CHAPTER 7

ASSIMILATION AND AFTER

TIM ROWSE

IMAGINE YOU ARE an Aborigine of either sex in 1964.

If you live in the Northern Territory you are declared a ward and are one of 15 000. If your skin is not too dark, and your lifestyle closely resembles that of some whites, you can appeal against being a ward. Superintendents of missions or settlements and police officers are powerful in your life. The Director of Social Welfare can tell you where to live and take charge of your property (both powers subject to approval by a court of summary jurisdiction). He can make your boss pay part of your wages, which are set below that of non-wards, into a trust fund which the director controls. If you are on social service benefits and live in an institution, only a portion of that money goes into your pocket. If you live on a cattle station, the boss gets your child endowment. It is only two years since you could not marry without the director's permission. He still controls aspects of your relationship with your children. He can punish you and white people for mixing socially. You cannot buy a drink until later this year.

If you live in Queensland you can be classified as Aboriginal if you seem predominantly of Aboriginal descent or look a bit Aboriginal and mix 'habitually' with other Aborigines. Officials then have specific powers over you. The Director of Native Affairs can tell you whether or not you can live on a reserve; he can force you to live in any district in Queensland. You have no final control over your property. If you live on a settlement or a mission, you must do 32 hours of work per week, as directed, but for wages less than the awards for whites. You must get permission to spend those wages. Your 'protectors' get your social service payments and give you some as pocket money, though in outback areas you are lucky to be on social services at all. The director can refuse you permission to marry, and he is your legal guardian if you are less than 21. You are not free to mix as you like with non-Aborigines, and if you are a woman you are not allowed to sleep with a white man. Your settlement or mission has its own courts, in which your accuser and your judge are likely to be the same person. You can vote in federal but not in state elections. Your mail, written or received, can be read by your protector or

Detail of a mural painted in Redfern in 1983 by Carol Ruff, Emu Nugent and Jo Geier. The mural symbolically reminds passers-by that Redfern is an Aboriginal place in both a traditional and a modern sense. Redfern, an inner suburb of Sydney, has been an enclave of Aborigines from New South Wales rural districts since the 1940s. Photograph by Carol Ruff.

In Cundeelee, WA, on the southwestern edge of the western desert, in the late 1960s, the laws governing behaviour between blacks and whites were on display. Photograph by B. Hayden.

AUSTRALIAN INSTITUTE OF ABORIGINAL STUDIES

superintendent. You cannot buy or drink alcohol. If suspected of bearing a contagious disease you must submit yourself to examination and treatment. You are one of 19 500, and there are several thousand Torres Strait Islanders. Eight thousand of you are in settlements or missions, though you could all be living on them if the director wished it.

If you live in Western Australia the Native Welfare Act of 1963 has just ended state control over your travel, employment and medication. If you are among the 21 000 people of one-quarter Aboriginal descent or more, you still have reason to be careful with superintendents of reserves and missions and with police. It may be an illegal act for a friend to drive you interstate. If you are a minor you may find the Commissioner of Native Affairs looking after your property, and there may be trustees looking after your social welfare benefits. If you work in the cattle industry you will not be getting award wages, and if you lose your job in the bush you will probably not get unemployment benefits. If whites discriminate against you the state lacks laws to punish them, but at least there are no laws restricting your mixing with non-Aborigines. You can vote in state and federal elections and have the same rights as whites in court unless you live north of the 26th parallel, the boundary thought to divide the more civilised from the more primitive among you. Whether your mail is private is still being decided. You are not allowed to drink alcohol, or even be on licensed premises, until a few months more.

If you live in South Australia changes made in 1962 to the Aboriginal Affairs Act are easing the weight of authority exerted over these 5500 people of whom you are one. You can be expelled from a reserve by its superintendent or by police. Settlements and missions are the only enterprises still paying special low Aboriginal wages, but you are unlikely to get the award wage in the pastoral industry. On

An Aboriginal couple, Northern Territory, 1950. Note the 'digger' hat on the roof. Many residents of settlements and missions preferred these shelters to the housing they were offered.

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missions and reserves you may find that you cannot spend your own money, whether wages or social service benefits, and the people who hold your money can also restrict others' visits to you. You can vote, but only this year have you been given permission to drink, and then only in declared parts of the state. You will be examined medically if you are suspected of carrying an infectious disease, and a doctor can enter your house to do so without your permission. If you behave as white authorities hope you will, the Aboriginal Affairs Board may judge you fit to be taken off its register of Aborigines and treated as if you were a non-Aboriginal.

In New South Wales and Victoria you are no longer so hindered by laws made specially for Aborigines. Victorian authorities lifted most restrictions in 1958, retaining some supervision over the residents of its only Aboriginal station. The New South Wales government acted similarly in 1963, but retained powers to expel Aborigines from reserves and to restrict non-Aboriginal movement on to them. In the longest settled states that still recognise an Aboriginal population—Tasmania officially has none—you may be unhealthy, badly housed and unemployed, but you are no longer a second-class citizen.

The hookworm laboratory at Woorabinda settlement, central Queensland, in 1962. One reason for legislation segregating Aborigines from whites was fear of contagion. Photograph by Colin Tatz.
AUSTRALIAN INSTITUTE OF ABORIGINAL STUDIES

In 1951 Paul Hasluck, minister for territories, declared 'assimilation' to be the policy of all governments, yet a decade later much legislation remained that kept Aborigines in a special category. 'Assimilation means, in practical terms that, in the course of time, it is expected that all persons of Aboriginal blood or mixed blood in Australia will live like White Australians do.' Hasluck had conceded in 1950 that the program of Aboriginal advancement could 'best be worked out in relation to the day to day tasks of native administration'. In practice, this meant that 'protective' segregation and discrimination continued, partly because state governments and officials had not been convinced of the need for change, and partly because 'protection' was a cheap way of dealing with Aboriginal unemployment. European settlement had taken Aboriginal land, but, except in the pastoral industry, it had not made much use of Aboriginal labour. The apparatus of protection had been useful to governments in the depression of the 1930s. In New South Wales, for instance, under the Aboriginal Protection (Amendment) Act of 1936, unemployed persons could be denied the dole if they were thought by a court to be Aboriginal, in which case the police could force them on to reserves to be rationed. These powers remained, despite assimilation policy, until the act was amended in 1963: it was not repealed until 1969.

A.P. Elkin (1891–1979), professor of anthropology at the University of Sydney, advised several federal and state governments on Aboriginal policy. His pamphlet Citizenship for the Aborigines *(1944) was a seminal statement of the goals and procedures of assimilation.*
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'Protective' legislation overshadowed assimilationist intentions in other states. Queensland's Aboriginals Preservation and Protection Act of 1939 survived until 1965, and was replaced by an act that still conferred many powers over Aborigines and Torres Strait Islanders. In Western Australia the Aborigines Act Amendment Act of 1936 was not repealed until 1963. South Australia's Aborigines Act of 1934 lasted until 1962. Victoria re-enacted the provisions of a 1915 act in 1928 and left them there until repeal in 1957. The commonwealth's supervision of Aborigines in the Northern Territory derived some features from Queensland practice since 1897 and was embodied in the 1953 Welfare Ordinance. Its life was short. Most powers over Territory Aborigines outside reserves were lifted in 1964, an action in which the federal government implied the maturity of assimilation policy.

Assimilation was a reforming policy to the extent that it eliminated these discriminatory laws. At its best, assimilation enabled Aborigines to do new things: get a job, live in a house in a town, attend a school with white children, vote, drink and receive social security payments.

Some Aborigines voiced misgivings about such concessions. 'Aboriginal people', wrote Robert Bropho, resident of an unsupervised camp outside Perth in 1980,

'look on their social service payment as a small payment for their country that was taken by the white man which was priceless from an Aboriginal man's point of view'. He accused whites of trying to 'destroy the full-blood ... by giving him the bad medicine first, that is the drinking rights, where he should have given the good medicine first, that is, a piece of his own land back'. Nor was welfare housing such a blessing. In Bropho's opinion, 'Aborigines are going through pure hell still living out there in some of those State Housings'. Despite the squalor of fringe dwelling, it was better than living 'under those State Housing bylaws which we'd call living under the bad habits of the white man'.

Aborigines, in order to benefit from assimilation policies, were expected to distance themselves from much in their past, even the recent past of the mission and settlement. To move from reserve or fringe camp into town, Aborigines were given the hateful task of being disloyal to their own. The 1950s and 1960s left many of them angry and confused about their identity.

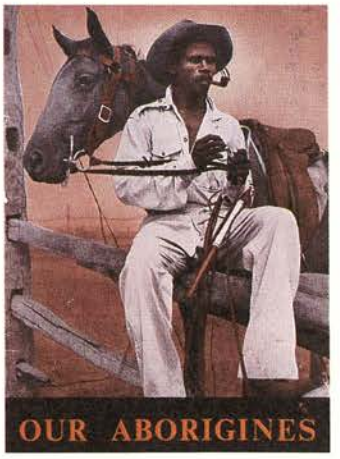
The most substantial legal achievement of assimilation policy was equal wages. Discriminatory awards applied to Aborigines in the pastoral industry in the Northern Territory, Queensland and the north of Western Australia. The commonwealth allowed the cattle station industry (Northern Territory) award of 1951 to exempt Aborigines; and the Wards Employment Ordinance (1953) set minimum wages below the basic wage for other industries. The government intended that employers would be encouraged to introduce Aborigines to the world of work. In Western Australia neither the 1954 Native Welfare Act nor the act that replaced it in 1963 set minimum wages for Aborigines. Pastoral employers got away with paying Aborigines less than non-Aborigines partly because of the commonwealth's example in the Northern Territory. With its extensive regulations, the Queensland system left nothing to chance: controlled Aborigines were paid less than the basic wage in a number of industries. Pastoral employers paid uncontrolled Aborigines less than whites, again following in spirit the ordinances and awards of commonwealth bureaucracies.

The commonwealth could be lobbied in all states and territories, and had reason to listen because it was the custodian of Australia's image abroad. Aborigines in the Northern Territory had had their expectations raised by the army's relatively fair employment policies during the war. In the Pilbara region of Western Australia and in Darwin after the war ended they pursued better, though not necessarily equal, wages and conditions. There was significant trade union support, particularly from unions with communist influence. One of those unions, the North Australian Workers Union (NAWU), tried in 1948 and 1950 to get Aborigines written into awards. They made southern unionists aware of the problem, and that could turn a local dispute, in which administrators were effective masters, into a national one, in which they were answerable to their embarrassed political superiors in Canberra.

In 1957 unions and other bodies pressing for reform set up the Federal Council for the Advancement of Aborigines, renamed in 1964 to include Torres Strait Islanders (FCAA, FCAATSI). Unions in the south began to affiliate with the FCAA in 1961. They recognised in the drive for equality one of their own traditional aims: the elimination of pockets of cheap labour. The FCAA lobbied ACTU congresses from 1959, and the congress of 1963 rewarded them with a policy statement on Aborigines, which included a call for award wages. The Social Welfare Ordinance of 1964 lifted many restrictions on Aborigines in the Northern Territory, but left the Wards Employment Ordinance. With ACTU support the NAWU applied to the Commonwealth Conciliation and Arbitration Commission in 1965 to have the discriminatory clauses removed from the cattle industry (Northern Territory) award. On 7 March 1966 the commission obliged the

Elizabeth Durack's oil painting, Hurricane Bore, Kildurk station, Northern Territory, *1963.*
ART GALLERY OF NEW SOUTH WALES

Below.
This pamphlet was first published in July 1957 and reissued in July 1964 by the federal minister for Territories.
SPEARRITT COLLECTION



NAWU, but bowed to pastoralists' pleas in delaying the payment of equal wages until 1 December 1968.

Like the repeal of paternalist laws in the southern states, this change probably gave Aborigines more symbolic than material benefit. It was unusual that the decision did not bind pastoralists to pay equal wages to Aborigines who were not members of NAWU. And pastoralists could dismiss employees who had suddenly become more expensive. By 1970 Aborigines in some cattle stations in the Territory had wages equal with white workers and some did not, and Aboriginal unemployment in the industry increased. However, the commonwealth's practice as an employer improved. From 6 July 1967 it paid award rates to Aboriginal public servants in the Northern Territory; in 1971 the Wards Employment Ordinance was repealed. In 1969 the commonwealth began to pay a 'training allowance' to Aborigines who took part in work programs on reserves and missions, but it abandoned the scheme at the end of 1973 because the allowance had come to be seen as a system for paying lower wages to settlement workers. By the late 1970s only workers on Queensland's settlements had wages pegged lower than award rates. Aborigines elsewhere had won the right to equal pay, if they could get a job.

Though assimilation was a vague doctrine, and though it sanctioned a great variety of government actions, some more formal than practical, the policy was powerful because of its appeal to the notions of fairness and national unity. Those who lobbied governments on Aborigines' behalf after World War II found a clear agenda in the ideals of assimilation. For example, Victoria's Aboriginal Advancement League stated in its five principles the outlook of affiliated organisations set up by whites to help Aborigines. The first three—equal citizenship rights, equality in standard of living and equal pay for equal work—fitted easily into the doctrine of assimilation. The fourth suggests hesitation about how to apply the principle of equality to Aborigines who continued with nomadic traditions: compulsory

Aborigines living at Wreck Bay have had the advantage of an abundant natural food supply that could not easily be alienated from them. This settlement has resisted the real estate development that took other coastal reserves out of Aboriginal hands; it is on commonwealth territory adjacent to a naval base. Photograph 1951.
MAGAZINE PROMOTIONS

education for detribalised Aborigines. The fifth goal, at first defensive, came to sit more and more uneasily with the egalitarian basis of assimilation: the absolute retention of all remaining reserves, with native communal or individual ownership. In the late 1960s, as many of the formal obstacles to equality were falling, Aborigines' land became a central concern.

The reserve lands of desert or wetland nomads were seen as a means of protecting such people from insensitive or exploitative whites, and of beginning a slow program of training. In the longer-settled regions there was less emphasis on sheltering, reserves having been temporary bases for training since the late nineteenth century. Now their persistence was becoming an obstacle to assimilation. In Victoria and New South Wales it had long been policy to disperse Aborigines into the towns and cities, if necessary by removing children from their parents. Many non-Aborigines, however, through local councils, resisted their taking up urban housing and using schools and hospitals; and those on reserves often preferred to stay on them, having developed bonds with the land and with each other. So many reserves and unofficial camps persisted on the edges of country towns. The ideals of assimilation meant that discrimination against local reserve inhabitants and town-dwellers was sometimes brought scandalously to the attention of people in the cities, such as in Student Action for Aborigines' 'freedom rides' in New South Wales in January 1965. Some reserves were deplored as evidence of the unfinished business of assimilation, and others defended as one of the few assets Aborigines could claim.

Lake Tyers Aboriginal station, Victoria, 1961. Photograph by Aldo Massola.
AUSTRALIAN INSTITUTE OF ABORIGINAL STUDIES

In 1963 *Smoke signals*, journal of the Aboriginal Advancement League in Victoria (the AAL), published a map of Australia with three places marked on it: Mapoon, Lake Tyers and Gove. These had become arenas for the defence of Aboriginal rights to reserve land.

Bauxite, the mineral for making aluminium, was found on the Cape York Peninsula in 1955. The Queensland parliament's Comalco bill in 1957 made the adjustments to local land tenure that were necessary for mining to begin. Six thousand square kilometres of Aboriginal reserve, and another 5000 square kilometres of land still used by Mapoon and Weipa Aborigines, were leased to the

Comalco company, which was to enjoy all cattle grazing, timber, water and farming rights on the mining lease, and it was allowed a perpetual lease for the construction of a town. Maurice Mawby, a director of the parent company, Consolidated Zinc, responded to the church mission's attempts to negotiate on behalf of the Mapoon. The company would not financially compensate the community, he said. 'There is no conflict between our plans for large-scale development of the area and the well-established objectives of policy on native affairs in Queensland. We aim to provide a gradual and satisfactory means of assimilating suitable natives.'

Lake Tyers, the only supervised settlement in Victoria, whose population had peaked at 290 before the war, was becoming redundant, according to the Aboriginal Welfare Board, as job opportunities had attracted residents into Melbourne and country towns. Around 1960 the board demolished houses and was reluctant to renovate those of the few families that remained because it wanted the residents to continue to leave. Field officer of the AAL, Pastor (later Sir) Doug Nicholls, resigned his position on the board in 1963 in protest, urging security of tenure for reserve dwellers. The AAL argued that non-resident Aborigines should be able to call Lake Tyers home, and even to return to it from town life.

The struggle over Lake Tyers was confined to one state. In contrast the issue of the Gove Peninsula was a commonwealth and therefore a national matter. Again

The signing of the 1958 agreement to mine bauxite at Weipa, Qld. Maurice Mawby shakes hands with G.F.R. Nicklin, premier of Queensland. Behind them are C.A. Byrne, director (Brisbane) of Consolidated Zinc, and H.W. Noble, minister for health and home affairs.
FAIRFAX PHOTO LIBRARY

the prize was bauxite and the obstacle Aboriginal possession of land, the Arnhem Land reserve. On 13 March 1963 the government excised 362 square kilometres from the reserve at the Gove Peninsula so bauxite could be mined by Nabalco. The people of nearby Yirrkala, helped by Methodist missionaries, submitted a petition on bark to the House of Representatives asking that 'no arrangements be entered into with any company which will destroy the livelihood and independence of the Aboriginal people'. A select committee reported that the interests of the Yirrkala and of Nabalco were compatible. The sudden implantation of a town (now known as Nhulunbuy) and an industrial complex would make a more rapid timetable for assimilation of the Yirrkala people both possible and necessary. Not all Aborigines on reserves had such easy access to training and employment as they would enjoy. The letter of understanding between government and company of 23 February 1968 contained a number of clauses providing for what the government considered to be Aboriginal welfare.

Above left.
The first meeting of the Nabalco Board, 1965. From left: Dr K.W. Hermann, Dr H.F. Bell, L.S. Dalrymple, Sir James Vernon, D. Griffin, E.R. Meyer, Dr P.H. Mueller. Behind them is a map of the Gove Peninsula where they were soon to build a town, Nhulunbuy, and an industrial estate covering hundreds of hectares, despite the wishes of the traditional owners.
FAIRFAX PHOTO LIBRARY

Though FCAATSI objected strongly to this alienation, it was forced by the commonwealth's resolve to try to gain some advantage for the Yirrkala people. In

his presidential report in 1966 Joe McGinness, an Aboriginal wharf labourer from Cairns, sketched a role for Aborigines in economic developments that they seemed powerless to prevent. Aborigines had a part to play in the development of the north, he argued:

> Why go to the expense of bringing in migrants when the people capable of doing the work and accustomed to the country are already there waiting to be given the opportunity?

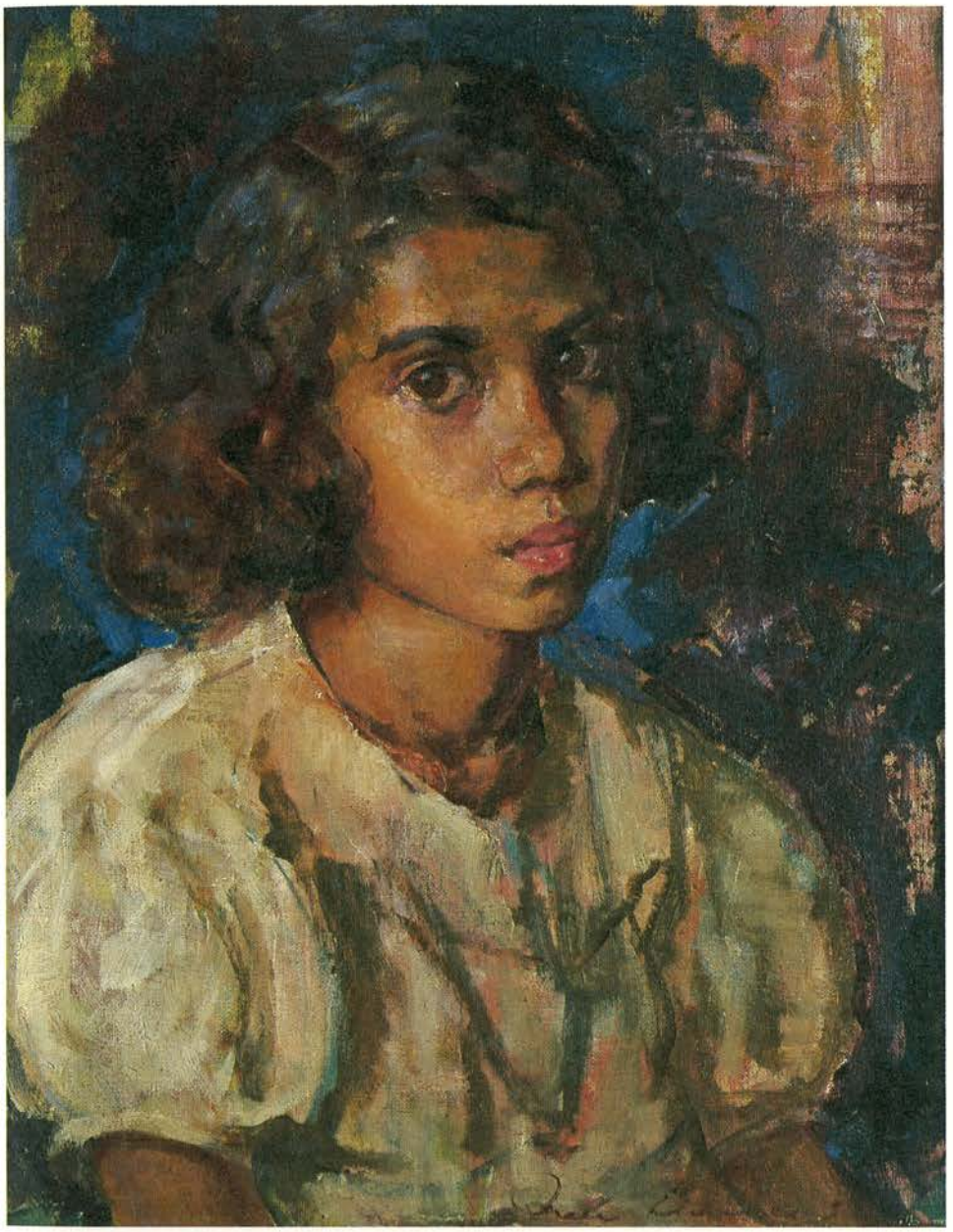
But some Aborigines who were already workers in a northern industry rejected that role. The Gurindji had worked cattle for the Vestey company at Wave Hill for two generations. In 1967 they stopped work, shifted their camp to another part of the lease, called Wattie Creek, and said they wanted it acknowledged that this was their land. They were not striking for better conditions, they were leaving the labour market altogether. The Gurindji were not defending a reserve, they were declaring their traditional proprietorship of this stretch of pastoral country, and so questioning the basis of northern economic development. Their walk off, the firmest rejection of assimilationist thinking that Aborigines had yet made, was covered sympathetically in the southern press.

In response Peter Nixon, Country party minister for the interior, reiterated the assimilation ideal. The government, he said, wanted to avoid setting 'Aboriginal citizens permanently apart from other Australians through having their development based on separate or different standards'. To let the Gurindji have their land would be to accept 'separation and segregation of Aboriginals', and so 'create here problems now being faced in other countries'. Nixon's fears echoed Hasluck's of 1951: settlements and missions might produce a 'body of people ... who live in Australia but are not members of the Australian community ... living in little bits of territory on their own'.

Hasluck had pointed to 'two characteristic principles of Australian democracy': equality of opportunity, and the ideal of 'a society in which there shall be no minorities or special classes'. The lobbyists appealed to similar principles. The postwar struggle for equality was founded on them. Now the government was using them against the argument for land rights on reserves. Actions such as those of the Gurindji were beginning to expose a problem. Could the demands for equality and for indigenous land rights be reconciled?

The less Aborigines had been exposed to Europeans the more likely they were to see their law as having priority over the customs and legal system introduced by Europeans. Assimilation had encouraged Aborigines disconnected from their traditions to identify with the introduced culture, to judge themselves by it and to fit in with it; but now some urban Aborigines were thinking and saying otherwise. They saw that the argument for equality rated Aboriginal ways second to those of whites, and countered by asserting 'black pride'. They could look to the Gurindji's continuing attachment to their land as an instance of the birthright that Europeans were still contesting. The demand for land rights on reserves triggered in some minds a reappraisal of the sovereignty of Europeans over the continent.

Since the early 1960s Aborigines at annual meetings of FCAATSI had caucused separately and put forward resolutions for the main meeting. *Smoke signals* reported that at the 1965 conference in Canberra, Philip Roberts from Darwin asked 'What is the use of voting?' and declared 'We want the land.' His black colleagues demanded that 150 million pounds (in 1985 terms $A1.38 billion) be paid to nominees of the Aboriginal people for land taken from Aborigines. It took three years for FCAATSI to make its policy go further than the defence of reserves and express something like Roberts' demand.



Mary Edwards' 1938 oil painting, Daughter of two races, *presents a poignancy of its time—the uncertain destiny of the 'half-caste'. The assimilationist view was that 'half-castes' had the best chance to escape the handicap of being Aboriginal. In the 1970s such a girl was more likely to take pride in being black.*
ART GALLERY OF NEW SOUTH WALES

At this time governments differed over Aboriginal ownership of reserves. South Australia passed an act in 1966 vesting title to all reserves in a trust representing all of the state's Aborigines. Victoria's Aboriginal Welfare Board recommended in 1966 that 'where Aborigines are still associated with land with which they have strong cultural, religious and historical association, their right of possession should be established.' Lake Tyers station and Framlingham reserve were made over to Aborigines' ownership in November 1970, with the support of all parties in the Victorian parliament. In New South Wales, which still had many more hectares of reserve than in Victoria, a select committee of parliament recommended in 1967 that residents continue to be encouraged to leave, and more reserves closed. A form of Aboriginal title to reserves was discussed in the Northern Territory Legislative Assembly in association with the passing of the 1964 Social Welfare Ordinance.

FCAATSI policy on land rights matured in 1968. The annual general meeting asked for 'full title and rights to compensation with respect to all Aboriginal reserve land' and for 'the provision of land for all Aboriginal groups seeking to live on, use and develop land in their traditionally occupied areas'. In September 1969 *Smoke signals* reported that this resolution had been elaborated by the FCAATSI executive: Aboriginal ownership of crown land which was 'traditional tribal land'; the right to veto mining; compensatory payments for Aboriginal land alienated to whites; and a national Aboriginal Lands Trust Fund, to handle this 'compensation or rent'.

It was not easy to work these demands into white Australians' agenda of reform. Bruce McGuinness, a Victorian Aboriginal activist, complained of white dominance over a meeting in March 1969 convened by the Council for Aboriginal Affairs, a new body set up to advise the prime minister. There had been no time to discuss land rights, he reported. An editorial in *Smoke signals*' special issue on land rights in December 1970 spelled out the lesson whites were beginning to learn: Aboriginal 'ingratitude ... towards all white people were trying to do for them stemmed from the frustrations of a landless and rootless people'. But in the year of the Cook bicentenary it was still novel to suggest that Aborigines had been invaded and dispossessed.

In 1968 the Yirrkala people took court action to challenge the commonwealth and Nabalco's right to mine on their land. Justice Blackburn of the Northern Territory Supreme Court found in 1972 that there was no recognition of native title to land in Australian law. This clarification dramatised a difference that had emerged between the government and the opposition. The McMahon government could now invoke judicial authority in maintaining the policy that Aborigines' traditions were not to prevent European exploitation of their land. The ALP's biennial conference in Launceston in 1971 had already promised land rights with a veto over mining. When he became prime minister, Gough Whitlam made two momentous changes to federal policy. He put forward the new principle of Aboriginal self-determination, and he commissioned lawyer A.E. Woodward to report on how to give land rights to Aborigines in the Northern Territory. Woodward's two reports of 1973 and 1974 set out principles embodied in the Aboriginal Land Rights (Northern Territory) Act of 1976. All reserve lands in the Territory, he proposed, would automatically pass into Aboriginal ownership. Aborigines could claim vacant crown land by proving their traditional attachment to it. Woodward accepted the argument for compensation to the extent that he recommended setting up funds to buy land for those Aborigines who had lost land to settlers. The leases of Europeans were not to be subject to claim, only to purchase. Most importantly, Aborigines should have the power to refuse consent to mining on their land, even though the government retained ownership of all minerals. How Aborigines used their land should be a matter solely for the Aborigines themselves to determine, whether or not—he implied—that was in harmony with white Australian notions of 'development'.

Aboriginal women of the Biblemun group in the southwestern region of Western Australia at a meeting in Perth in 1973. From left: Pat Farmer, Ida Deesle and Betty Colbung. Photograph by Ken Colbung.
AUSTRALIAN INSTITUTE OF ABORIGINAL STUDIES

In the late 1960s some Aborigines articulated their bitterness about white Australian society and celebrated defiantly what made them distinctive and not yet acceptable. Young activists such as Bobbi Sykes took pride in 'blackness': 'Black is more than a colour, it is also a state of mind,' she said in 1975. Aborigines who had moved to the cities were the most likely spokespersons of 'black pride'. Cities

accommodated enclaves of Aborigines who, from World War II, had moved there in search of jobs. In country towns Aborigines were conspicuous as individual households and under pressure to make their Aboriginality invisible. But in some suburbs in capital cities—Redfern, Port Adelaide, Fitzroy, South Brisbane—they became a substantial and visible proportion of the population. Many were as literate as working class whites, and had jobs. Some were active within pressure groups and social welfare organisations in which their white associates urged them to speak out. When they did, they invoked a common black culture and condition, which some expert and sympathetic observers found it difficult to recognise. Ronald Berndt, professor of anthropology at the University of Western Australia and humane critic of assimilation policy, was uneasy in 1969 about 'people who are for all intents and purposes European-Australians but who, partly because of their physical appearance, insist on being regarded as Aborigines. Some of them have ... become virtually "professional Aborigines".'

A new generation of Aborigines had no doubts about the authenticity of their voices. They saw the making of distinctions among Aborigines as part of the traditional white strategy of selective absorption. One writer flayed 'gubs' (whites) in the Fitzroy-based Aboriginal newspaper *The Koorier* because they killed 'the blackman's individuality as a race, dignity, national pride and unity ... with the return of dignity and national pride comes the burning desire to be free and this spells TROUBLE'. He then addressed 'the "integrated" black-white man [who turned] his back on his less fortunate brethren'.

Here was an unintended effect of assimilation: some Aborigines (or Koories as they called themselves in Victoria and New South Wales) who were most able to make their way in the white world began to identify with those who could not; they began to speak as if they were members of a single unabsorbed Aboriginal culture. The exponents of assimilation had not envisaged a surge of pan-Aboriginal feeling. But there was enough flexibility in the doctrine to allow some measure of black pride as a positive achievement of government action. In 1965 the Conference of State and Federal Ministers, attempting to soften the coercive element in assimilation, said that Aborigines 'will choose to attain a similar manner and standard of living to that of other Australians'. Hasluck in 1951 had allowed that 'assimilation does not mean the suppression of the Aboriginal culture but rather that, for generation after generation, cultural adjustment will take place'. The acts of choice, expected to lead in one direction, would leave time to express, savour and perhaps preserve elements of Aboriginal culture. In the 1970s an ideal of ethnic pluralism, developed by critics of assimilation in immigration policy, gave new respectability to Aboriginal art and language.

Billy Craigie of Moree, a member of a nine-man Aboriginal protest group squatting in four tents opposite Parliament House, Canberra, in 1983. The tent embassy of 1972 established this lawn as a site for protests.
FAIRFAX PHOTO LIBRARY

Some Aborigines were openly scornful of the Australian way of life. The first Aboriginal president of the Aborigines' Advancement League in Victoria (the AAL), Bob Maza, wrote of 'the Koorie's disillusionment'. 'Let us not be too hasty in rushing into a society that is at present floundering,' he warned. 'We, the black people, have at our fingertips the key to making Australia a better place ... we could ... TEACH the whites how to live, simply by adopting the ethics and principles of our people which are almost completely lost.'

If such declarations were to amount to anything, there had to be a change in the distribution of political power. Cultural autonomy implied a desire to be politically autonomous as well, to control institutions in Australian society through which they could represent themselves. The most spectacular gesture towards 'black power' came from the activists from southeastern Australia who set up an Aboriginal Embassy on the lawns in front of Parliament House. For several months after the tents were erected on Australia Day 1972 they were allowed to stand, an

eloquent and newsworthy challenge to complacency about assimilation. A new ordinance made the embassy illegal, and in September television audiences watched the federal police dismantle the protest against the energetic efforts of hundreds of Aborigines. Because the embassy had been orderly, the opposition was well placed to identify with it, and to condemn the government. 'Everybody knows,' Whitlam exclaimed, 'that if it were not the young and the black involved in this matter the Government would not have dared to proceed in this fashion.' Within a few months Whitlam's party was in government.

When Charles Perkins was appointed secretary of the Department of Aboriginal Affairs in 1983 he moved from being a symbol of the success that assimilation could bring talented individuals, to become a symbol of the federal government's notion of 'black power'. By 1986 he faced a cabinet that wanted to weaken the land rights law in the Northern Territory and to let state governments develop land rights policies that deferred to mining interests. Here, Perkins is at Alice Springs, his home region, in 1983, standing alongside Thomas Stevens, one of the traditional owners of a sacred site proposed for inundation by a recreation lake. Photograph by Darryl Lawton.

AUSTRALIAN INFORMATION SERVICE

But it was not clear that the Labor government's substantial changes in the objectives and methods of the commonwealth could, in themselves, overcome the historic impotence of Aborigines, and give substance to 'black power'.

European settlement took away the economic resources of Aborigines, vastly outnumbered them, and developed an economy which required hardly any participation by an Aboriginal workforce. In 1981 there were only five federal electorates in which the Aboriginal and Torres Strait Islander voters were more than 4 per cent of those enrolled: Grey (SA), 4.1 per cent; Gwydir (NSW), 6.8 per cent; Kalgoorlie (WA), 12.5 per cent; Leichhardt (Qld), 13.1 per cent; and the Northern Territory 23.7 per cent. Unlike the white Australian working class, Aborigines have not supplemented their vote with industrial might. Even in the pastoral industry, where Aborigines' labour has at times been vital, their ability to strike has always been compromised by dependency on pastoralists both for access to their country, and for food, since no longer could enough be taken from that land. In northwestern New South Wales, for instance, the myxomatosis campaign against rabbits in the 1950s significantly reduced the economic self-sufficiency of Aborigines. So Aborigines have been able to make governments and investors act in their favour only by forming alliances with sympathetic non-Aborigines. Yet such alliances have always held problems.

In the period of assimilation two types of alliance with white sympathisers emerged. One was through the creation of advisory positions for Aborigines within the state welfare bureaucracies. Political scientist Colin Tatz's 1968 survey of administrations in *Smoke signals* showed this to be limited. Western Australia, South Australia, New South Wales and Victoria had between them nine positions set aside for Aborigines within bodies that were advisory rather than executive. The departments dealing with Aboriginal affairs were flawed means for expressing Aborigines' political interests. They failed to be effective advocates of Aborigines' rights to their reserves against private or public bodies that could see other uses for those lands. It was all too easy, as the Mapoon and those at Yirrkala have reason to know, for their bureaucratic champions to shape a definition of Aborigines' interests which was happily consistent with the wishes of miners. This complicity made the few voluntary organisations, the second means of empowering Aborigines, all the more important.

Victoria's Aborigines' Advancement League, the most important component of the Federal Council for Aborigines and Torres Strait Islanders, illustrates the problem of dependence on white advocates. The Aboriginal Welfare Board saw much of the AAL's work as auxiliary to its own. The AAL, by its own account, tried to smooth the path of assimilation with 'social service work, finding employment, accommodation, fighting eviction orders, attending court cases, solving family relationship problems'. Two Melbourne hostels, one for boys and one for girls, tried to make the transition to city life easier for those Aborigines seeking work or education. Such efforts saved the board a great deal of money in social workers' salaries. From within this partnership the league had a secure moral basis for criticising the board for its shortcomings and for cultivating the support

of respectable non-Aborigines. Lorna Lippmann's survey of the league's Melbourne membership in 1965 showed that Presbyterians, Methodists, adherents of the Church of Christ and Jews were prominent, and that almost two-thirds were 'business–professional' in occupation. Voters for Labor and for Liberal–Country parties were each 45 per cent of the membership. In the late 1960s demands for more black control of the league provoked clashes between Aborigines and league stalwarts who could be labelled 'do-gooders' if they were slow to acknowledge the new assertiveness of the Aborigines whom they had been trying to help.

One of the AAL's (and FCAATSI's) most prominent and effective activists, Gordon Bryant, became the first federal minister of Aboriginal affairs, a portfolio and department created by the Whitlam government. His response to calls for direct representation of Aboriginal interests in the making of policy was to set up the National Aboriginal Consultative Committee (NACC) in February 1973. Made up of 41 representatives elected in November 1973 from specially drawn electorates, the NACC engaged in stormy confrontations with the Department of Aboriginal Affairs (DAA) until 1976 when it was subject to review. Poor in resources, competing with older voluntary organisations which had already developed working relationships with government, the NACC was a frustrating venture. Representatives spent hour after hour discussing its constitution, and critics from DAA accused elected urban activists of crowding out the more reticent delegates from the north. DAA, not a disinterested observer, thought the NACC premature. The NACC members were frustrated at their lack of executive power and were hostile to many DAA officials who had been transferred from the old state and territory welfare departments.

Barunga is the Aboriginal name for the community based on the old government settlement called Beswick, near Katherine, NT. Commonwealth policy to foster competitive sport among Aborigines is one element in the assimilation program which many Aboriginal people have accepted.
REDBACK GRAPHIX

When in 1976 Dr Les Hiatt, reader in anthropology at the University of Sydney, conducted a review of the NACC at the invitation of Ian Viner, the first of the Fraser government's ministers for Aboriginal affairs, various reform proposals competed. One was that the government should foster the development of Aboriginal political skills by funding a national Aboriginal pressure group. DAA opposed this, not wanting government to create such a powerful and legitimate critic. The NACC wanted executive powers, so that it could rival and ultimately displace DAA with policies mandated by an all-Aboriginal electorate. DAA wanted a small advisory committee nominated by the government. Hiatt's compromise was to recommend the setting up of two bodies. The National Aboriginal Conference (NAC), as it became known, would replace the NACC, but have more resources to develop and articulate advice. A Commission for Aboriginal Development (CAD) would make policy submissions to the minister, to which he or she would have to respond in writing. The federal government accepted these recommendations in 1977. The NAC continued to be weak and in 1985 was again reviewed. The lasting change issuing from the Hiatt Report was the creation of the Aboriginal Development Corporation (ADC), successor of the CAD, which ceased to exist, by its own consent, in 1981. The ADC was an Aboriginal-governed statutory corporation with annual budgets to spend on the development of Aboriginal enterprises. In 1984 a parliamentary committee criticised the ADC for not having clear criteria to guide its investment. Despite rhetoric about establishing Aboriginal economic independence, the ADC, said the committee, was more concerned with the social development of communities than with their commercial enterprise. Perhaps the ADC's policies were a small concession to Aboriginal communities' different ideas about the value of economic development.

The only other political achievements of recent times have been the Land Councils established by land rights laws in the Northern Territory and New South Wales. With their income guaranteed by statute (and by the persistence of mining,

in the Northern Territory), rather than subject to annual budgetary changes, and with powers to represent Aborigines in claiming and using land, these bodies secured an Aboriginal voice in matters of importance to them. There were other instances, less substantial than the Land Councils, of limited devolution of powers to Aboriginal communities. Under the federal Aboriginal Councils and Associations Act (1976) about 900 communities became bodies corporate, able to receive, and to be accountable for, grants from governments, usually the commonwealth. These structures could develop some of the functions and authority of local government and could employ non-Aboriginal professionals to service them in culturally appropriate ways. These has been particularly important in extending and redesigning the delivery of health care in the Northern Territory. These were the same local powers which Queensland authorities continued to withhold from reserve councils.

Any devolution of political functions to local Aboriginal leaders put pressure on them to perform as efficient politicians and functionaries. As often as they won political power, Aborigines had political responsibilities imposed on them. By 1984 anthropologist John von Sturmer had spent several years observing how the Oenpelli community had coped with the sudden implantation of uranium mining and government structures in central Arnhem Land after 1977. He found that self-determination, in an environment determined by the unstoppable presence of industry, was practised with some difficulty. Some *bininj* (Aborigines) were suspicious of their fellows who became active bureaucrats and representatives. Such activism did tend to bring material rewards for those involved and for their kin. Rather than debate the purposes and policies of the new institutions, *bininj* seemed to want merely to staff them with local Aborigines, and to secure their resources. The people of the region were having to make a choice: to attach themselves to the new institutions, or to cleave more consistently to the outstations, to distance themselves from the *balanda* (non-Aboriginal) world. This was the choice that a policy of self-determination brought—to set oneself and family on to one path or the other. As Charles Rowley, author of *The destruction of Aboriginal society*, saw, democracy and bureaucracy contain their own insistent pressures to 'come to terms with the very values which they have passively resisted for generations ... To operate efficiently they have to become much like the rest of us. This dilemma has faced many colonised folk societies.'

Although Whitlam was sacked before enacting the Aboriginal land rights (Northern Territory) bill, the Fraser government demonstrated bipartisan support for land rights by taking it through parliament in amended form in 1976. By June 1985, 86 claims had been lodged with the land commissioner, a judge empowered to advise the minister for Aboriginal affairs on the strength of any group's claim to own land. The minister had made a decision on 17 claims, and three were awaiting his decision. Several claims were in process, and 48 were waiting to be listed for hearing, 30 of which depended on the outcome of a review of the act. The judicial process had been slow, but already 33 per cent of the Northern Territory had been granted to Aborigines, and there was advice still to come about another 12 per cent. Some claims were hard fought by the Northern Territory government. Political lobbying around the act itself had been vigorous and often bitter. The High Court had had to clarify some contentious parts. But if the act divided the community, as members of the Northern Territory government complained, it was not a setting of white against black: land rights has been most significantly controversial among non-Aboriginal Australians.

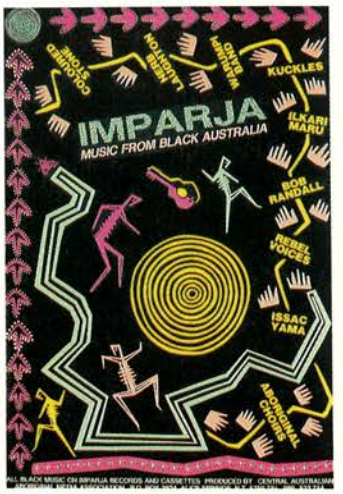
In August 1985 Justice Woodward recalled a principle embodied in his 1973 and 1974 reports: 'that if mining could be carried out on Aboriginal land without

the consent of the owners, they would be little if any better off in practice than were the owners of revocable reserves.' The 1976 act did not give absolute control over mining to Aboriginal owners: the commonwealth government could declare a mining venture to be in the national interest and override the owners' wishes; and the traditional owners in Arnhem Land found that they had no right of veto over the Ranger and Nabarlek uranium mines in 1978. But the owners' power to refuse consent and to negotiate royalties was strong enough to appear a hindrance to the mining lobby, which, assisted by the governments of Queensland, Western Australia and the Northern Territory, portrayed the 'mining veto' as a threat to the economy. They were alarmed that Aborigines in all states might soon have similar powers. In South Australia the Pitjantjatjara Land Rights Act of 1980, passed by a non-Labor government on the basis of a Labor bill, and the Maralinga Tjarutja Land Rights Act of 1984 gave title to arid reserve land and vacant crown land in the north and west of the state. The minister for mines and energy had to appoint an arbitrator if minerals exploration was vetoed or made subject to conditions which miners did not accept. Neither act allowed Aborigines to claim vacant crown land.

When confronted with the Queensland government's laws on land rights, the federal governments of Fraser and Hawke declined to enforce Woodward's principle. Twenty years after the Mapoon lost their land to Comalco, their neighbours to the south, the Aurukun and Mornington Island people, were resisting state government pressure to start private mining of bauxite on their reserves. The Queensland government moved to take control of the reserves from the Uniting Church. The Aurukun said they wanted joint control by the Uniting Church and the federal government. Unwilling to confront the premier of Queensland, the Fraser government sought a compromise: joint control by the Uniting Church and the state government. To put pressure on Queensland the commonwealth passed the Aboriginal and Torres Strait Islanders (Queensland Reserves and Communities Self-Management) Act in April 1982, which fell short of giving ownership to reserve communities, but threatened the state government's authority over reserves. Five days before the act was passed, the Queensland government changed the status of the two reserves, to exclude them from its jurisdiction. Having called the commonwealth's bluff, the Queenslanders then produced their own version of Aboriginal title to the reserves. The Local Government (Aboriginal Lands) Act gave 50-year leases to elected councils of the two communities, councils whose powers were closely limited by the state. Protests by Aurukun people that they had been sold out by the commonwealth only helped to persuade the Queensland government to dissolve their councils late in 1978. In 1982 and 1984 Queensland repealed its own Aborigines and the Torres Strait Islander Acts, replacing them with laws that gave a stronger form of title to elected councils on reserves. No councils could prevent mining. The two-thirds of Aborigines and Torres Strait Islanders who did not live on reserves had no machinery through which to claim land.

In New South Wales and Victoria the main issue was how Aborigines were to get land outside reserve lands. Dispossession having gone so far in the long-settled areas, supporters of land rights argued, some compensation was due. The Land Rights Act (1983) gave Aborigines title to reserves, a land claims procedure and a fund for purchasing land that could not be claimed. Land councils, as owners, could refuse consent to extraction of minerals other than gold, silver, coal and petroleum, but only if the land in question was old reserve land. When researching the bill the government found that there was less of this than anyone had realised. About four-fifths of the reserve lands held in 1891 had since been alienated. Legislation

Imparja Music is an Aboriginal company contributing to the assertion of a contemporary Aboriginal cultural identity. Many people on remote outstations have battery-run cassette players on which to enjoy Imparja and other sounds.
REDBACK GRAPHIX



Ricky Maynard, a Tasmanian Aborigine, sets up a camera to document Kutikina Cave, used for thousands of years by his ancestors. Most Australians grew up thinking that there were no Aborigines left in Tasmania because of thorough genocide in the nineteenth century. Survivors and their descendants were not recognised as Aborigines; intermarriage with Caucasians had made their skin lighter, and for most Australians this counted as evidence of assimilation. However, these Aborigines kept a sense of identity and remained a group different in traditions and style of life. After 1970 they became visible to others as Aborigines. The census definition of 'Aboriginal' changed, allowing Tasmanian Aborigines to be counted as such in 1976 and 1981. They now number more than 4000. The revelation of Kutikina cave and other sites has given Tasmanian Aborigines magnificent evidence of the depth and survival of their traditions. Photograph by R. Cribb.
AUSTRALIAN INSTITUTE OF ABORIGINAL STUDIES

associated with the 1983 act retrospectively validated those alienations whose legality was in doubt, and so continued the practice of dispossession into the 1980s. This action threw a greater burden on the purchasing fund set up by way of compensation. Victoria still had no act at the time of writing, but the government was having to respond to Aboriginal criticism that title over Lake Tyers was not enough, and that compensation money should be made available so that Aborigines could buy land of significance to them. In 1977 Tasmanian Aborigines petitioned parliament which produced recommendations the next year. Labor did not enact its Tasmanian Aboriginal lands trust bill of 1982 before it lost office to a government that said it would not grant land rights.

Western Australian Aborigines faced governments with strong sympathies for the mining interest. Sir Charles Court, premier from 1974 to 1982, had relied on the Aboriginal Affairs Planning Authority Act (1972), which gave people on reserves no powers over the use of their land. The Yungngora found, when the Amex company got exploration rights to their cattle station Noonkanbah, that they were scarcely better off than people on reserves. When Labor leader Burke came to power in 1983 he called for a report on land rights from Paul Seaman Q.C. Seaman, like Woodward in 1974 and Justice Toohey in his review of the Northern Territory Act in 1984, recommended that Western Australia's legislation require Aboriginal consent to exploration and mining on their land. Burke rejected Seaman's advice in January 1985, announcing a bill which gave no power over mining. Royalties would go to the crown, not to the land's owners, and compensatory payments for social disruption would not be related to the value of the minerals extracted. The Western Australian bill did not make it through the opposition-controlled Upper House in April because it still made more concessions than Western Australian conservatives would accept. Burke then said he would not try to enact land rights again and would resist any federal pressure.

By 1985 both sides of Australian politics had overturned the bipartisan support of the mid-1970s for strong forms of Aboriginal land title. In 1986 federal Labor's national land rights proposal was angrily rejected by Aboriginal lobbyists: Holding, federal minister for Aboriginal affairs, was now seeking not to generalise, but to water down, the Northern Territory model and to let the states do what they liked. That a Labor government was trying to take away legal powers conceded by non-Labor governments in the Northern Territory prompted a cool assessment of the political gains that Aborigines had made in the 1970s. A poll commissioned by Holding in 1984 showed that few Australians could see a connection between giving Aborigines a strong form of land rights and solving their other problems. To many, land rights was just another handout, one that violated the principle of equality, endangered national unity and damaged the economy.

In 1967 the Australian constitution was amended by referendum to allow the commonwealth to devise national policies on Aboriginal welfare. In 1985–86 some remembered this vote (5 183 133 in favour of the changes, 527 007 against, or 91 per cent) as a mandate for land rights. There was no such mandate. The amendments, endorsed by politicians who espoused assimilation, addressed issues of Aborigines' formal equality. Section 51 was changed so that the commonwealth could override state policies which it thought unjust. No federal government has ever used this power. The change to Section 127, allowing Aborigines (and effectively, Torres Strait Islanders) to be counted separately in the census, has been more significant because it allows some statistical reckoning of the success of government policies.

The 1981 census showed that the median Aboriginal income was 54 per cent of the median income of all Australians. In 1985 Professor E.K. Fisk calculated that 71

per cent of that income derived directly from government health and welfare programs, and another study estimated that Aboriginal people were unemployed at a rate of some five or six times that of the total Australian labour force. In 1976 their rate of imprisonment was twelve times that of the non-Aboriginal population. Infant mortality was still, in 1981, more than two and a half times worse than for all Australians. Anthropologist Janice Reid and medical researcher Charles Kerr pointed out in 1983 that in New South Wales the death rate for Aborigines between the ages of 35 and 44 years was ten times that of non-Aborigines.

Woodward had argued in 1974 that conceding land rights was only one of the steps that had to be taken before the programs directed at Aborigines would work. He pointed out that, as both a spiritual and economic resource, land was unique among 'handouts', if indeed it was a handout. A minority of Australians saw land as Aborigines' rightful possession. The challenge that faced Aborigines and their sympathisers was to convince others that land was essential to the well-being not only of the residents of Northern Territory outstations, but of those urban, town-dwelling and fringe-camping people who bore no resemblance to the European concept of the noble savage.

Wenten Rubuntja's painting of 1984 depicts two of the dreamings important to Aranda people of the Alice Springs region: the two women story and the perenti (lizard) story. Rubuntja was important in setting up the Central Land Council and has been active in the Tangentyere Council and the Aboriginal Sacred Sites Authority. Acrylic on canvas board.

IN PRIVATE POSSESSION