rejoicing over land reclaimed, 'our babies don't die any more'. She was referring not only to the better foods available but also to more hygienic conditions of the small groups away from the crowded settlements and camps on the edges of towns.

When Europeans came to take over this continent, or at least initially those parts of it they thought they could transform into another England, they saw none of the vast food resources of this country. Many of them starved whilst sitting on veritable gardens. The areas which they called desert provided an enormous variety of foods.

For example, Veth and Walsh,¹⁰ in their ethno-botanical study of the Martujarra people of the Little Sandy Desert in Western Australia recorded some 89 species of plants used as food sources. Fourteen species of acacia alone provided seeds for grinding and cooking into damper. Fruits from some 12 species of bush and tree were recorded from plants that had been given names like bush tomato, bush plum or rock fig. Roots and tubers like that of the bush yam were also important in the diet. This is not taking into account the great variety of animals, birds and moths and their larvae that we know as witchety grubs.

Richard Baker has written on a different profusion of food used by the Yanyuwa in the coastal regions of the Gulf of Carpentaria. He says 'It is Eurocentric to view large tracts of Australia as harsh and inhospitable. While much of Australia is marginal as far as European economic uses are concerned, the same is not true if Aboriginal environmental knowledge and land uses are considered'.¹¹ In his forthcoming book, *Land is Life*, he indicates that 'What can seem to European imagination to be an unproductive, strange and at times frightening landscape, is the known and bountiful home of the Yanyuwa'.¹²

Yet our European forebears could not see any of the food profusion of this varied land where for many thousands of years the indigenous people had lived in virtual luxury in comparison with the poor and limited diet of most of the new arrivals. They were so blinkered culturally that even in their hunger they could not see the food before them and were too arrogant to be taught, even to save their own lives.

When I visited the rich waterhole of Cullyamurra where Bourke and Wills died it was hard to believe that these men had starved to death in the midst of such resources. King lived only because he accepted help from the local Aboriginal people.

I find it interesting, intriguing, but not easy to understand that while almost every aspect of this land is now being recognised and promoted, the people who created this landscape are not so well recognised. Foods that could have saved people in the past but were sneered at as being native are now sought after as delicacies. Many, like kangaroo and emu, are now a regular part of the menu in many 5 star restaurants, and plant foods and herbal medicines are increasingly used in a variety of ways.

Indigenous art once ignored as primitive is now very much sought after by buyers all around the world. The art, the food, the dance, the music and many of the religious ideas and myths have now been acknowledged and accepted, yet the people who created them have not been given the same respect. How can the items be separated from their creators?

The Australian landscape is an Aboriginal creation just as much as England is a cultural landscape, created over centuries by its inhabitants. The mansions built in southern cities from the pastoral fortunes resulted from Aboriginal husbandry of the land. They had well developed methods of caring for the land and regularly firing it to improve the growth of pasture grasses ensured good supplies of grazing animals like kangaroos. Those same pastures thus selected, encouraged and virtually cultivated over generations of Aboriginal firing, were the rich pastures that attracted the first squatters, who became the early pastoralists. As the land was taken from the original owners, so too the pastoralists lost the ability to keep dense pastures and they had to

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do with many fewer sheep and cattle as time went on. They overgrazed in later years because they were ignorant and thought the landscape was natural, never realising the hand Aboriginal people had had in making it the rich grazing land they first saw. Because they failed to respect the indigenous owners and their skills, they lost the very richness of the land that first attracted them. They blamed the weather and the quality of the pastures, never their own cultural limitations.

OCCUPANCY OF ABORIGINAL AUSTRALIA PRIOR TO 1788

[Adapted from Norman D Tindale (1974), *Aboriginal Tribes of Australia: Their Terrain, Environmental Controls, Distribution. Limits and Proper Names*. ANU Press: Canberra, and reproduced from Gelder, Ken & Jacobs, Jane M (1998), *Uncanny Australia: Sacredness and Identity in a Post Colonial Australia*. MUP: Melbourne: 58.]

It is in that same mode of ignorance today, in search of the tourist dollar, that much of Australia is promoted as wilderness. But there is no wilderness. All of the Australian landscape is a cultural creation. All of it, every bit of this land, was occupied, owned and cared for by indigenous people. As Tindale, after decades of field work has shown in his detailed maps of Aboriginal Australia, only Kangaroo Island was not occupied at the time Europeans came to Australia. The map presented here is a simplification of the large Tindale maps as adapted by Gelder and Jacobs in their stimulating book *Uncanny Australia*.¹³ In caring for this country, the whole of this country, over many thousands of years they changed, created and modified it to meet their economic, social and religious needs. The complexity, then, of land rights and their recognition, is more than most Australians can understand.

A new opportunity for reconciliation came to us all with the High Court decision in 1992 in the case brought by Eddie Mabo. At last it was officially recognised that

Australia was not an empty land when Europeans first came here. It was in fact, every bit of it, fully occupied.

As Yothu Yindi sing in their composition celebrating the Mabo decision

Terra Nullius is dead and gone
We were right that we were here
They were wrong that we weren't here

The passage of the Native Title Act in 1993 established a mechanism for validating the land titles brought into question by the Mabo decision. We now have the opening to recognise before the law what has always been right in fact, that this land was taken from its original owners, often without any form of recognition let alone compensation. It is a big step forward in our growth to maturity as a nation that at last the historic fact is recognised.

The Wik decision by the High Court in 1996, advocating coexistence of pastoralists and indigenous people on two stations in north Queensland, further paved the way for reconciliation. But the outcry was great, resulting in the Prime Minister's ten point plan for resolution. Any public reading of the issue seemed only to put the case back. Yet the National Indigenous Working Group on Native Title stated its belief 'that there is a need for certainty and equitable outcomes for native title holders as well as for other landholders.'¹⁴

Reconciliation is possible but the first step to reconciliation must be recognition. Recognition of the past, yes, but also recognition of the present.

This country, Australia, is not one culturally uniform nation, but a series of nations. This land must be shared by different cultural groups with very different histories and concepts of land use. This large and diverse land has room for many different cultures.

Before 1788 Australia was successfully shared by many different cultural groups. Indigenous land rights recognised many different forms of tenure. Different clans had varying recognition to particular stretches of land according to long inherited traditions. Thus family groups may have rights to an area for one purpose or ceremonial role but others could have different rights and different roles in the same land. Indigenous land rights meant both owning and sharing.

This philosophy of land tenure was quite alien to the Europeans who came from a very different system of land ownership. To them land was a commodity that could be bought and sold. It was owned by the individual purchaser, an individual who had more or less within the law sole discretion on what happened on that land.

The concept that land was not a commodity that could be bought and sold was totally foreign and unintelligible to the newcomers as was the complexity of indigenous multiple ownership. How much more difficult was the concept that it was actually the land that owned the people. Their role was to care for it and pass on that caring to the next generation.

As we come to understand the environment and the damage done by individualistic, commodity driven ideas, we may come closer to a recognition of the intrinsic significance of indigenous land values. Not only was Australia diverse in its

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landscapes, it was also diverse in its cultures and the relationships between people and land varied from place to place reflecting the considerable environmental differences.

Yet onto that brilliant mosaic, so suited to the variation in the physical landscape, the first Europeans imprinted a secular, uniform and purely economic view of the land. And worse, they expected all the people already settled here to change and accept that as the one right point of view. In so doing they destroyed much of the land, its biodiversity and many of its people.

Australia cannot and should not be one culturally uniform nation. We need to recognise that from times beginning, this continent has been occupied by many nations in the sense of cultural, linguistic and economic difference.

The enormous politicisation of the Wik decision showed that we still have some way to go to understand that diversity and appreciate that we have a rich cultural mosaic. Without that recognition we will never be able to reconcile indigenous and other Australians.

But we have come a long way in spite of the distance yet to travel. The first indigenous people I came to know were segregated by law from other Australians. I had to obtain permission to visit, not from them as the owners of their land, but from the government. These people, descendants of both Aboriginal and European parents or grandparents, were isolated from the rest of Australian society. They had to obtain permission to leave the narrow confines of their isolated reserve or mission as I did to visit them. If they did leave they were then often forbidden from returning to see their families. Imprisoned for no crime, in their own land.

When they left the reserve or mission in an attempt at becoming independent and giving their children the opportunity of education, they were forced to live in makeshift camps on the edges of towns usually without a water supply or any other amenities. When I look at old photographs of those conditions I realise that at least in the law we have come a long way. But then, in thinking about this lecture I looked again at the book I wrote in 1973 when I was working on the Aboriginal section of the Henderson Poverty Inquiry and I wonder whether 25 years on, those socio-economic differences still are not just as marked. It also seems not much has changed when I look again at the book we published in 1990 entitled *Aboriginal Youth and the Criminal Justice System: the Injustice of Justice*. The over representation of Aboriginal youth at every level of the juvenile justice process is still as bad.

But the descendants of the original inhabitants of this continent are resilient. In spite of incredible prejudice, separation, cruelty and disadvantage they have survived and have continued to fight for recognition. If nothing else, and of course there is a lot else, the Hindmarsh Bridge inquiry and its publicity brought before the public of Australia the fact that even in the alienated lands long occupied by Europeans in southern Australia there are still indigenous descendants who have strong feelings about the land from which their ancestors came.

They have shown indomitable resistance. This resistance has taken many forms in the past, from the refusal to eat Governor Gawler's porridge to outright guerrilla warfare, from civil rights marches to homelands movements. In a book entitled

Geographies of Resistance, Jane Jacobs has a chapter on reconciliation in which she discusses 'the place of resistance within this new regime of healing'.¹⁵ She goes on to say 'reconciliation focuses specifically on re-arranging the "truth" of the nation'.¹⁶ Facing the truth is making many non-indigenous Australians very uncomfortable and unwilling or unable to face the realities of post colonial Australia. But face it we must. Indigenous people, in spite of the past, are ready to reconcile.

This environmentally diverse country has the ability to share its vast spaces with various cultures, as in the spirit of the Wik decision it has been re-affirmed that different cultures can co-exist in the same land.

Notes

- ¹ Wilson, Ronald (1997), *Bringing Them Home. National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from their Families*. Human Rights and Equal Opportunity Commission: Canberra.
- ² Gale, Fay (1964), *A Study of Assimilation: Part-Aborigines in South Australia*. Libraries Board of South Australia: Adelaide: 83.
- ³ Haebich, Anna (1988), *For Their Own Good: Aborigines and Government in the Southwest of Western Australia, 1900-1940*. University of Western Australia Press: Nedlands.
- ⁴ Haebich, Anna *ibid*: 156.
- ⁵ Mulvaney, DJ (1989), *Encounters in Place: Outsiders and Aboriginal Australians 1606-1985*. University of Queensland Press: St Lucia:168-171.
- ⁶ Gale, Fay *ibid*: 67.
- ⁷ Gale, Fay *ibid*: 120.
- ⁸ Gale, Fay *ibid*: 215.
- ⁹ Gale, Fay and Brookman, Alison (1975), *Race Relations in Australia: the Aborigines*. McGraw Hill: Sydney: 78.
- ¹⁰ Veth, PM and Walsh, FJ (1988). 'The concept of "staple" plant foods in the Western Desert region of Western Australia', in *Australian Aboriginal Studies* 2: 19-25.
- ¹¹ Baker, Richard (1988), 'Traditional Aboriginal land use in the Borroloola Region', in Nancy M Williams and Graham Baines (eds), *Traditional Ecological Knowledge: Wisdom for Sustainable Development*. Centre for Resource and Environmental Studies, Australian National University: Canberra: 141.
- ¹² Baker, Richard (1999), *Land is Life: From Bush to Town, The Story of the Yanyuwa People*. Allen and Unwin: Sydney: 45.
- ¹³ Gelder, Ken and Jacobs, Jane M (1998), *Uncanny Australia: Sacredness and Identity in a Post Colonial Australia*. Melbourne University Press: Melbourne: 58.

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- ¹⁴ National Indigenous Working Group on Native Title (1998), *Coexistence - Negotiation and Certainty*. <http://www.edime.com.au/nativetitle>: page 6.
- ¹⁵ Jacobs, Jane M (1997), 'Resisting Reconciliation: the secret geographies of (post) colonial Australia', in S Pile and M Keith (eds), *Geographies of Resistance*. Routledge: London: 204.
- ¹⁶ Jacobs, Jane M (1997) *ibid*: 207.

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