USE OF THESES

This copy is supplied for purposes of private study and research only. Passages from the thesis may not be copied or closely paraphrased without the written consent of the author.
'INDIGENOUS GOVERNANCE' AND ABORIGINAL POLITICAL PRACTICE:

THE GULF BETWEEN IN TWO ORGANISATIONS IN THE FITZROY VALLEY, WEST KIMBERLEY

KATHRYN ELLEN THORBURN

A THESIS SUBMITTED FOR THE DEGREE OF DOCTOR OF PHILOSOPHY OF THE AUSTRALIAN NATIONAL UNIVERSITY

May 2011
This thesis has not been submitted for a higher degree to any other university or institution. All work contained within this document is original, unless otherwise acknowledged.

____________________________

Kathryn Ellen Thorburn
Acknowledgements

I wish to acknowledge the ongoing support of my primary academic supervisor, Dr Will Sanders, who has consistently provided timely advice and frank feedback. Others on my supervisory panel also deserve my sincere thanks, including Diane Smith, Professor Katherine Gibson and especially Frances Morphy, who helped greatly in the final stages of this study. Professor John Taylor also provided encouragement at some crucial times.

This study contributed to an Australian Research Council (ARC) Linkage project entitled the ‘Indigenous Community Governance Project’, (ARC Linkage number LNO 348744). The linkage partnership was between the Centre for Aboriginal Economic Policy Research (CAEPR) at the Australian National University, Reconciliation Australia and the WA, NT and Commonwealth governments. I wish to thank the project for its very generous financial support, and am grateful for the intellectual stimulation provided by other project team members. More generally, CAEPR provided office space and a fantastic collegial environment.

In the Fitzroy Valley, I owe enormous thanks to the staff and constituencies of both Bunuba Inc and Kurungal Inc for their time and patience. Both organisations provided me with accommodation during my studies, for which I am very grateful. There are many individuals with whom I had long discussions over many months. In Kupartiya and Wangkatjungka I would particularly like to thank Alan Lawford and Selena O’Meara, Olive Knight, Jane Bieunderry, Butcher Wise, Angus Hobbes and Tim Brokenshire. In Fitzroy Crossing, I would like to thank Joe Ross, June Oscar, Dickie Bedford, Mary Aiken, Rowena Mouda, Patrick Green, Kevin Oscar, Selina Middleton and Isaac Hale, and the families of all of these people who gave generously of their time. Micheal Hyde and Lorna Jones from Bunuba Inc were also very supportive. On Leopold Downs, Ned McCord provided swag space and great yarns in exchange for some pretty ordinary ‘camp cooking’ on my part.

Many people shared insights into the social changes seen in the Fitzroy Valley in the last few decades, including Jan Richardson, Rob Imber, Steve Hawke, Gareth Owen, Jodie Bell, Howard Pedersen and Sharon Claydon. Drs Sandra Pannell and Daniel Vachon, and Frances Morphy again, helped me to understand some of the more difficult anthropological concepts.

This study has required a peripatetic existence. In Darwin, I am grateful to Paul Johnstone, Ranid May and Helena Blundell for providing good humour, cold beer and sound counsel on my breaks from fieldwork in the Kimberley. In Canberra I wish to warmly thank Patricia and Ron May for putting a roof over my head, and for enforced study breaks to walk in the Brindabella mountains. Angela Giblin and Rob Wilton also deserve thanks for their great company, lovely dinners and general encouragement. In Fitzroy Crossing, Karen Dayman always had good coffee on hand and was a willing accomplice in trips up the river to camp and fish. In Broome, Catherine Wholan and Kate Golson offered good yarns and warm friendship.
Finally to Willigan, a very sincere gratitude is owed for his ongoing encouragement over many years, and for fantastic intellectual camaraderie in this endeavour. Since 2008 our daughter Majella has been both a great source of inspiration and a most delightful distraction.
Abstract

This thesis sets out to explore the gulf between prescriptions relating to Indigenous organisations as articulated in the Indigenous governance discourse in Australia, and the actual political practice of Aboriginal people. It is based on fieldwork carried out in two organisations, one in the Kimberley town of Fitzroy Crossing, and one based around five communities some 100kms to the town’s east.

The study crosses three disciplines, anthropology, history and politics, in its attempt to describe and analyse the political and personal dynamics at play in the two organisations. By examining two organisations, the thesis is able to show the difference that can exist between different Aboriginal groups and their forms of political expression. To make sense of such diversity, it argues that, in the first instance, due consideration must be given to post-colonial histories. These histories are concerned with the nature of first contact with non-Indigenous ‘settlers’, and the subsequent violence and dispersal that followed. They track the decades of Aboriginal groups working on pastoral stations of the Fitzroy Valley, and the way in which some groups were able to stay on their traditional country during this time, while others were not. The dynamics around the Pastoral Award decision of 1968, which saw the vast majority of Aboriginal people in the area move off the stations and into town, are also crucial.

The years that followed saw a big push for a return to country for many Aboriginal groups across the Kimberley, and the establishment of Aboriginal organisations. The thesis argues that in order to understand contemporary political practice in the organisations of 2005, it is necessary to read them in terms of their historical narrative, in which particular groups were able to consolidate certain elements of common identity. The thesis gives considerable attention to the ethnographic underpinnings of these commonalities, and draws out both similarities and differences between how the constituents of the two organisations were in some contexts connected, in others separated. Connections to country, and kin relationships, are shown to have the potential to be both inclusive and exclusive, depending on broader contexts.

Rather than demonstrating chaos and dysfunctionality, the thesis argues that these elements combine to produce a particular political rationality that is sensible and necessary. To argue this point, a series of vignettes is relayed for each organisation which serve to reveal how the dynamics of Aboriginal history and group identity play out. They also demonstrate how the impact of contemporary Australian government policies that overlay and interact with these dynamics are very destabilising. This however has not always been the case, as is evidenced by the very positive relationship between government agents and Aboriginal people in the Valley in the 80s, the era when many local organisations were being established.

The main body of the thesis then is given over to making sense of contemporary political practice in the two organisations. However it also questions the value of the Indigenous governance discourse in Australia an as analytical or descriptive tool, and concludes that it is not especially good for either. Rather, it is argued that the
Indigenous governance discourse needs to be read as part of broader shifts to the right in Australian political economy, and ideology. It adopts Rose’s ideas of governmentality in investigating how the Indigenous governance discourse operates as a technology for social and political reform, and relates how Indigenous groups continue to resist in novel ways these external forces of assimilation. It also suggests that the Indigenous governance discourse has contributed significantly to the erosion of the Aboriginal institutional landscape across Australia. It concludes that as a discourse that emerged from a policy environment recoiling from the value of social difference, it is doomed to managerial dullness and apolitical inaccuracy.
Table of Contents

ACKNOWLEDGEMENTS ........................................................................................................ III
ABSTRACT ............................................................................................................................. V
TABLE OF CONTENTS ...................................................................................................... VII
TABLES AND MAPS ......................................................................................................... XII
ACRONYMS ......................................................................................................................... XIII

CHAPTER ONE: INTRODUCTION ......................................................................................... 1

ORIGINS OF ‘GOVERNANCE’ ............................................................................................ 1
‘Governance’ internationally ......................................................................................... 1
‘Indigenous governance’ in Australia ........................................................................... 4

INDIGENOUS ORGANISATIONS AS ‘INTERCULTURAL’ OR ‘INTERETHNIC’ ENTITIES ......................................................................................................................... 9
The concept of the ‘intercultural’ ............................................................................... 11
Indigenous identity and culture(s) of resistance ...................................................... 13
The dance of autonomy and relatedness ..................................................................... 14
Typologies of Indigenous power, leadership and brokerage .................................... 17
Aboriginal politics as sectional interests ..................................................................... 18
Organisations as cultural mediators ......................................................................... 20

THE RESEARCH SITES, CONTEXT AND METHOD ......................................................... 21
Community life in 2005: A snapshot .......................................................................... 21
The Fitzroy Valley: Land, business, organisational landscape .................................... 23
Social and economic profile ..................................................................................... 26
Organisations and their constituents ......................................................................... 26
Rationale for two organisations, and methodology .................................................. 29

INTERROGATIVE AND HEURISTIC TOOLS: INTERDISCIPLINARY AND INTERCULTURAL ........................................................................................................ 32

CHAPTER OUTLINE ........................................................................................................... 35

CHAPTER TWO: FROM THE 1880S AND THE FIRST PASTORALISTS TO THE 1968 PASTORAL AWARD DECISION AND ITS AFTERMATH ........................................ 39

INTRODUCTION ................................................................................................................... 39
Whose history? ................................................................................................................ 40

CULTURAL GEOGRAPHY, PRE-COLONISATION .............................................................. 41
Cultural blocs: River versus desert ............................................................................. 41
Business interests and asset accumulation ............................................................... 110

THE TWO UMBRELLA BODIES ARE BORN: 1999 AND 2001 ........................................ 112
  Bunuba Inc ................................................................................................................ 112
  Kurungal Inc ............................................................................................................. 116

CONCLUSION .............................................................................................................. 119

CHAPTER 4: IDENTITY AT THE ORGANISATIONAL LEVEL AND BELOW .... 124

INTRODUCTION .......................................................................................................... 124

THE ‘BUNUBA’ IDENTITY ........................................................................................... 125
  Bunuba as emerging identity marker ..................................................................... 126

BUNUBA INC AND SUBSIDIARY BODIES ................................................................. 129
  Bunuba muway ....................................................................................................... 130
  Station connections .............................................................................................. 138
  Junjuwa .................................................................................................................. 140
  ‘Community Chairpersons’ ................................................................................... 141
  Bunuba: traditional owners of Fitzroy Crossing ................................................... 141

THE ‘KURUNGAL’ IDENTITY ...................................................................................... 144
  Kurungal country, Wangkatjungka country .......................................................... 144
  Ngarantjadu – a Wangkatjungka ‘outstation’ ....................................................... 146
  One countrymen ..................................................................................................... 146
  2 families: a snapshot ............................................................................................ 148

THE ‘KURUNGAL INC’ IDENTITY ............................................................................... 149
  Kurungal subsidiaries: 5 ‘communities’ ............................................................... 150

INDIVIDUAL AUTHORITY AND ITS DERIVATIVES ....................................................... 154
  Traditional/western knowledge nexus ................................................................... 155
  Skin groups ............................................................................................................ 157
  English language literacy ...................................................................................... 159
  Categories of ‘colour’ and authenticity ................................................................. 160
  Age and generational change ................................................................................ 162
  Elders’ involvement ............................................................................................... 164

CONCLUSION .............................................................................................................. 164

CHAPTER FIVE: CAUSES AND EFFECTS OF LOCAL POLITICAL PRACTICE .... 166

INTRODUCTION .......................................................................................................... 166

THE FORMAL AND INFORMAL BUSINESS OF ORGANISATIONS ............................. 168
  Community Development Employment Project ..................................................... 168
  Informal ‘services’ .................................................................................................. 169

PERFORMANCE AND TRANSLATION: THE ‘PROBLEM’ OF THE MEETING .............. 171

MICRO-ECONOMIES: CHANGES TO CDEP IN THE FITZROY VALLEY IN 2005 ...... 173
Policy changes ....................................................................................................... 173
Flow-on effects of the policy changes................................................................. 176

BACKGROUND BUNUBA EVENTS OF 2005 ...................................................... 178
Mapping cause and effect: A story of community politics ............................... 179

CDEP CHANGES IMPACT ON BUNUBA INC .................................................. 186
The ICC calls a community meeting ................................................................. 189

POST-SCRIPT – BUNUBA ‘RESTRUCTURE’ .................................................... 191

CONCLUSION ...................................................................................................... 191

CHAPTER 6: AGENCY ON THE MARGINS .................................................... 193

INTRODUCTION .................................................................................................. 193

WHAT’S MISSING? ORGANISATIONAL ‘OWNERSHIP’ AND RELATIONSHIPS ...... 196
The conundrum of ‘Council’ versus ‘community’ meetings ............................. 196
Crucial relationships ......................................................................................... 198
Observations about the ‘speech event’ ............................................................ 198

TWO OTHER MECHANISMS FOR AGENCY: THE ELDERS GROUP, AND ‘PURLKA WANGKI’ .......................................................... 201
Elders group ..................................................................................................... 201
The ‘Purlka Wangki’ Working Group ............................................................... 202

IMPACT OF CDEP CHANGES ............................................................................ 204
Being clear about the money story, or ‘transparency’ ........................................ 208
The fiscal accountability squeeze .................................................................... 209

ATTEMPTS TO RESOLVE CONFLICT .................................................................. 210
The ICC – ‘Staying out of community politics’? ................................................ 212

2005 KURUNGAL INC AGM ............................................................................. 215
The ‘Council’ versus the ‘store’ ....................................................................... 217
Whitefellas as stress point ................................................................................. 221

CONCLUSION: THE POLICY ENVIRONMENT .................................................. 221

CHAPTER 7: INDIGENOUS GOVERNANCE AS A DISCOURSE: INSIGHTS FROM THE GOVERNMENTALITY LITERATURE AND BEYOND .............. 224

INTRODUCTION .................................................................................................. 224

HOWARD’S AUSTRALIAN IDENTITY AND VALUES ......................................... 226
Indigenous affairs under Howard .................................................................... 227

VIEWING INDIGENOUS GOVERNANCE AS A DISCOURSE ............................. 229
Failed policy, Failed organisations, Failed states? .......................................... 231
Indigenous governance discourse as an ‘intelligible domain’ ......................... 232
Liberal technologies of government: Responsibilisation and normalisation .... 233
Limits of governmentality .......................................................................................... 235

BLIND SPOTS OF THE ALL-SEEING BUREAUCRACY ........................................ 237
Indigenous Community Governance project: An attempt to communicate complexity? ............................................................................................................ 238

CONCLUSION .............................................................................................................. 240

CONCLUSION .............................................................................................................. 242
POST SCRIPT .............................................................................................................. 246
BIBLIOGRAPHY ........................................................................................................... 248
APPENDICES .............................................................................................................. 267

APPENDIX ONE: HISTORICAL TIMELINES ......................................................... 267
Table 1: Fitzroy Valley dates ....................................................................................... 267
Table 2: Significant dates in the state and Commonwealth administration of WA Aboriginal Affairs ........................................................................................................ 269
Tables and Maps

Table 1 Bunuba Inc Subsidiary Bodies 2005 ......................................................... 134
Table 2 Kurungal Inc Subsidiary Bodies 2005 ...................................................... 153
Table 3 Three crucial relationships in 2002 and 2005 ........................................ 179

Map 1  Language groups .................................................................................. 120
Map 2  Pastoral leases of the Fitzroy Valley ..................................................... 121
Map 3  Native Title Claims in the Fitzroy Valley ............................................. 122
Map 4  Fitzroy Valley communities .................................................................. 123
Acronyms

AAPA  Aboriginal Affairs Planning Authority
ABS  Australian Bureau of Statistics
ACDP  Aboriginal Community Development Program
ADC  Aboriginal Development Commission
AIATSIS  Australian Institute for Aboriginal and Torres Strait Islander Studies
ALFC  Aboriginal Land Fund Commission
ALS  Aboriginal Legal Service
ALT  Aboriginal Lands Trust
ANU  Australian National University
ARC  Australian Research Council
ATSIC  Aboriginal and Torres Strait Islander Commission
ATSIS  Aboriginal and Torres Strait Islander Services
BAC  Bunuba Aboriginal Corporation
BCC  Bunuba Cattle Company
BTEC  Brucellosis and Tuberculosis Eradication Campaign
CAEPR  Centre for Aboriginal Economic Policy Development
CDEP  Community Development Employment Program
CNW  Commissioner of Native Welfare (WA)
DAA  Department of Aboriginal Affairs (Commonwealth)
DCW  Department of Community Welfare (WA)
DEWR  Department of Education and Workplace Relations (WA)
DHW  Department of Housing and Works (WA)
DIMIA  Department of Immigration, Multicultural and Indigenous Affairs (WA)
DLGHS  Department of Local Government and Housing Services (NT)
EXIM  WA EXIM Corporation Ltd
FaHCSIA  Department of Families, Housing, Community Services and Indigenous Affairs (Commonwealth)
<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>HACC</td>
<td>Home and Community Care (WA)</td>
</tr>
<tr>
<td>HREOC</td>
<td>Human Rights and Equal Opportunities Commission</td>
</tr>
<tr>
<td>IBA</td>
<td>Indigenous Business Australia</td>
</tr>
<tr>
<td>ICC</td>
<td>Indigenous Coordination Centre</td>
</tr>
<tr>
<td>ICGP</td>
<td>Indigenous Community Governance Project</td>
</tr>
<tr>
<td>KALACC</td>
<td>Kimberley Aboriginal Law and Culture Centre</td>
</tr>
<tr>
<td>KLC</td>
<td>Kimberley Land Council</td>
</tr>
<tr>
<td>KLRC</td>
<td>Kimberley Languages Resource Centre</td>
</tr>
<tr>
<td>KRSP</td>
<td>Kimberley Regional Service Providers</td>
</tr>
<tr>
<td>MWW</td>
<td>Marra Worra Worra</td>
</tr>
<tr>
<td>NAC</td>
<td>National Aboriginal Conference</td>
</tr>
<tr>
<td>NACC</td>
<td>National Aboriginal Consultative Committee</td>
</tr>
<tr>
<td>NARU</td>
<td>North Australian Research Unit</td>
</tr>
<tr>
<td>NGO</td>
<td>Non-government organisation</td>
</tr>
<tr>
<td>NNTT</td>
<td>National Native Title Tribunal</td>
</tr>
<tr>
<td>NT</td>
<td>Northern Territory</td>
</tr>
<tr>
<td>OIPC</td>
<td>Office of Indigenous Policy Coordination</td>
</tr>
<tr>
<td>REASP</td>
<td>Remote Area Essential Services Program</td>
</tr>
<tr>
<td>RMIT</td>
<td>Royal Melbourne Institute of Technology</td>
</tr>
<tr>
<td>SRA</td>
<td>Shared Responsibility Agreement</td>
</tr>
<tr>
<td>UAM</td>
<td>United Aborigines Mission</td>
</tr>
<tr>
<td>WA</td>
<td>Western Australia</td>
</tr>
<tr>
<td>YCC</td>
<td>Yarrangi Cattle Company</td>
</tr>
</tbody>
</table>
Chapter One: Introduction

Origins of ‘governance’
‘Governance’ is probably one of the least well-defined words of our times. It can be applied to nations, villages, corporations, families, individuals and even to governments. In all contexts however it is a term that describes process, generally around decision-making, as well as the structures that support these processes. It acknowledges the fact that governments are not the only institutions which govern, or via which agents can act cooperatively to make change. It also is a useful concept for theorists of civil society and social capital, such as Robert Putnam (Putnam 1994), who argue that, as citizens become less trusting of their politicians and political systems, so there develops new ways of a ‘society’ governing the conduct of citizens according to common value systems, outside of a state apparatus.¹

‘Governance’ internationally
The term ‘governance’ seems to have gained particular currency in the arena of international development, and began appearing in the parlance of the World Bank and the International Monetary Fund from the early 1980s. The ‘good governance’ agenda dictated that certain institutional attributes were required for the free market to function at a national level. These were participation; transparency; accountability; rule of law; effectiveness and equity (World Bank 1981: 48). A number of critiques of the ‘good governance’ concept in this international development context have pointed to a 1989 World Bank Report entitled Sub-Saharan Africa: From crisis to sustainable growth, as the first substantial adoption of the notion ‘governance’. A 1994 paper by Williams and Young in particular unpacks the subtext in this World Bank Report, and argues that it marked a turning point in the Bank’s consciousness about the causative relationship between ‘…political legitimacy and consensus…and sustainable development’ (Williams and Young 1994: 92). Padgen in 1998 went further and suggested ‘by claiming…that such things [fairness, justice, liberty, an independent judiciary, respect for human rights] are not part of government – or more generally of a European

¹ Putnam refers to these acted upon norms as ‘generalised reciprocity’, the notion that citizens will act out of consideration for others, expecting that those others will do the same.
system of values – but part of ‘governance’, the Bank and its idealogues have contrived to suggest that, in the modern global neighbourhood, all such non-statal values are culturally neutral’ (Pagden 1998: 7).

A further development internationally can also be considered to have had significant influence on the emergence of ‘governance’ language in Australia, and in particular, as it is currently applied to Australian Indigenous people. The Harvard Project on American Indian Economic Development (2003/4), which began in 1986, has been concerned with discovering ‘…the conditions under which sustained, self-determined social and economic development is achieved among American Indian nations’. Its core findings are categorised under three headings:

- sovereignty matters
- institutions matter
- culture matters

In 2001 the project’s Executive Director, in a presentation to a US Senate Committee, stated that, ‘…our research finds that economic development in Indian Country is first and foremost a political challenge’ (Lee 2001). One can draw parallels then between the World Bank’s use of the term ‘governance’ to describe certain kinds of political reform required for better economic performance at a nation-state level, and the Harvard projects’ findings which relate to American Indians.

Arguably there are some interesting parallels between the ways in which both Harvard Project researchers, and World Bank officials use the term ‘governance’. It should however be noted that the World Bank has heeded some of the criticism directed at its use of the term ‘governance’ for attempting to encourage (some would say enforce) neo-liberal political values and forms of government, onto recipient nations. The Bank has since ‘…haltingly embraced a more explicitly political rendition of governance’ (Harrison 2005: 240). ² Certainly one cannot compare directly the politics of

² It has also begun to directly research, as part of its agenda for market reform, the ‘politics of reform’ and the role of ideology in influencing the likelihood of this reform (Jenkins 2003: 592).
governance and development within a nation state in, for example, in Africa, to the colonised minority population of Indigenous people in Australia. But there is much that resonates between the international literature around governance reform, and the Australian literature and Australian government policies relating to Indigenous good governance.

Harrison remarked about the ‘governance’ within World Bank vocabulary that

…(it) might lead to an impressive proliferation of political terms but this does not reflect nearly as impressive a conceptualisation of political change. Rather, the political vocabulary of governance leaves any consideration of the deeper or specific nature of ‘the political’ unexplored (Harrison 2005: 243).

Part of the project of this thesis will be to demonstrate that the Indigenous governance discourse in Australia is similarly apolitical, and to juxtapose this with observations of the political culture of two Indigenous organisations in action. Harrison also makes the crucial observation that the Bank’s ‘theory of political change’ is embedded in its lending programs, rather than in its profusion of ‘governance speak’ evidenced in documents for public consumption. The thesis will propose that a similar phenomenon is occurring in Australia. Here, the push for ‘good governance’ is discernible beyond pronouncements, policy and calls for training, in the funding programs and related administrative ‘technologies’ increasingly adopted – Shared Responsibility Agreements, required Capacity Building Plans, service agreements based on Mutual Obligation and so forth. That the discourse operates in this way will be analysed via Rose’s interpretation of Foucault’s concept of governmentality (Rose 1999). This liberal framing of ‘government’ suggests that it is far from only a process of the State, and rather that it is also embodied by the qualities of self-government or self-restraint as exercised by individuals.

Certainly, the term ‘Fourth World’ accurately situates the Indigenous population of Australia within a larger wealthy, industrial, capitalist, democratic and liberal colonising nation-state. This disjuncture, a sense of a people encapsulated, trapped even, is so obvious as to be rarely commented on, though it does seem to deeply symbolise the limits of agency, and indeed identity, open to Indigenous Australians. As Merlan comments: ‘There is a palpable sense of disappointment if Aboriginal people are not ‘really’ the way they were; all kinds of special pleading are felt necessary for the way they now appear to be’ (Merlan 1998: 234).

See for example Kelsell (2002).
‘Indigenous governance’ in Australia

The issue of the governance of Indigenous community organisations started to gain widespread public attention in the Australian context, arguably as a result of the emergence of results from the Harvard Project on Native American Economic Development. However as Sullivan notes in his insightful analysis of the applicability of these results in an Australian context, it is particular findings presented at two Indigenous governance conferences, in Canberra and Jabiru, in 2002 and 2003, which have been the most influential (Sullivan 2006a). These findings seemed to have instant appeal in Australia, and the project of enhancing Indigenous governance has been taken up with gusto by every state government, and the Commonwealth. Interestingly it was not so much about identifying the necessary prerequisites for economic development which became the focus here – as was the aim of the Harvard Project – but rather the notion of ‘Indigenous governance’ itself. The breadth of papers, and their different focuses, is of some interest, particularly the great variance between the more ‘political’, or rights-based approaches taken by Indigenous speakers, as opposed to the more managerial and policy-based approaches of the non-Indigenous speakers. Such breadth means that the ‘governance discourse’ in Australia is at times mired in a lack of clarity about its own terms, for example over the distinction between governance (systems and processes of authority and decision making, and questions around power and autonomy) versus management (administration, accounting). For example, an officer of the Commonwealth’s Office of Indigenous Policy Coordination (OIPC) stated at a meeting on the subject of Indigenous governance in late 2006 that that Office unproblematically equated ‘governance’ with ‘administration’. The following statement made by an Indigenous woman at the Jabiru conference in 2003, also refers to

---

5 The first conference was the Indigenous Governance Conference in 2002 held in Canberra, convened by Reconciliation Australia, the National Institute of Governance and the Aboriginal and Torres Strait Islander Commission (ATSIC). The second was held in Jabiru, in the Northern Territory (NT). It was convened by the NT Government Department of Community Development, Sports, Culture and Arts (now DLGHS) and Reconciliation Australia. ATSIC and the NT Land Councils also contributed funding.

6 See also Mowbray (2005: 30), who states ‘The defects in the evidence that underpins the Harvard Project findings and recommendations are serious. The assumption that (these) apply to other countries compounds their shortcomings.’ More generally, he argues that the Harvard Project is ideologically tainted by an unquestioned faith, that conventional economic development is desirable and positive.
administration, although it better captures the subtle contradictions in the realities of ‘self-management’:

The structure of formal meetings, the administrative requirements and the formal decision making process makes many people feel uncomfortable; it saps their confidence often leaving them dissatisfied with the outcomes. It also challenges traditional values and relationship hierarchies by forcing new roles on some people. Change is not always a bad thing but it needs to be realised that it must be a gradual process that is well supported. I believe Aboriginal people embrace the concept of self governance even if they are puzzled by aspects of the model that they are bound to operate within (Djayhgurrnga 2003).

The raised interest in Australia around governance, and the idea that it might represent a crucial area of intervention, has seen the emergence of a new kind of ‘Indigenous governance’ industry and its associated professional roles. Much of the ‘product’ around governance training, or ‘capacity building’, focuses on issues of management, administration, concepts such as ‘conflict of interest’, financial literacy, strategic planning, conflict resolution and so forth. That is, on technologies of administration and management, as well as western liberal democratic principles upon which such technologies are built. The issue with Indigenous governance, if one looks at the kinds of training available, is largely one of inadequate skills and familiarity with what Sullivan, after Weber, has termed ‘administrative rationality’ (Sullivan 1996a: 43-70).

Arguably however, the difficult crux of the matter is encapsulated by concerns about what the ‘governance discourse’ describes as the ‘cultural appropriateness’ of an organisation, or as the Harvard Project conceives of it, ‘culture match’. ‘Culture match’ is the notion that for Indigenous organisations to operate effectively, they must exhibit or reflect particular aspects of Indigenous culture on the one hand, while also staying true to the statutes governing the corporation on the other. Cornell, one of the prominent researchers on the Harvard Project, defined ‘culture match’ as ‘…a fit

7 For example, from the website of Little Fish (http://www.littlefish.com.au/), a private company specialising in this kind of training: ‘Our field is governance and financial information flow. By working with Little Fish our skills become your skills. We are nationally recognised as being leaders in the mainstream business world. We are also recognised as being leaders in the area of working with indigenous/cross cultural and non-profit making organisations’ (highlight in original).
between the formal institutions of governance…and indigenous conceptualisations of how authority should be exercised’ (Cornell 2002). The Indigenous Community Governance Project\(^8\) devoted considerable scope in its Preliminary Research Findings report to the subject of ‘culture match and legitimacy’, which the authors note involves issues of both ‘…internal and external legitimacy’ (Hunt and Smith 2006a: 13). That this sanctioning must be granted by outside interests, as well as internal ones, clearly has implications for the supposed autonomy of such entities. The report reiterates the Harvard Project finding that legitimacy ought not be solely an ‘appeal to tradition’, but that the processes and structures an organisation adopts must be acceptable to its own constituency.

The notion of ‘culturally appropriate’ is arguably the predecessor, in an Australian context at least, to that of ‘culture match’. It has held considerable sway since the policy of self-determination,\(^9\) and the associated plethora of Indigenous community-based organisations, started appearing in the mid-1970s. In their first two decades, there was less emphasis on the two-way nature of Indigenous organisations because they were conceptualised as a tool for greater Indigenous autonomy and control. In other words, at the inception of the Indigenous sector one could argue that there was too little focus on the bi-cultural nature of organisations, and a triumphant expectation that they could truly empower Indigenous people. Over the previous decade a number of papers have put forward the argument that, in the domain of governance and of formal organisations at least, Indigenous culture is the problem (Martin 2003, 2005; Rowse 2000; Sullivan 2006c; Sutton 2001). Rowse (2000) for example has questioned the presumption that accountability ought to be, or indeed can be, culturally appropriate.

---

\(^8\) The Indigenous Community Governance Project (ICGP) began in 2004 by an Australian Research Council Linkage project between the Australian National University (in particular, the Centre for Aboriginal Economic Research), Reconciliation Australia and the Northern Territory, West Australian and Commonwealth governments. Via research gathered from twelve field sites, its brief was to ‘explore the nature of Indigenous community governance in Australia – what works, what doesn’t work and why’ (Hunt and Smith 2007: vi).

\(^9\) Rowse (2000: 1516) similarly noted the emergence of the concept of ‘cultural appropriateness’ as underpinning self-determination. There is a sense in which the term ‘culturally appropriate’ suggests a more rigid concept of culture to which external corporate structures must meld. ‘Culture match’ on the other hand suggests a capacity for flexibility and adaptation within both Indigenous and corporate cultures.
He turns to liberal philosophers’ ideas, particularly Kukathas, in exploring whether a liberal state can protect minority rights, while ‘also monitor(ing) and interven(ing) in those national minorities’ affairs’ (Rowse 2000: 1518). He argues that it is more useful to think about an Indigenous constituency as ‘an ensemble of associations rather than as a culture’ while noting that there are tensions between the ideas of custom and corporation (Rowse 2000: 1520). The important point that Rowse makes is not in denying that culture or custom exist in these contexts, but rather that there might be other more useful ways to reflect local circumstance and preference in incorporated bodies.

Others such as Martin (2003, 2005) and Sullivan (2006a) have warned against too much ‘culture match’. Martin strongly makes the point that attempting to incorporate elements such as ‘the values and practices of Indigenous people’ into corporations runs the risk of ‘juridification’, that is, the concretization of sets of relationships and norms which are in fact highly negotiable (Martin 2003: 10). Similarly, Sullivan has argued that ‘(n)o manipulation of structure, process, and membership categories can replicate indigenous governance. Nor is it necessary if adequate communication, consent-getting and consensus over realms of autonomy are established within the wider system of governance’ (Sullivan 2006a: 27). Sullivan’s main point is that concerns about culture match should be taken up by the processes of such organisations, through appropriate communication, but kept out of considerations of organisational structure. He suggests that meetings might be a particularly fraught way of decision making, because representatives’ authority is often contingent. Similarly I have argued that while aspects of Indigenous culture might not wed with certain Western democratic precepts and practices - for example, the notion of having a representative make decisions on your behalf – aspects of non-Indigenous, and particularly, bureaucratic culture might also be deemed problematic by the Indigenous constituency – such as a requirement for quick decision-making (Thorburn 2007a). The ‘problem’ with ‘Indigenous governance’ is too often situated squarely in the Indigenous domain; if

---

10; See also Mantziaris and Martin (2000: 126-9) which specifically discusses these matters in the context of Native Title Corporations.
11 See also Sanders (2004: 18-21), who similarly argues that process is crucial to effective organisations, perhaps more so than structures.
mention is made of whitefella culture as also being problematic, it is generally as an aside.\footnote{One exception was a CAEPR seminar given by Sullivan (2006c), entitled ‘Softwares of colonialism: Contradictions of accountability in whole-of-government policy for Indigenous affairs.’} And, as will be demonstrated in Chapters 4 and 5, it certainly is rarely deemed problematic by white practitioners.

Early on in the PhD process, and prior to undertaking fieldwork, I summarised my discomforts with the new governance discourse in a series of questions examined during a seminar. I asked to what extent might forms of Indigenous governance in Australia be limited, or enhanced, by ‘externalities’, including administrative/operational and statutory, as well as epistemological. I also explored whether there were possibilities for cultivating a diverse governance of the local, which may be being overlooked or dismissed because they sit beyond the imaginative grasp of those who would seek to formalise them. Finally I questioned whether this blindspot of the imagination might limit Indigenous people’s opportunity to build upon local ‘political’ diversity in ways that reflect aspirations and generate greater choice (Thorburn 2004)? What I was observing in the literature and the policy documents around governance, and then later in practice, was in fact a diminishing of the space of legitimacy open to Indigenous people to develop an interaction, via particular formal entities, with the surrounding Australian nation state. The language around ‘good governance’, in spite of some of its more grandiose claims,\footnote{For example, from the Reconciliation Australia website: ‘…research around the world is clear about the main ingredient in overturning disadvantage in Indigenous communities. That ingredient is good governance and it only comes about when Indigenous peoples have real power to make decisions about policies affecting their communities.’ (my italics)} I will argue is crucial to this diminution.

The emergence of the Indigenous governance discourse in Australia represents a significant shift in how academics and policy makers conceive of Indigenous organisations and their political practice. It has dictated new parameters around what is considered sensible and necessary for such organisations to function ‘properly’, discernible most notably in the various attempts to reform them. I contend that, in fact, these new elements at play tell us more about the over-arching Australian political
culture in the 21st century, and the nature of avenues for Indigenous articulation with it, than anything about Indigenous organisations as such. Indeed in the public talk around organisations such as the two I studied, the actual mechanics of their operation are obscured, perverted or rendered deviant by the Indigenous governance discourse. It is important to note that the ‘Indigenous governance’ discourse to which I refer is the dominant one in Australia, but that there are other instances of the term’s usage which sit outside of the dynamics of power and knowledge-construction which characterise discourses in general.

**Indigenous organisations as ‘intercultural’ or ‘interethnic’ entities**

A large body of work by anthropologists, political scientists and historians has preceded the new language of governance being used to analyse the strengths and weaknesses of Indigenous organisations at present. Much of the more recent and insightful anthropological analyses characterise such entities as essentially intercultural, interethnic and/or mediatory in nature. Anthropologists such as Sullivan (1987, 1996a, 2006a), Martin (2003, 2005), Holcombe (2005), Batty (2005) and Myers (1986b) have considered the roles played by both Indigenous and non-Indigenous people in these organisations, and the dynamics of power and influence working dialectically between them. The body of anthropological literature preceding this also considered the nature of politics by examining questions around authority and decision-making processes for Indigenous people in Australia. Some of the earlier anthropological works, in line with the intellectual approach of the times, were seeking to describe an idealised, arguably essentialised picture of a rigid, unchanging society whose political systems were largely unstructured, even anarchic. In seeking to identify the level at which traditional authority took effect, early Australianists discussed the ‘horde’, the clan, the tribe and even the language group. All of these formulations however were too fluid to end

---

14 See Loveday’s (1983) overview of anthropologist’s writings on Aboriginal politics. He lists Meggit (1964) and Hiatt (1965) as being amongst those who viewed political leadership as being extremely limited. The other view however was that ‘…Aboriginal societies are and always have been…given to intense and unremitting politicking.’ See also von Sturmer (1982: 93), who points to similar arguments in Myers (1980: 311-26) and Bern (1979: 47-60) amongst others.

15 See for example Radcliffe-Browne (1940), Hiatt (1986), Tindale (1974) and Berndt (1959). These debates have been recently overviewed by Sullivan (2006a: 13-8). See also Keen (1989), who surveys the anthropological literature from the 1930s on ‘Aboriginal governance’. His consideration
debate amongst anthropologists working in the 20th century, even where the consideration was limited to ceremonial power alone.

More broadly, much of the analysis of Indigenous organisations, and of Indigenous politics and systems of power, has been marked by the gap between the two academic disciplines which have found the subject matter worthy of investigation: political science and anthropology. To an extent then, the literature is schizophrenic in that it is quite clearly divided between works which have focussed on traditional workings of authority and association, and those which consider how power operates for Indigenous people as understandable in terms such as competition over resources, localism versus regional and so forth.16 This division is arguably not only about the intellectual traditions of each discipline. It is also resonates with Taussig’s concepts of alterity and mimesis – that is, an understanding of the zone of cross-cultural comprehension is always characterised by either the tendency to adopt or assimilate another culture or to distance ‘ourselves’ from it (Taussig 1993). In this context then, the subtext is that in terms of political behaviour and motivations, Indigenous people are either radically different from the mainstream, or the difference is superficial only.17

This dichotomy encapsulates the two misdemeanours of commentary on Indigenous affairs in Australia: that of essentialising18 versus that of ethnocentrism.19 As will be explored at greater length in Chapters 4 and 5, it is not only in the realm of academic and policy discussion that these two ideas are debated, if somewhat obliquely. Arguably they represent one of the many ideological tensions that Indigenous people, and their organisations, contend with. This thesis proposes however that there are other ways to critically analyse the position of Indigenous people, and their organisations within a broader Australian landscape, which encapsulate both. So that ‘...people recognizably

---

16 See for example Loveday (1983), Gerritsen (1982a, 1982b) and Sanders (2005).
17 See Rowse (2001a: 112) where he states ‘One discipline has tended to deliver a message of cultural convergence, the other of continuing difference. Both messages have some basis in fact, and both have had their political uses’.
18 Viewing the ‘other’ as always ‘exotic’.
19 Making the ‘other’ invisible, or at least denying that differences may be fundamental.
living in different cultures cannot be living in a different world; but they may well be living differently in the same world’ (Fay 1996: 90).

The concept of the ‘intercultural’

Merlan (1998), in a work drawing very usefully on Taussig’s concept of mimesis, reflects that:

Those ‘other’ naturalisms may be objects of admiration, material for reflection – but they also have talismanic qualities that both attract and repel, continually stimulating a desire for otherness while also creating barriers against its absorption (Merlan 1998: 238).

She argues that the challenge is to cut across the radical dichotomies of traditionalism (stasis) and ‘post-traditionality’ (change), and to assume that neither is more fundamental than the other. In making such an assumption then, one must ‘problematise…the autonomy or independence of the social field as solely indigenous or ‘Aboriginal…’ (Merlan 1998: 233). And yet, intercultural interaction as explored by Merlan and others seems to fall into precisely the trap it seeks to avoid, by denying that Indigenous traditions may be continuing to evolve and change in ways which are either self-referential, or via the influence of other Indigenous groups with whom they may developed new kinds of ceremonial or other relationships.20 The ‘cross-cultural’ conversation remains between self (the anthropologist) and other (the Aborigine). While in reality, the ‘others’ of any Indigenous group may in certain contexts be other Indigenous groups, a point made by Rowse (1992) when he stated that: ‘…‘autonomy’ refers not only to Aborigines’ relationships with non-Aboriginal society, but, just as important, it refers to their relationships with one another’ (Rowse 1992: 90).

On a similar tack to Merlan’s, but writing specifically about Indigenous organisations, Martin (2003) stated that ‘…no longer can we meaningfully conceptualise the position of indigenous people in the general Australian society in terms of an articulation between distinct cultures’(Martin 2003:1). He suggests that Merlan is characterising the

---

20 See for example Akerman (1979)
‘…engagement of indigenous and non-indigenous people in “intercultural” terms’, and
that indigenous organisations are ‘…key sites of transformation and engagement
between indigenous people and wider society’ (Martin 2003: 1, 2). More will be said
later about precisely how such organisations may indeed contribute to changing the
values of Indigenous people, particularly in light of the language around ‘good
governance’. Unfortunately Martin sheds little light on what the transformation has
been thus far, although he does suggest that values drawn from the Western democratic
tradition (such as equality) ought to prevail, and that the values (‘deeply held views’)
that ‘people’, presumably Indigenous, bring to such organisations contribute to their
fragility (Martin 2003: 13). Via Merlan’s concept of an intercultural domain, he argues
that since such organisations are not in any real sense autonomous, nor therefore is it
sensible for them to reflect ‘…the complexities and subtleties of the values and
practices of Indigenous people…’ (Martin 2003: 10). Martin then is making a quantum
leap, taking an analytical concept which Merlan has developed to excavate the
subjectivities of Indigenous people from Katherine – that is, their own ways of
imagining themselves and their kin – and developing it in a completely different way.
His application of the term differs from Merlan’s, to whom he refers at the outset. To
an extent Martin’s point is inarguable; clearly such organisations are not solely products
of an idealised, unchanging Indigenous cultural domain. However, if we agree that all
cultures are part of a conversation, and are to an extent always in the process of
construction and contestation, then in terms of their value as a marker of identity and
seperateness, such organisations can be considered a valid form of cultural expression.
If their seperateness or difference is somehow ‘constructed’, which seems to be the
subtext of Martin’s argument, that need not detract from their legitimacy with their
Indigenous constituents, nor indeed in the eyes of various levels of government.

The concept of an intercultural relationship, as developed by Merlan, is considerably
more nuanced, with the emphasis being placed on degrees of interaction and porosity
between black and white communities in the town of Katherine. These are not
conceived of as ‘radically bounded’ despite their very obvious segregation from each
other’s daily lives (Merlan 2005: 174). In other words the two are neither radically
separate, nor smoothly blended, but continuously acting on each other, and responding to the other. Critically however, the capacity for Indigenous culture, thought, aspirations and so forth to influence non-Indigenous culture continues to be severely limited. Arguably this truism is inadequately acknowledged in much of the Australian anthropological literature around the intercultural. Indeed, the Indigenous community-based organisation seems to be one of the few intercultural domains where to a much greater degree, in terms of protocols and norms, Aboriginal people are in control.

The other important point to be made here is that the whitefella side of the intercultural equation has also not remained static. The stifling bureaucratic rationality of the current engagement with organisations such as the two under examination here is very different to the energised and triumphant partnerships between Indigenous groups and early staff at Marra Worra Worra, for example, which saw the establishment of dozens of outstations throughout the Fitzroy Valley in the late 1970s and 1980s (See Chapter 3). These interactions were different again from those that Aboriginal people had on pastoral stations, which were in themselves highly variable depending on the particular ‘boss’ and ‘missus’ (See Chapter 2).

**Indigenous identity and culture(s) of resistance**

While organisations are not the main focus of her work, Cowlishaw’s insights are nonetheless of interest here (Cowlishaw 1988, 2004). These include that ‘culture is a domain of political struggle’, and that Aboriginal people’s way of life is by necessity contrary to, in opposition to, the mainstream. Arguably, the criticism to be levelled at Cowlishaw is that she conflates ‘identity’ with ‘culture’. The former, particularly in the case of Australia’s Indigenous population, is a politicised version of the latter, a ‘tool’ to redress the marginalisation of Aboriginal people, and to raise awareness or reduce ignorance amongst the general population. The danger here is in confusing ‘…the form

---

21 See *Oceania* (2005) Volume 75, which is dedicated to a discussion about the usefulness of the concept of the intercultural by Australian anthropologists. Many do mention that the ‘intercultural relationship’ is skewed in favour of the dominance of non-Indigenous culture, and power.
of an Indigenous response, with its substance’ (Cohen 1993: 199). What she is observing, and what will be considered in Chapters 4, 5 and 6, is a continuing, epic, struggle for recognition at various scales of the Indigenous polity.

Trigger’s (1992) work can also be characterised as examining the intercultural relationship. He conceptualises the mission town of Doomadgee in the Queensland Gulf of Carpentaria in terms of Indigenous and non-Indigenous domains. While he does not examine organisations as such, his work nevertheless is useful in exploring the ways in which a ‘culture of resistance’ was maintained by those in the blackfella domain, and that the exclusion of whitefellas, while not empowering more broadly, was certainly so locally, if only in the sense that the intrusions of white administrators and missionaries were kept at bay. Further, he developed the notion that accommodation and resistance can co-exist in such contexts. In this way of thinking, those in the blackfella domain could be described as both ‘strategically engaging’22 with the whitefellas at some times, strategically disengaging with them at others. The critique to be levelled at Trigger’s work seems to be that he placed perhaps too much emphasis on the agency of the Aboriginal actors in his analysis, and inadequately considered how their resisting the intrusion of the whitefellas in the town may have been equally (or to some degree) reflected by their exclusion from the whitefella domain. He does hint at this at one point: ‘Cultural difference does not fully explain the facts of separation…Why are Whites not impinged upon to take the Aboriginal domain into account in any way similar to the way Aborigines defer to White modes of behaviour?…The answer must deal with power relations between the two domains’ (Trigger 1992: 57).

The dance of autonomy and relatedness
Myers (1980, 1986a, 1986b, 1987) has produced a significant body of work that focuses on the Pintupi, originally from the Western Desert, who had settled in communities of

---

22 Martin (2003a) called for greater ‘strategic engagement’ in his 2003 paper on the design of Indigenous organisations.
Papunya and others in Central Australia. While he was writing about a particular group of people at a particular moment in their history, his rich ethnographic work nevertheless resonated widely. Of particular note was his characterisation of the tension between autonomy and relatedness that underpinned much of the social action he was observing. This dialectic, between the need to reaffirm or demonstrate kin relationships versus the desire for personal autonomy and freedom from coercion, allowed Myers to rethink the social world as being in a constant state of negotiation. Most of his work focuses on the internal machinations of the Pintupi world, although some of it considers Pintupi interactions with non-Indigenous people and goods, and with mainstream administration. Much of this is characterised in terms of *kanyininpa*, that is, the relationship between a superordinate and his subordinates as one of ‘looking after’, and how this notion is also applied to interactions with non-Indigenous individuals, and entities such as ‘the government’ (Myers 1982: 98, 105). His depiction of the personalisation of a relationship that, for whitefellas, ought to be straightforwardly impersonal, underpins many of the misunderstandings and offences that he observes.

Pintupi are depicted by Myers as creatively drawing on their own metaphysics, via the Dreaming, to direct interactions in ways that allow them to maintain the proper balance between autonomy and relatedness. For example:

> Though advisors served at the Council’s behest and were without authority, Council members used them as convenient representatives for an authority that stood outside the Pintupi social world…[T]he use of an authority external to self in order to deny subjectivity, personal will, and responsibility [as occurs when drawing on the authority of ‘The Law’ or The Dreaming] is an indigenous practice applied to new circumstances (Myers 1986b: 437).

Myers (1986) also considers how the Pintupi related to other Indigenous groups, on whose country they resided. Again, he is insightful here on the role of the meeting in confirming relatedness, even across such groups, and the importance of agreement or consent in such contexts (but not necessarily outside of them). The content of a

---

23 Those that consider aspects of Pintupi interactions with non-Indigenous people, and the machinations of administration include Myers (1982) and Myers (1986b). Myers (1986a) also contains significant sections relating to these subjects.
meeting then, the decisions made and so forth, are not always what they seem because ‘…the principle held sovereign within this jurisdiction is relatedness’ (Myers 1986b: 442). Myers insights are particularly relevant to the discussion of Kurungal Inc in Chapter 6, where the majority of constituents are descendants of people from the Western desert cultural bloc, which includes the Pintupi. They are also similarly residing on others’ country.

In a sense, the Pintupi that Myers was observing in the early 1980s had a very limited ‘space of recognition’ for white interlopers; their scope for imagining others is drawn very much from an epistemology which he describes as unchanging, and which has had only shallow interactions with whitefella worldviews. Folds (2001), in a work also about the Pintupi based on fieldwork during the mid-90s, drew heavily on Myers’ insights. He paints a remarkably coherent and monolithic Pintupi polity, one that has very strategically drawn on particular aspects of the non-Indigenous world to suit their own ends, and rejected those elements deemed repugnant (Folds 2001: 52). Like Myers, he describes the constant misunderstandings between Pintupi and their white ‘bosses’, where the former expects to be ‘looked after’, or as Folds conceives of it ‘held’, by the latter, in the style of a patron-client relationship. There are valuable insights here into the reasons why so many interventions to ‘help’ Pintupi go astray: they might be coopted, or reinterpreted, to fit Pintupi’s own priorities; they might try to drive local initiatives too fast and too far towards Western outcomes (Folds 2001: 92); they might embody rules which Pintupi find offensive, such as trying to restrict the ownership of a motorcar (Folds 2001: 95-9). Contrary to the stereotype of social disempowerment and disintegration, Folds argues that the opposite is the case for the Pintupi:

(They) have devised a system of family-based, cooperative – if endlessly negotiated and renegotiated – leadership with whitefellas that meets the contradictory demands that they manage alien programs and institutions while ‘maintaining their culture.’ In this way they have sustained their own autonomy in the face of the ideal of self-management that, against all the stated intentions, threatens to destroy it (Folds 2001: 156).

According to Folds then, all is well in the Pintupi camp, and any attempt to change anything there would be strongly resisted, or at least coopted. Of course, the optimism
(or opportunism?) described by Folds, while refreshingly positive, is based on a relationship of fundamental dependency. The autonomy and inventiveness with which he characterises the Pintupi relies upon whitefella administrators, budgets and programs to stay afloat. Nevertheless, he contends that there is agency in Pintupi’s rejection of the invitation to participate much in their own self-determination, and that only by doing so can they stay true to the social priorities of maintaining relationships with waltya, that is, kin.

**Typologies of Indigenous power, leadership and brokerage**

From the 1980s on, a new kind of analysis, focusing much more squarely on the dynamics of power and the nature of authority appeared from ‘remote’ Australia, previously the domain of more traditionalist ethnographies. Gerritsen (1982a, 1982b), a political scientist, developed a typology of actors based on his work in communities in southern Arnhem Land in the Northern Territory, in which he placed significant weight on knowledge about and access to whitefella goods as elements which contributed to an individual’s authority. As Rowse (1992) noted some ten years later however, while Gerritsen acknowledges that knowledge and power can equally be sourced from the ritual domain, and from status associated with being on one’s own country, he underplayed these in his analysis. Rowse states, ‘His account of Aboriginal politics seems to rest on an unargued assumption that what is at stake in politics is the flow of material goods’ (1992: 24-5). Gerritsen then, because of an insufficient attention to Indigenous people’s own understandings of, for example, power or resources, is deemed by Rowse to be ethnocentric (1992: 26). Gerritsen’s contribution at the time however was still valuable, in pointing out that power was increasingly gained by Indigenous people from sources outside the traditional or ritual.

Von Sturner (1982), in a paper exploring the capacity of Aborigines to be self-managing in the Alligator Rivers region, NT, also raises a number of interesting issues. He asks, for example, whether ‘…supra-societal (Aboriginal) organisations are necessary for self-management?’ and ‘What self-regulatory mechanisms are available in their operation? How can they be made accountable to their clients, and are democratic processes
applicable’ (von Sturmer 1982: 76, 77)? In attempting to answer these questions, he examines the players in the region – the mining industry, government, and the Indigenous organisations which draw funding from both, and the local constituency. Like Gerritsen, whose papers were published in the same year, he characterises a newly emerging group of Aboriginal people – power-brokers – who very skilfully take advantage of the opportunities made available in these emergent, often overlapping ‘fields of action’. Von Sturmer and Gerritsen were observing a very important development in their various sites – one which arguably was occurring across much of northern Australia – the sidelining of white advisors and experts by Indigenous individuals, who took the slim offerings of control under the self-determination policy, and then demanded more. Von Sturmer argues very strongly that the power-brokers – those with knowledge about and access to whitefella information and skills – were never really ‘bosses’. As their knowledge was derived from a secular non-Indigenous domain, their authority was severely very limited. Perhaps this was the case at the time and place von Sturmer (1982) was writing. It is certainly not the case now in those organisations I am familiar with in the west Kimberley – including the two case study organisations. I will explore the possibility that the two kinds of knowledge (construction), so often conceptualised as somehow water-tightly separate, might on occasion reinforce one another. Such a possibility was also canvassed by Loveday in a speech, also in 1982, in which he gave an overview of the studies of Aboriginal politics in Australia, and some of the weaknesses therein (Loveday 1983). He suggests that the dichotomy of black brokers/ white patrons was noticeably starting to give way in the Northern Territory at least, writing that ‘…many of the leaders – the political leaders for handling whitefella business – draw their power and their support from their communities and not from white patrons’ (1983: 4).

**Aboriginal politics as sectional interests**

In 1989, Bern (1989) published a paper drawing on his doctoral work in Ngukurr, in the Northern Territory. He begins by questioning the moral assumptions of other commentators on Indigenous politics, writing from one of two anthropological perspectives: that of the ‘Big Man’ or that of ‘Traditional Society’, which may or may
not be found together. The latter he argues is based on the premise that traditional society was fundamentally egalitarian, and that only an encouragement towards such values, via for example the outstation movement, would result in a decrease in dysfunctionality. The former he argues is similarly reflecting a moral assumption that ‘…Aboriginal towns should be organised on the basis of equality…’ (Bern 1989: 165).

Bern’s point is that starting from such a moral position is problematic, because it detracts from the observers’ ability to fully comprehend the social interactions at play. There are definite parallels between his point, and the broader one I will be making about the current governance discourse around Indigenous organisations. Having dismissed the idealised viewpoints of some of his colleagues, Bern goes on to provide an insightful account of some of the community politics, or ‘sectional interests’ as he terms it, of Ngukurr, and the dialectics therein: between people with longer or shorter associations with the town, between men and women, between particular families, and between particular age groups.

Bern makes the point repeatedly that these political processes are taking place within a framework over which the players have practically no power; he also raises the issue that there is almost no mainstream economy in the town, and that welfare, and government services, are the only avenues for economic traction or movement available to people there. In other words, he acknowledges that there are structural elements that are constraining the choices available to people in Ngukurr. The politics he describes then is partly about managing external intervention, partly about maintaining community autonomy and partly about improving people’s material conditions. While he characterises local politics as being highly competitive, Bern places this in the context of the contradictions inherent in people’s lived experience of quite exceptional degrees of personal autonomy, which are constrained by a larger dependence on the mission and the government for material needs (Bern 1989: 171, 172). His account then is original because it is grounded in particular historical tensions that have evolved over time in the town, but also because it accounts for more general shifts in the Northern Territory around for example Land Rights legislation and the role of the Northern Land Council, with which these tensions have articulated. The
approach taken in this thesis has obvious parallels with that taken by Bern in his doctoral work.

**Organisations as cultural mediators**

Sullivan (1987, 1989, 1995, 2006a) began writing about Indigenous organisations as intercultural entities in the late 80s, and has since produced a significant body of work on the subject. He argues that Aboriginal organisations such as resource agencies and community councils are fundamentally ambiguous because they are ‘…situated at the intersection of cultural systems’ (Sullivan 1996a: 48). As such, their role is mediatory, in the sense that they act as a buffer zone behind which a degree of Aboriginal autonomy can be maintained, while allowing for continuing connection with the non-Indigenous world. While Sullivan (1987: 2) does note briefly the possibility he might be observing some form of ‘cultural domination’ in terms of broader socio-economic change in the Kimberley in the mid-80s, by and large he does not consider the power dynamics at play across the cultural divide within the organisational context. A main contention of Sullivan’s *All Free Man Now* is that Aboriginal Affairs founders on the incompatibility of ‘Eurocentric rationality’ with the ‘…surviving aboriginal culture, producing the need for the mediatory organisations…’ (Sullivan 1996a: 45). For Sullivan then, the ‘success’ of such organisations relies on how well they manage to contain the following two contradictory roles: To keep the grating, non-Indigenous bureaucratic rationality at bay, while simultaneously acting as a technology to allow this same rationality to be effectively applied.

Similarly, Batty (2005), in the context of organisations in Central Australia, argued that collaboration has been a critical feature of the implementation of the self-determination policy. He describes the entangled and ambiguous relations between Indigenous and non-Indigenous in the context of these organisations as a form of mutual dependency, which he argues means they cannot sensibly be characterised as sites of ‘resistance’ as some have suggested. I would contend that in these organisational contexts, resistance and cooperation can quite happily co-exist, much to the consternation of some participants. Indeed I will argue that there is strategy, and wisdom, in maintaining a
degree of uncertainty in the processes and structures of these organisations (See Chapters 5 and 6).

The research sites, context and method

Community life in 2005: A snapshot

The two organisations I shall be discussing are Bunuba Inc, situated in Fitzroy Crossing and Kurungal Inc, situated at the small community of Kupartiya, around 150kms to the east of Fitzroy Crossing (See Map 1, p.120). The Bunuba Inc office is situated in Junjuwa, a community of around 300 people, which sits on a ridge on the northern side of Fitzroy Crossing and near to the site of the old United Aborigines Mission. In 2005, this office was a busy place most of the time, although especially during ‘slack week’, the week in between CDEP and Centrelink payweek, when people would come en masse on Monday morning looking to get ‘bookdown’25, or to get an old age pension cheque for themselves, or their relatives. Indeed there is a kind of economic waltz which occurs between the organisation, the pub, the home community and the Tarunda supermarket, the only grocery shop in Fitzroy Crossing, which goes round and round on a fortnightly basis.

Similar economic cycles can be observed of Kurungal Inc constituents, even though ‘town’ (Fitzroy Crossing) is between 80 and 120 kilometres away for most. The few motorcars around that were heading to town for the weekend after payday, mine included, would get piled up with people and children and a spare mattress or two. The return trip however was generally less coordinated, and many people and families from

24 Note that these descriptions reflect the fieldwork year of 2005. I have not updated these descriptions because they serve as background to the events described in Chapters 5 and 6 that occurred in the same year. I would like to acknowledge however that there have been some dramatic changes in the organisational landscape of the Fitzroy Valley since then, and significant social reforms, most notably the introduction of alcohol restrictions in late 2007.

25 The bookdown system at Bunuba Inc involved an arrangement with Tarunda wherein Bunuba Inc would issue people with a slip of paper, with their name on it, which was worth $50 at the supermarket. This system, while controversial amongst staff and Councillors at times, ensured that in general, at least $50 per fortnight of one’s Centrelink payment would get spent on food (rather than card games, or alcohol, or grandchildren). The money was then removed from the following fortnight’s payment.
the Kupartiya, Wangkatjungka and Ngumpan communities would get ‘stuck’ in town, camping with other relatives at houses in Kurnangki, and keeping an eye on the roadhouse traffic for someone going their way. While there is a community store at Wangkatjungka where people out that way shop, there is nowhere to buy alcohol and nowhere to buy fuel. In any case, for people in these communities, ‘going to town’ is often as much a social affair as anything else, and the numbers of people in them thin dramatically when there are funerals, sports carnivals and other events held in Fitzroy Crossing.

Wangkatjungka, the site of residence of the majority of Kurungal constituents, is one of the larger more remote communities in the Fitzroy Valley, with around 170 residents. It is on an excision from Christmas Creek Station. The community store is overseen by a local board of management, and run by a white couple. There is also a government school which services Wangkatjungka, as well as communities further to the east including Mingalkala (40 kms away), Mt Pierre and Kupartiya (60kms away). The community is on the northern edge of the Great Sandy Desert, and is accessible in the dry season from the Great Northern Highway by 20km of dirt road. It is regularly cut off in the wet season however. Christmas Creek station sits directly to the west, the homestead a stone’s throw from the Wangkatjungka schoolyard. Up until 2006, and a change of management, Wangkatjungka people had been locked out of Christmas Creek Station for more than 30 years. Apart from CDEP (Community Development and Employment Program) and a HACC (Home and Community Care) program, there are few other services that make it out to Wangkatjungka, and, compared to many other surrounding communities, it does seem to be a forgotten sort of place. Indeed, at a housing conference in Perth in 2005, Peter Yu used pictures from Wangkatjungka to demonstrate what he deemed ‘the worst standard of housing in Western Australia’. In 2006, WA’s Department of Housing and Works (DHW) committed to building 27 new

---

26 See Chapters 2 and 3 for explanation of why the small community of Kurnangki in Fitzroy Crossing has significant Wangkatjungka population.
27 81 students enrolled in 2005, with around 60 attending on ‘a good day’. This number seems to have fallen. There were 111 enrolled in 2004, 98 in primary and the remainder in high school (West Australian Planning Commission 2004).
28 See Chapter 3 for Wangkatjungka people’s long history with Christmas Creek Station, and the dispute that led to people being excluded from this tract of their country.
houses over three years in Wangkatjungka. This will be the first significant investment in infrastructure there since the community was established in the late 1970s.

The Fitzroy Valley: Land, business, organisational landscape 29

Fitzroy Crossing is an important service centre on the Great Northern Highway, some 380 kilometres east of Broome, and 220 kilometres south east of Derby. As the name suggests, it is situated at the site of a historically significant crossing point of the Fitzroy River, easily the largest river in Western Australia and one of the largest unregulated rivers in Australia (Morgan et al 2003). The annual cycles of this river, from the mid-dry when small children can safely paddle at the old crossing, to the wet when the water rages at between 8 and 18 metres above this level, are also crucial to the economic patterns of the town. Tourists are far fewer in the wet, and many other kartiyas (non-Indigenous people) also head south, school teachers and others tending to take annual leave at this very hot time of year. What was once deemed ‘holiday time’ on the surrounding pastoral stations is still the time set aside for ceremony, for travelling long distances to visit family and so forth. It is also a time when the Kimberley empties out – to a significant extent – of kartiyas, and for a while everyone waves again when passing on the Great Northern Highway.

Pastoral leases surround the town of Fitzroy Crossing. The floodplain country – known as blacksoil – is very rich grazing land, and so the properties along the river form some of the most desirable grazing lands in the Kimberley. These stations – such as Leopold Downs, Noonkanbah, Fossil Downs, Christmas Creek and GoGo – loom large in the history and identity of people, black and white, in the Fitzroy Valley. The vast majority of people that use Fitzroy Crossing as a service centre, that is, the social catchment described by the term ‘Fitzroy Valley’, reside on these stations, either on excisions secured by the Aboriginal Lands Trust (ALT) or as owners or managers of the

29 The term ‘Fitzroy Valley’ is understood by most people, and is common in the vernacular of Fitzroy Crossing; it is a particularly inclusive concept that acknowledges a shared post-contact history amongst a group of Aboriginal people and stations. It reflects a service–delivery geography that is adopted by many of the non-government organisations in the town of Fitzroy Crossing.
property. Aboriginal interests own eight stations in the Fitzroy Valley, while non-Indigenous interests own 12 (See Map 2, p. 121).

Many of these stations – both Indigenous and non-Indigenous owned - have excisions, areas of land separated from the pastoral lease and set aside for Aboriginal people to establish communities upon their own country, or at least country with which they have become historically associated. These small leases are for the most part in the form of ALT Reserves; there are 14 of these reserves in the Fitzroy Valley (Aboriginal Lands Trust 2007). Overlaying the station leases, there are a number of native title claims in progress: Bunuba, Noonkanbah, Kurungal and Gooniyandi. The Ngurrara claim, many of whose claimants live in Fitzroy Crossing, sits to the south of the southern pastoral line, and includes vast areas of Great Sandy Desert and the Western Desert (See Map 3, p. 122). The Ngurrara application was determined by consent in 2007. Much of the area of the Fitzroy Valley, and indeed of the entire Kimberley, is covered by registered Native Title Claims.

In the local government landscape, the Fitzroy Valley is part of the Shire of Derby/West Kimberley, although the boundary of that Shire places the small eastern communities of Kupartiya, Mingalkala, Yiyili and the other communities on Louisa Downs station all in the Halls Creek Shire to the East. But socio-culturally and economically, these remain more closely connected to Fitzroy Crossing, even when in the case of Yiyili they are undoubtedly geographically closer to the town of Halls Creek.

For a relatively small town, there are a large number of Indigenous organisations in Fitzroy Crossing, two of which operate Kimberley-wide. These include:

- KALACC (Kimberley Aboriginal Law and Culture Centre)
- KLRC (Kimberley Language Resource Centre)
- Mangkaja Arts
- Karrayili Adult Education
Marinwarntikura Women’s Centre
• Bunuba Inc
• Marra Worra Worra
• Garnduwa
• Nindilingarri Cultural Health

Juxtaposed with this significant presence of Indigenous-sector organisations is a single WA state government office – the Department of Community Development. Marra Worra Worra has a service contract with Centrelink,30 the only Commonwealth Government office represented in town, to act as an agent on its behalf (Remote Area Service Centre). The closest Commonwealth government Indigenous Coordination Centre, which houses agents from Australia’s federal government departments, is in Derby, around 250kms distant. There is also a state school, district hospital, police station, and the Post Office, which provides a vital banking service for the whole Fitzroy Valley.

There is one more crucial aspect to the town of Fitzroy Crossing which is important to its character – that the ownership of some very significant business ventures in the town are in the hands of Aboriginal people. In particular, Leedal Pty Ltd, an investment company established in 1991 by six ‘communities’, owns the Fitzroy River Lodge and Tarunda supermarket and Caravan Park, and a controlling share of the Crossing Inn. In addition, one of the two roadhouses in town, Ngiyali, is also owned by two Indigenous organisations – Bunuba Inc and Marra Worra Worra. As one Leedal Director said in 1995 ‘In the past people would come in, set up a business and charge what they liked…now we (Leedal) are big enough to say you either work with us or we will run you out.’ The company has grown considerably since this quote appeared in the national media more than a decade ago (Walker 1995: 15).

30 Centrelink is the government bureau charged with providing and coordinating welfare services across Australian Commonwealth Departments.
Social and economic profile

Around 3500 people resided in the Fitzroy Valley in 2009 according to Morphy’s (2010) in-depth population study of the same year. Leaving out non-Indigenous residents of Fitzroy Crossing, her figures estimate that there were around 1000 Aboriginal people residing in the town itself. Thus on the evidence presented by Morphy (2010), we can clearly see that the town of Fitzroy Crossing is a service centre for substantially more people living in communities, than residing in the town itself. Residents from communities as far east as Yiyili, and as far west as Noonkanbah and those to the south along the river, consider Fitzroy Crossing as their service centre.

The 2006 Census counted 243 non-Indigenous people. This population is made up of school staff, hospital staff, non-Indigenous people who work for Indigenous organisations, private business owners, National park staff and so forth. There are also tradespeople – builders, electricians, plumbers – and those working in various service industries, especially the Fitzroy River Lodge in the dry season, which may have upwards of 400 tourists per night, in motel units, on caravan sites and camping.

Organisations and their constituents

Bunuba Inc, in its public documents, claims to have 650 constituents, and Kurungal Inc to have around 350. However, both of these organisations have one crucial structural element in common – they are both umbrella organisations, and so at least formally, and legally, have other incorporated bodies as their members, rather than individuals. The evolution of these umbrella structures and their subsidiaries is explored in some detail in later chapters. The nature of the membership of the subsidiary organisations –

31 Note that the descriptions contained here of Fitzroy Crossing and the Fitzroy Valley were accurate in 2005, the year in which fieldwork was carried out. I nevertheless have chosen to refer to Morphy (2010) for population numbers simply because her figures are more accurate, and enlightening, than those of the ABS Census carried out three years prior. As Taylor (2008) observed of the 2006 Census ‘…notably in WA…it needs to be understood that the undercounting of the Indigenous population in 2006 has reduced the census to the role of a large sample survey, with the key output being population rates rather than population levels’ (Taylor 2008: 18). See also Thorburn (2007b).
32 It is likely that ABS Census would have enumerated non-Indigenous people more accurately than non-Indigenous, although this figure also seems low. See Thorburn (2007b).
33 These tourists would not have been counted as residents of Fitzroy Crossing by the Census. They nevertheless constitute part of the service population, especially in the dry season.
Bunuba Inc has eleven members and Kurungal Inc has five – is not strictly based on residence in any particular geographic place, but rather association with a particular place or family. The figures which each organisation understands as its own population however seem greater than the Census figures for the sum of the geographic communities which they represent, even where we take into account the undercount estimated for the 2006 Census. They are also greater than Morphy’s (2010) much more accurate figures from 2010. The constituent figures of the two organisations are likely to reflect the organisations’ ‘service population’. That is, the number of people that are connected to the member communities associated with the organisations often enough to place a demand on the services they provide. These figures are not as high however as other estimates of service populations. The degree of ambiguity about the basis on which people are considered members of which organisation or subsidiary is an issue of some complexity, incorporating as it does elements which may or may not be a matter of choice. For example, some may be in a position to choose to identify with a particular family or language group; others may not have such latitude. Certainly, the idea of such organisations and the population they represent as being bounded or stable does not apply.

In terms of many social indicators, the population of Indigenous people in the Fitzroy Valley has a lower than average standard of living, by comparison to mainstream Australia. The Indigenous population has, for example, a life expectancy similar to Liberia. In some communities, as many as 90 per cent of children have otitis media – a middle ear infection which results in poor hearing, impacting on education. There are estimates that one in four children of Primary School age exhibit symptoms of Foetal Alcohol Spectrum Disorder (Anon 2007). According to the Fitzroy Crossing funeral director, who manages funerals throughout the Fitzroy Valley (that is, from

---

34 As with any organisation (including agencies of the West Australian government for example) that is funded on the basis of the number of constituents to whom it provides a service, it is unlikely that their estimates would fall short.
35 See Morphy (2006) where she makes a similar, and insightful, comment about why the nature of the ‘household’ as conceptualised by the Australian Bureau of Statistics in its taking on the five yearly Australian Population Census, does not apply very well to Aboriginal Australians. That is, that it conceptualises the population as sitting in a number of ‘bounded containers’, starting with the ‘household’, building up to the nation.
Noonkanbah to Yiyili), there were 48 funerals in 2006 (Ross Pers. comm. March 2006). That amounts to almost one per week, for a population of around 3,500 people. Of course, Aboriginal people in the Fitzroy Valley have family throughout the Kimberley and beyond, so these local funerals are not the only ones to attend. In 2001, the suicide rate for Aboriginal people in the Shire of Derby was 2.3 times that of non-Aboriginal Australians; the youth suicide rate for the Kimberley as a whole was twelve times the national average (Department of Indigenous Affairs 2005: 42). In 2006, Taylor (2006b: 36) recorded that two-thirds of Indigenous people ‘employed’ in the West Kimberley (Broome, Derby and Fitzroy Crossing) were on CDEP.

These grim statistics however do not tell the whole story of the Fitzroy Valley, and of the language groups that make up the population: Bunuba, Walmajarri, Nyikina, Wangkatjungka, Djaru and Gooniyandi (See Map1, p. 120). Indeed some statistics suggest that the town of Fitzroy Crossing might be doing better than others on certain social fronts. For example, in comparison to its nearest neighbours, Halls Creek and Derby, Fitzroy Crossing generally fares better on measures relating to crime rates and profiles (Loh and Ferrante 2001: 1519). The most comprehensive study undertaken in the Kimberley found that, of the sample group, there were ‘...more life-time abstainers and ex-drinkers than amongst non-Aboriginal people.’ Fifty-four per cent of women and twenty-four per cent of men did not drink at all. However, those Aboriginal people who did drink were likely to do so at much more harmful levels than the non-Aboriginal population (Atkinson et al 1999: 40).

Of course, there are other ways to measure quality of life that might reflect more fully the different value systems of Indigenous people – which is not to suggest that they are unaware that in terms of many mainstream measures, they are significantly

---

36 In 2009, Australia’s national mortality rate was 6.4 per thousand. Based on the number of funerals, the Fitzroy Valley rate is 13.7 per thousand, more than double the national rate, and for a far younger population.

37 There are also Kija, Martu, Bardi and others – Nyikina/Mangala being the most common ‘minority’.
disadvantaged. Rather, people do manage to maintain connections to country, and to sustain a vivid and rich community life, that is clearly deeply valued and satisfying.

Rationale for two organisations, and methodology
I chose to work with two organisations, Bunuba Inc in Fitzroy Crossing and Kurungal Inc based at Kupartiya on Bohemia Downs Station (See Map 2, p. 121). Two field sites were chosen, in part because, as a non-anthropologist (who nevertheless adopted some ethnographic techniques in the field), it seemed important to me to be able to step back from the intricacies of one organisation, one group of people and one post-contact history and attempt to place the organisation and its governance practice within a broader historical, socio-economic and political context. One year, 2005, allocated to fieldwork meant that there were only six months available for each organisation, not a particularly long time period, especially when it is always necessary to negotiate one’s ‘entry’ at the outset, and then attempt to agree upon how the research might be useful. To an extent, studying two organisations compromised the depth of insight I was able to gain of either, but allowed me to develop a broader understanding of the some of the dilemmas and pressures at play in these organisational environments.

I was originally interested in the extent to which Indigenous organisations acted as a vehicle for the expression of agency, as a means for Indigenous people to take, or maintain control over their own lives. However, the two-sited approach led me to ask much deeper questions about why, in fact, these organisations and the choices open to their constituencies were so very different. I initially engaged with the language and concepts of ‘governance’ in the hope that these might help explain the differences I was observing. I was to quickly conclude that this language was not very insightful or useful as an analytical tool. I was also interested in whether there were particular characteristics of these organisations that were somehow inherently ‘Aboriginal’, or whether the ‘aboriginality’ of these organisations, that is, their particular form of

---

38 See for example Taylor and Scambary (2005), especially the interview records where Pilbara Aboriginal people reflect on their own ‘socio-economic’ status.
uniqueness, was simply an artefact of their post-colonial relationship with the broader nation-state of Australia.

I was interested, too, in more quantitative characteristics of the organisations: their size, budgets, number of meetings held, rules, organisational structures as well as the way in which they articulated with their funding bodies. I also had broader areas of inquiry: the organisations’ history, and their ‘position’, or reputation with other entities such as the Indigenous Coordination Centre (ICC), and the Kimberley Land Council (KLC). I inquired into their assets, in terms of businesses owned, properties, stations, leases and how all of these were acquired. I observed some of the less formal – or unfunded – roles of the organisations in the lives of their constituents. These more immediate kinds of data led to other more complex questions about the nature of authority, the processes of decision-making, how organisational structures were effecting processes, the role of whitefellas and so forth.

Both organisational environments were highly charged, although for totally different reasons. Arguably, prior to gaining much understanding of the nature of organisations, it was necessary to ascertain what the tensions were, and attempt to position myself out of the firing line, and outside of any particular alliances. The research itself then was an exercise in negotiating the delicate (mine)fields of community politics. I did not always succeed in allaying suspicions that I was aligned with one group or family or another. I would suggest that to achieve such a balanced reputation in such places takes more time than I had. In any case, not surprisingly given the nature of my research, I really had little choice but to initially work with the more powerful families, and individuals, who held sway over the organisations.

The fieldwork often comprised my working, to some extent, for the organisation in question. Broadly speaking, my time with Bunuba Inc involved more mainstream work – funding applications, writing letters, collaborating with a young Bunuba woman to produce an organisational newsletter. It also however involved interviews with some
Councillors (although not all) and some constituents. Indeed, the very fact that I was working alongside particular staff members who were themselves deemed to be ‘captured’ by particular interests meant that there was almost immediately a suspicion about my role which I found almost impossible to allay in the short time I was there.\(^\text{39}\) I quickly became, for many people, simply another ‘kartiya from the office’. My experience at Kurungal Inc was quite different, largely because the relationship between the sole non-Indigenous staff member and the community was somewhat strained. Once again, and despite my best efforts to maintain a balanced approach, in this instance the non-Indigenous party became uncomfortable with the relationships I was building with certain women in the community. This was simply an outcome of the fact that, as a researcher, I had more time to ‘listen’ to the grievances of people, as opposed to the non-Indigenous worker, who neither had the time to ‘properly listen’, nor would it have necessarily been professional of him to do so. This will also be explored further in Chapter Six.

The work that I was able to do while at Kurungal was less involved in the office, and revolved more around helping with meetings, including taking minutes, driving Councillors and community members to meetings, or into Fitzroy Crossing. It was more fieldwork from within the community about an organisation with which they had a sometimes ambiguous relationship, as opposed to the experience at Bunuba Inc, where I was significantly more ‘embedded’ within the formal organisation itself – and yet excluded from certain aspects of it, such as Council meetings. The very fact that I am writing a thesis about governance, having not attended the majority of meetings of one of my case study organisations, might suggest something about where indeed ‘governance’ in such places is to be found. In both cases, and to an extent in ways that were beyond my control, I quite quickly became part of the political landscape. By allowing this to happen, rather than attempting to treat these organisations as a scientifically observable phenomenon, I believe the insights generated have greater depth. As Liberman (1999) astutely observed,

\(^\text{39}\) One Councillor in particular, a long-term ‘leader’ who had been Chairman of Bunuba Inc’s predecessor for many years, managed to avoid me. At first I thought he was just disorganized, and was forgetting our arranged meeting times. Eventually I realized however that his politeness – to avoid saying ‘no’ – outweighed his willingness to speak with me on any formal basis.
…(o)penness to transformation means openness to the local contingencies that complicate one’s agenda and may even force one to reset or abandon one’s priorities. The contingencies of field inquiry are not to be viewed only as obstacles to one’s inquiries but as opportunities to learn which inquiries are the ones that really matter. These contingencies should be celebrated, for they are where all real discoveries lie (Liberman 1999: 49-50).

In terms of interviews, in addition to those carried out with staff, Councillors and constituents, I also interviewed people from the Indigenous Coordination Centre (ICC) in Derby, staff of the Shire of Derby-West Kimberley, Indigenous ‘leaders’ from outside of Fitzroy Crossing, Indigenous and non-Indigenous station managers, business owners in Fitzroy Crossing, WA government officials, KLC anthropologists, linguists and non-Indigenous people who had previously been staff of these organisations. I also interviewed other non-Indigenous people who had worked in the Fitzroy Valley in the late 70s and 80s, and who had, for example, been involved in the Noonkanbah blockade. Interviews are important of course, but ongoing observation was equally crucial to place interviewees comments in context, since

…much of what people say and do gains meaning, not by reference to the world, but by reference to other things which have been said and done. In other words, significance depends on context (Hobart 1986: 8).

Interrogative and heuristic tools: Interdisciplinary and intercultural
The thesis draws on research techniques and the intellectual weight of three disciplines: anthropology, political science and history. It makes use of recent anthropological literature which considers its Indigenous subjects as engaged in an ‘intercultural’ process or relationship. That is, it adopts a particular view of ‘culture’ wherein it is open, mutable and even contingent. Despite these characteristics of ‘culture’, I contend that there are nevertheless certain generalisations that can be made about the differences between Indigenous and non-Indigenous cultures. The two organisations

---

40 Those people I interviewed who have an academic or professional history with the subject matter of this thesis I have quoted as ‘pers. comm..’. Those people who were part of the communities where I carried out fieldwork in 2005, and whom I quote, will not be identified, apart from a dated reference to my fieldnotes. This latter group of interviewees were assured at time of interview that they would not be identifiable in the final thesis.
under discussion here have a superficial resemblance to non-Indigenous ones: they have rules, members, meetings, elected Councillors and so forth. The processes by which these elements function however, and the practice of participants, are significantly different. To comprehend this difference, we need to consider the nature of people’s connections to country and to kin, and the moral force of these connections. Chapter Four discusses how these issues emerge in terms of political identity, and Chapters Five and Six then place these layerings of identity in action.

In Chapter Seven, the thesis will explore how adopting the political theory of discourses, and Rose’s notion of governmentality, can shine light on how ‘Indigenous governance’ as a language and suite of intervening mechanisms, works against actual Indigenous political practice. Kowal (2005) has spoken about the space created for a ‘well-governing Indigenous person’ as evident in the prescriptions around good governance practice. Though she seems unaware of the connection, her ideas parallel those explored by O’Malley (1998) in his application of Foucault’s concept of governmentality to the self-determination policy in Australia. He writes:

In the Australian desert context, it [self-determination] involved the establishment of ‘self-managing’ corporate entities (especially in the form of Community councils) together with an array of related discourses and practices of modern liberal rule, such as impersonal administration, impartial justice and meritocratic hierarchicalism (O’Malley 1998: 160).

In examining the political practice of two organisations, and juxtaposing this with an abstract and highly normative ‘Indigenous governance’ discourse, I believe it is crucial to keep in mind the history of well-meaning non-Indigenous interventions and policies, from the protectionist era of the early twentieth century, through the assimilation era of the 50s and 60s. The intercultural relationship between Aboriginal people and the Australian state and its governments can be characterised by vast gaps in understanding, on both sides. Therefore, examining the histories of the organisations, their constituents and the nature of their intercultural relationships with and understandings of mainstream Australia, seems a crucial starting point. A core tenet of
this thesis is that these organisations represent the latest iteration of the intercultural interaction. Predecessors of the Indigenous-community-based-organisation (‘the office’, ‘the meeting’), certainly in a place like Fitzroy Crossing, were ‘the station’, ‘the mission’, and ‘welfare’. It is, I will argue, instructive to consider contemporary Indigenous organisations on this continuum for a number of reasons.41 The first of these is that Indigenous people, like non-Indigenous people, also have had a tendency to ‘essentialise’ their others, that is, whitefellas. This tendency, common across humanity, can go some of the way to explaining the constancy of misunderstanding in the ‘cross-cultural’ environment. The second is that the concept, and application, of ‘self-determination’ is very recent, and that prior to the mid-70s when it was adopted nationally, Indigenous people had more minimal opportunity for agency, or as some like to think of it, for resistance. They were an intensely administered and controlled internal population of Australia for many decades. In many regards, it is arguable that despite 30 years or so of self-determination policy, they remain intensely ‘governed’, although in more subtle ways.

Wolfe’s (1989) book on community government in the Northern Territory contains a chapter by Loveday that acknowledges that past policies of assimilation, and then self-determination had been interpreted in various ways by particular organisations and councils in the Northern Territory (Loveday 1989: 13-32). In 2004, Sanders, reflecting on community governance, suggested

...it is important to understand the social and political forces among aboriginal people which have produced this dispersed pattern of Indigenous community governance in the NT and the degree of difficulty, or resistance, that might be encountered in trying to change that pattern (Sanders 2004: 7).

The subtext here is that there exists in such organisations a logic and coherence which cannot be measured by efficiency, effectiveness or other measures of ‘good governance’ alone. By exploring the histories of the two organisations in question here, their

41 Holcombe (2005: 226) draws on Homi Bhabha’s concept of the ‘third space’ as a useful descriptive category for community administrations: ‘It is only within this space that inter-cultural communication can begin’.
constituents, and the broader policies directed at them, this thesis will demonstrate aspects of that logic, which can only come to light as a result of such excavation.

Chapter Outline

Chapters Two and Three are essentially historical in focus. Chapter Two examines the post-contact histories of the constituent language groups of each organisation, from the late nineteenth Century, until 1975. It therefore incorporates the violence and chaos of first contact, the often brutal taming of people by pastoral masters, the long history of Aboriginal groups being settled on to particular pastoral stations and the changing nature of the relationships between black and white, the role of the missions and in 1968, the Pastoral Award decision. This chapter is unashamedly tracking the points of articulation between Aboriginal people, and non-Aboriginal people and culture, over time. The date 1975, where the second chapter ends, is reasonably arbitrary, although it is the year in which the primary subsidiary organisations of both Bunuba Inc and Kurungal Inc were established. It is therefore the year that marks the formal beginnings of each organisation. There is a complex set of reasons why 1975 was the year in which it became both possible, and necessary, to formalise in Australian law a set of organisational relationships, and these will also be explored.

Chapter Three then tracks the evolution of each organisation. It demonstrates the ways in which particular events, such as those at Noonkanbah, saw the beginning of a changed political awareness in the West Kimberley, a point that can be tracked through a series of subsequent moments. There was also a novel approach to Indigenous affairs being developed by both Commonwealth and State governments, that of ‘self-determination’. This post-1975 period was also the time in which the outstation movement was underway. In the foreground of this chapter is the progression of each organisation, each of which was affected by these broader political and socio-cultural movements in particular ways. Chapters Two and Three set the scene for the following two chapters; their aim is to provide the reader with a very strong, grounded sense of the narrative inherent in each organisation, their very different characters, and to undermine the view so evident in the ‘Indigenous governance’ language in Australia.
that such organisations are to be primarily differentiated by their ‘Indigeneity’. As Merlan observed about the people of Katherine in the Northern Territory:

Entrenched forms of social classification are associated with big differences in power and access to goods and services of the dominant society. Many Aboriginal people are marginal to routine institutional forms of that society – work, school, money and so on. In this situation, Aborigines and others constantly operate with each other in mind, but often with stereotyped ideas, and at some physical distance (Merlan 2005: 169).

Similarly, the nature of people’s lifeworlds in the twenty-first century, in communities such as Junjuwa or Wankgatjungka, means that the role of such organisations could not sensibly or effectively be anything but radically different from the ‘mainstream’. These two chapters however also seek to differentiate between the two organisations, and the groups associated with them. Clearly, these differences cannot be accounted for in terms of ‘culture’ alone. Rather they point to the variable development of different groups’ relationships with each other, and with places, and the expression of political subjectivities. They also are underlain by variations in what can be considered necessary assets in the cross-cultural domain: matters of language and literacy, power in terms of mainstream economic assets, the strength of claims to be legitimate blackfellas, capacity to contain conflict and so forth.

In Chapter Four, the discussion around questions of identity is divided more distinctly between the two organisations. The section on Bunuba Inc members is more ethnographic, and explores the forms of identity, and of subjectivity, that people and groups bring with them into their organisational environment. Some of these are derived from more traditional land and/or kin associated affiliations, and others are drawn from the colonial and postcolonial encounter. None of these expressions of identity have absolute authority over others; although relationships are crucial here, between individuals, and groups. This section will consider for example what the markers of inclusion and exclusion are, and when and how these shift over time and context. The nature of the relationship between Kurungal Inc and its constituents meant that this case study was quite different. People’s own subjectivities and sense of
belonging were so removed from the organisation that supposedly ‘looked after’ them, that these kinds of questions were less relevant. This section of the chapter therefore focuses much more on the gap between the understandings of the nature of attachment to the organisation held by the non-Indigenous staff members, and the membership. As a consequence, the second half of the chapter starts to alert the reader to the very significant import of non-Indigenous misunderstandings, and interventions, in these very delicately balanced socio-political environments.

Chapters Five and Six discuss the political practice of Bunuba Inc and Kurungal Inc respectively. My core contention is that to explain the observable practices of Indigenous organisations such as these, one must view activities through the lenses of political rationality, and as the playing out of overlapping microhistories and identities. Chapter Five considers the impacts of a major policy shift on the organisation, which exacerbated an ongoing conflict. Chapter Six will consider particular problematics around Kurungal Inc, and how organisational constituents attempted to resolve them in effective, if not necessarily ‘transparent’, ways. The reader will see that these practices do not necessarily conform to the principles of ‘good governance’, and yet in light of wider considerations of culture, history and pragmatics, such practices are clearly reasonable.

Chapter Seven will return to examine the discourse of governance, in light of the discussion in the previous three chapters of governance practice in the two organisations. Placing the discussion ‘governance’ at this point in the thesis is a deliberate ploy. The reader has been given a strong sense of the practice and parameters of Kurungal Inc and Bunuba Inc, so that the abstract quality of the governance discourse can then be fully demonstrated. The question Chapter Seven seeks to answer, then, is how and why has the ‘Indigenous governance’ discourse developed such traction. The answer is to be found in broader coincident shifts in Australian political economy and ideology, particularly under John Howard’s Coalition government that came to power in 1997. The Chapter will then turn to Rose’s (1999) ideas of governmentality, and to explore how the Indigenous governance discourse has
come to be associated with a suite of reformative tools and mechanisms. It will then consider how bureaucratic assessments of the world, including that of ‘Indigenous governance’, can be so inaccurate. It will conclude that the language is doomed to a managerial dullness and apolitical inaccuracy, in part because it is designed to serve a policy machine that cannot digest messy community politics, or normative systems outside of the mainstream. My core contention is that to understand and explain the observable practices of Indigenous organisations, one must view activities through the lenses of political rationality, and as the playing out of overlapping microhistories and identities.
Chapter Two: From the 1880s and the first pastoralists to the 1968 Pastoral Award decision and its aftermath

Introduction
This Chapter provides an overview of historical events that occurred between the 1880s, when the first cattle and sheep graziers arrived in the West Kimberley, and the late 1960s. The period following this time, from the Pastoral Award decision of 1968 and the subsequent development of the town and institutions of Fitzroy Crossing, is explored in Chapter Three.

I have focussed on particular events and trends which impacted on people living on the country that was to become the cattle stations of the Fitzroy Valley, and also events which led other people to move into the Fitzroy Valley from their country beyond its boundaries. I have drawn on as much recorded oral history from Aboriginal sources as is available, to balance the tenor of the history recorded by white record keepers, officials and other state employees. I do not pretend to report on one correct version of these events, but rather to canvass a suite of histories which in sum added up to a momentous change for the Aboriginal people in the Fitzroy Valley and beyond.

The two organisations on which the thesis focuses represent constituents with starkly different contact and colonial histories. One of the main contentions of the thesis is the importance of group histories, of narratives surrounding past events that are held by certain collectives, and how these are crucial to the formation of the kinds of identities that were later to concretise into organisational forms. Much of the material written on Indigenous governance in Australia gives a passing nod to the diversity of ‘histories’ lived by people acting in and around Indigenous organisations. My argument is that, to a significant degree, an understanding of these histories is central to making sense of how people currently behave within the intercultural space that such organisations represent. This conclusion was made particularly obvious by the very different character of the two organisations under study, and a lot of my time in the second half
of fieldwork was spent in trying to identify the differences, and what they might be related to. The historical genesis of smaller group identities, and their varied markers of authenticity and verification, explains much of the challenging diversity that is evidenced in Indigenous governance practice.

**Whose history?**

‘History’ has tended to be written by non-Indigenous historians, and is commonly included in texts on contemporary Indigenous people and situations as a kind of introductory story. But history, those ‘events’ that happened before, is only remote and objectified to those who did not participate in it. For those who have lived as part of this ‘history’, times past and distant places are still informing personal relationships, political interactions and dearly held aspirations and values. Past events are also much more alive for those who have listened to them recounted, often time and again, by older people. Landscapes, townscapes and meetings are also filled with meaning and memory: of victories, defeats, betrayals, concessions, arguments and resolutions, exclusions and inclusions.

Historiography – the study of the writings of historians, a kind of hermeneutical view, allows us to question the different ways in which ‘history’ is constituted in the minds of European recorders versus Aboriginal memory. There can be no doubt that what is construed as ‘history’, that is, what are considered significant events, is culturally specific (Sahlins 1985). There may be a tendency for the European historian to overlook or understate Aboriginal agency during early contact history. Even in recorded oral histories, it seems likely that Indigenous people being interviewed can have their view of what constitutes a significant event overlooked by bias to record a particular view, including a so-called ‘Indigenous’ view, of events.42

---

42 For example, in *Raparapa* (Marshall 1989), almost all 17 individuals interviewed made comment on the fact that they had not been ‘compensated’ for injuries incurred while working on stations. All recorded at length and in detail how productive they were, when they were working as stockmen, a view shared by the man who conceived of the book, John Watson, who wrote in the Introduction of his desire to counter a view of Indigenous people as lazy and unproductive (Marshall 1989: ix - xiii). The focus and detail of the stories is on working on cattle stations; other aspects of life such as
The history recounted here is limited to groups now associated with the two organisations in question, and to the places where those groups now reside, both in the town of Fitzroy Crossing and various pastoral station excisions, as well as where they might have migrated from. To a significant extent, these designations, language group and station/country of origin, have become less and less rigid. As is set out below, one of the impacts of colonisation has been the ‘mixing up’ of people; contemporary people’s choosing to associate with a particular language group or land affiliation is now contingent on any number of factors, as will be expanded on in Chapter Four. Such affiliations are nevertheless a long way from being completely arbitrary, and thus still serve as very important orientation points in attempting to comprehend the socio-political landscape, and people’s shifting positions within it.

Cultural geography, pre-colonisation
Bunuba is the language most commonly associated with Bunuba Inc, and Walmajarri and Wangkatjungka are the two languages most commonly associated with the membership of Kurungal Inc (See Map 1). This section is therefore largely limited to these languages. Both organisations however have members who also have ties to Gooniyan people and the Gooniyandi language. Indeed some Kurungal Inc members are senior informants on the Gooniyandi Native Title claim (See Map 3, p. 122).

Cultural blocs: River versus desert
The Bunuba language was part of a linguistic and cultural bloc that was very distinct from the desert languages of Walmajarri and Wangkatjungka. That is, not only were these languages very different, but cultural systems including the subsection system, as well as the nature of connection to country, were also quite distinct.

participating in ceremony are barely touched on. One gets the impression this is because the interviewer simply did not inquire about life outside of station life. Cleared Out (Davenport et al 2005) is a recent deliberate attempt to place these different histories side by side, telling the patrol officer’s story alongside the recollections of Yuwali, one of the desert women they were attempting to bring in.

43 ‘Kurungal’ is the Walmajarri name for Christmas Creek, which flows through Bohemia Downs and Christmas Creek station, and into the Fitzroy River. It also sometimes spelt as ‘Kroonull’.
Bunuba and Gooniyandi-speaking groups are nowadays sometimes referred as ‘river people’, in reference to their country along the resource-rich Fitzroy River, its associated floodplains and nearby ranges: the Leopolds, the Oscars and the Napier (See Map 1, p. 120). Pedersen and Woorunmurra (1995) write that Bunuba country ‘…was extremely fertile and before the invasion the most densely populated in the whole region’ (Pedersen and Woorunmurra 1995: 14). Understandably groups residing in this country were by comparison to desert groups, much more sedentary and possibly protective of their resources. This cultural bloc included the Gidja further to the northeast, with connections via ceremony and trade routes into the Northern Territory around Port Keats (Playford 1960).

To the south of the Fitzroy River, and covering a vast tract of country from east to west, Walmajarri speakers formed the northern most group of desert languages. To their south were the Wangkatjungka, to the south-west the Mangala (See Map 1, p. 120). On the nature of desert language groups, Kolig (1981) observed:

> Although these tribal groups differed in language and social organisation, actual boundaries, so far as can be said today, were absent. The groups merged into each other on their fringes and were apparently not completely homogenous internally (Kolig 1981: 19).

---

44 Walmajarri is not a dialect of the Western desert language bloc. For extensive literature on Walmajarri, which has been the subject of intensive study, including different namings of the language, and dialects, see Thieberger (1993) and Richards and Hudson (1990).

45 ‘Wangkatjungka’ means ‘straight talking’. The language is related to the Yulparidja spoken by people at Bidjadanga (La Grange) on the coast south of Broome, and the Martu language further south into the Pilbara. Kolig (1981: 18) for example wrote that Yulparidja were the more southern Wangkatjunga. Linguistically, all these can be considered dialects of the widespread Western Desert language bloc which also includes Pintupi and Pitjantjatjara to the east and south, and the Kukatja to the north east. For extensive literature on Wangkatjunga, including different namings of the language, and dialects, see Thieberger (1993): ‘Tindale says Wangkajunga is an eastern horde of Walmajarri. McGregor (1988)says it refers to a Western Desert dialect which is quite similar to Yulparija and Kukatja. Some speakers of the latter claim that they speak the former, when in fact it appears that they are responding to the meaning of the term (i.e. they are claiming to speak ’straight’, or correctly). This, together with the fact that many earlier surveys (such as Tindale's) do not include this language/dialect group name, perhaps suggests that the term is a recent innovation as a dialect name.’
Kolig’s description of the language groups being ‘merged’ on the edges describes a degree of socio-cultural porosity which existed within the desert cultural bloc, and across desert languages which account for a vast area of Australia’s interior. Kaberry (1936) made similar observations of the more northern ranges and river languages, although the degree of intermingling between these cultural blocs was obviously much less (See Map 1, p.120).

Walmajarri country stretches to incorporate southern tributaries of the Fitzroy River in the north, and to Billiluna in the east; it covers a vast area of the Great Sandy Desert. Wangkatjungka groups lived to the south of Walmajarri, deeper still into the desert. Their neighbours included the Pintupi to the southeast, and the Kukutja to the north-east with whom they were closely affiliated. Family groups generally had dozens of jila – desert soaks at which people dug for water – that they belonged to, and that they would travel between. In dry years or for particular ceremonies such as making rain or settling disputes, they would travel over enormous distances (Bent et al 2004). Unlike groups residing along the Fitzroy River, desert groups relied on resource sharing with others groups to get through occasional dry spells in their own tract of desert. This economic strategy was underpinned and maintained by intermarriage, ceremonial and other links across vast distances.

**Early language extinctions and migrations**
There have been language extinctions in the Fitzroy Valley region since colonisation which can confuse matters when trying to establish who speaks for what country. There was also perhaps some migration just prior to European arrival. Kolig (1981: 19) points to the work of Kaberry (1939) and Cappell (1952) in suggesting that Bunuba and Nyikina ‘…appear to have moved into the Fitzroy area not long before the first European contact…’ The current populations of Bunuba and Nyikina might well dispute this proposition, and indeed Kolig does note that ‘…Bunuba and Nyikina

---

46 Note that the southern tributaries of the Fitzroy River are on Walmajarri country. These ‘river’ people are considered to speak a slightly different dialect of Walmajarri, referred to as Juwaliny by linguists (Richards pers. comm. 2011).
regard their respective areas as theirs from time immemorial’ (Kolig 1981: 19). He regards this as proof that there was a degree of mobility pre-contact and that ‘…occupied areas, after a short while, came to be regarded as ‘traditional lands’, leaving no memory of a previous occupation process’ (Kolig 1981: 19). The particular area of country he is writing about is that said to have belonged to the Djaba language group, who had died out by 1880, that is, before the white pastoralists arrived in the area (Kolig 1981: 19). As was the case throughout Australia, in the Kimberley, the colonisers were preceded by their diseases. Elkin, writing in the 1930s, noted that the Bunuba tribe had already been halved by late 1920s, along with another nine language groups. He identified another five as being spoken by only a handful of individuals (Elkin 1932: 297). All of these languages are now extinct, including Unggumi to Bunuba’s north west.

Neighbouring groups adopted the country of those language groups and clans that disappeared. As has been recorded by ethnographers working elsewhere, Kolig noted that while the land-holding clan might disappear, the estates of such clans remained separate:

Those of the clan who were most closely affiliated with the new locality took over. However, within a few generations the ties between the two splinter groups and the recognition of a common origin would disappear since actual genealogical memory is traditionally very shallow (Kolig 1978: 62-3).

The river groups – early contact and violence

Alexander Forrest first surveyed the Fitzroy River valley in 1879, and reported back to the Swan River colony, where Perth now stands, that he had discovered ‘…20 million acres of well watered country’ (Pedersen and Woorunmura 1995: 22). The first pastoral station to be taken up was Yeeda in 1880, about 45kms from Derby; not surprisingly, it is also the first station to record attacks from Aborigines on Europeans (Biskup 1973: 20). The McDonalds overlanded from Goulburn, NSW, in 1886, with a mob of cattle. They established Fossil Downs to the east of the junction of the Fitzroy

47 See for example Morphy and Morphy (1984:58).
and Margaret Rivers, which today sits just to the north and across the river from the current townsite of Fitzroy Crossing. Fossil Downs remained an exception in the West Kimberley, where the trend was for graziers from southwestern WA to move in with flocks of sheep. The East Kimberley was also being stocked with cattle at this time, being driven over by Queensland graziers, including the Duracks at Argyle and the Buchanans on the Ord River.

The west Kimberley was in the 1880s the focus of much more ‘settler activity’ than the east. By 1884, the ‘lower Fitzroy’ had already seen the establishment of Mt Anderson and Liveringa stations. By the late 1890s, it seems reasonable to suggest that many Aboriginal people of the west Kimberley were well and truly ‘…overrun and overwhelmed by occupation’ (Pedersen and Woorunmurra 1995: 30). Indeed, Biskup (1973), while writing about ongoing hostilities in the East Kimberley, notes as an aside that sheep killing ‘…had almost died out (in the West Kimberley) by 1900’ (Biskup 1973: 32).

There were two pastoral empires established at this time in the West Kimberley that are of direct relevance here. The first is that of the Emanuel family, which set up Upper Liveringa, and then acquired Noonkanbah and Mt Campbell station, a vast tract of land, which incorporates the current stations of Christmas Creek, Go Go and Cherrabun stations, and large sections of Fitzroy river floodplain (See Map 2, p. 121). The gold rush at Koolgardie in 1892 saw a population explosion there, and a consequent dramatic rise in the market for beef. Emanuel stocked his upper Fitzroy runs and this became the launching pad for the West Kimberley beef industry. By 1892, the Emanuels had become the largest single leaseholders in the Kimberley. They were to maintain their presence in the Fitzroy Valley for over 100 years. 48 The other pastoralist of interest was William Forrester49, who established the King Sound Pastoral Company in the early 1880s. He acquired a one million acre property, divided by the Napier Range limestone wall, on Bunuba country. He named the station Lillimooloora,

48 For detailed ‘white settlement’ history of Fitzroy Valley, see Bolton and Pedersen (1980).
49 Forrester and his partner established the King Sound Pastoral Company.
a corruption of a Bunuba word for a locally growing tree (Pedersen and Woorunmurra 1995: 30). This place was to become the site of a now notorious and protracted conflict between local Aboriginal people and the authorities, centring on the figure of Jandamarra.50

**Bunuba resistance and Jandamarra**

While relations between the white intruders and Bunuba people were initially cordial, they began to sour as Forrester and his men grew resentful of the theft of items from the homestead and from outcamps. Axes, billycans and bags of flour were some of the more common things to disappear (Pedersen and Woorunmurra 1995: 34). The settlers were also raising the ire of Bunuba by disregarding places of spiritual significance, despite having been warned by Ellemarra and other Bunuba people to avoid such places (Pedersen and Woorunmurra 1995: 35). The building of stockyards in 1885 at the entrance to Windjana Gorge marked the beginning of the escalation of violence in the area. Pedersen and Woorunmurra51 recount amusing stories of the Bunuba trackers employed by police at this time to search for the ringleaders – Ellemarra and others – and of how they led the troopers on a series of ‘wild goose chases’. Ellemarra himself knew nothing of the warrant for his arrest, and so approached the police confidently near Lillimooloora homestead. He was chained at the neck and sent to Roebourne prison. Soon after, Forrester was struck down with illness and died shortly after, an event that the Bunuba claimed as their first victory.

This incident was to be the first of a series of what developed into armed confrontations between police troopers and Bunuba that were to continue until 1897. It was led in the final three years by Jandamarra, an ex-police tracker and a man well versed in whitefella weapons and ways, and believed by Bunuba people at the time to be immortal. This group carried out daring raids on a number of droving teams, and

---

50 The only comprehensive account of this particular historical episode is *Jandamarra and the Bunuba Resistance*, written by Howard Pedersen and Banjo Woorunmurra (1980). These events were seminal ones for Bunuba people, and still strongly inform their sense of identity. Thus I have drawn quite heavily on this text to provide the reader a certain level of detail.

51 Woorunmurra was a Bunuba man whose traditional country was sited on Fairfield station. He was considered the main custodian for the legend of Jandamarra. He passed away in 2003.
gathered a cache of weapons, murdering a number of drovers and others. They were assisted in their efforts by a large network of Bunuba people throughout the Napier Ranges (Pedersen and Woorunmurra 1995).

At the time, the clever evasion of police by Jandamarra and his ‘gang’ received national and international press coverage, which reflected very poorly both on the colony’s administration, and on the Kimberley police troopers. This was to have devastating consequences, not only for Bunuba, but also for many Aboriginal groups in the west Kimberley at the time. As Pedersen and Woorunmurra (1995) note: ‘Using Jandamarra’s existence as an excuse to leverage agreement for open police hostilities, Pilmer [Fitzroy Crossing’s first police trooper] struck ruthlessly at Bunuba groups in the King Leopold Ranges. The carnage cleared the way for the occupation of Leopold Downs by the cattlemen’ (Pedersen and Woorunmurra 1995: 179).

The insurgency of Jandamarra and his gang encouraged an episode of violence that spread well beyond the people living in the King Leopold ranges. One now notorious campaign in 1895 saw two ‘teams’ of five armed men follow the Fitzroy River downstream, south from Brooking Springs station. Joe Blythe, a ‘settler’ who established Brooking Springs in 1983, and Lawrence, a policeman, headed up these teams. One team ‘worked’ each bank, through Nyikina and Mangala country to the south and west of Bunuba country, shooting indiscriminately at people camped along the river (Pedersen and Woorunmurra 1995: 136). While the official death toll of this campaign was 28, it is likely to have been much higher. Old people in Fitzroy Crossing today still recall being told stories about ‘wild’ Joe Blythe.

In April 1897 a black tracker who originated from the Pilbara shot Jandamarra, after the rest of his ‘gang’ had also been shot or captured. This was to mark the beginning of the end of such confrontations between police and the settlers, and Bunuba people at least. However, such conflicts continued to occur further to the south, north and east as the edges of the ‘frontier’ were pushed out. In the same year, other parts of
Bunuba country had already been newly colonised. In March, a stockman named Hooper, for example, had led 1,000 cattle through the Oscar Range pass near Brooking homestead, in the heart of Bunuba country, and then camped at a site that was later to become the Leopold Downs homestead (Pedersen and Woorunmurra 1995: 181).52

Police reprisals across the West Kimberley were extremely harsh at this time. For example, in January 1895, at Oobagooma station near Derby, two stockboys 'tried to kill' the white manager and stockmen. The Police records show that 27 people were shot in response. Another 70 people were soon after 'dispersed' near Fitzroy Crossing by means of 'extreme measures' (Biskup 1973: 22). The exact nature of these 'measures' is not made explicit in the police report.53

What is clear is that police reports, when they existed, did not necessarily tell the entire story. Police reports of the day dovetailed seamlessly with the overarching frontier narrative, in which 'settlers' aimed to establish a 'pioneering' pastoral industry on behalf of the fledgling colony, and to this end, found it necessary to 'deal with' the native problem. There is another way of reading the actions of settler kartiyas at the time, and that is by considering the possibility that they were primarily concerned with rounding the natives up, or 'dispatching' them, and that the cattle 'industry' was a rather peripheral occupation. Many of these men – Joe Blythe, and certainly his father, amongst them – had experience with 'frontier' violence in the south-west of Western Australia. Others had just returned from the Boer War. There are a range of narratives to be drawn from, but what does seem clear is that there was no overarching policy or approach, or meta-narrative. Instead there was a good deal of latitude taken in terms of how white individuals approached 'settling the frontier', and how they dealt with its original inhabitants.

---

52 Lillimooloora was subsumed into Leopold/Fairfield Downs after the 1893-4 wet season, during which a devastating flood drowned 14 000 sheep. This marked the end of Lillimooloora, which was then broken up and incorporated into adjacent holdings

53
The response of the colonial administration to West Kimberley violence

This very harsh recrimination against Aboriginal groups had been occurring against a backdrop of limited official political support from the colonial administration of the south.\(^{54}\) John Forrest, Premier at the time, stated in Parliament that he was in no position ‘…to sanction anything that will lead to the impression that an indiscriminate slaughter of blackfellows will be tolerated or allowed by the Government of the colony’ (Pedersen and Woorunmurra 1995: 88). This statement reflected the fact that there were ongoing tensions between the West Australian and the British governments, particularly since the British retained responsibility for Aboriginal welfare via the Aboriginal Protection Board despite the granting of political independence to the colony in 1889. If WA were to gain control of ‘its Aborigines’, it would have to demonstrate that it was treating them in an even-handed manner.\(^{55}\)

Northern pastoralists’ influence over colonial administration

Northern pastoralists, most notably the Forrest brothers, were a dominant and direct force in the colonial government.\(^{56}\) In the first decade of the 1900s, this influence continued via the new colonial government’s policy of appointing Justices of the Peace across the Kimberley. These JPs were all prominent pastoralists of their day and included Emanuel, Lukin from Lennard River and McDonald from Fossil Downs. They were granted the power ‘…to sentence Aboriginal people to prison for three years [and] order a flogging…They could also issue to police officers warrants of arrest…’ (Pedersen and Woorunmurra 1995: 89). ‘Squatters’ and police worked very much in tandem at this time, and this relationship was to continue for decades to come.

The Kimberley, as the last remaining frontier in Western Australia, evoked a certain romanticism in the administrators of the south, and considerable latitude was given to

---

\(^{54}\) However after a particularly successful ambush by Jandamarra’s gang at Windjana gorge, this was to change.

\(^{55}\) The colonial office was to relinquish control of the Aboriginal Protection Board in 1897. This Board was then abolished by the WA Parliament in 1898, and replaced by the Aborigines Department.

\(^{56}\) Alexander Forrest became the member for the West Kimberley while his brother John Forrest was the first Premier of Western Australia. Alexander Forrest was to become a significant landholder in the Kimberley, and formed a business partnership with Emanuel.
those in positions of power to address issues as they saw fit. However two massacres in particular, at Forrest River and Onmalmerri, began to turn public opinion around, both in the United Kingdom and in the Australian colonies on the east coast. The *Aborigines Act 1905*, a West Australian Act, marked the formal beginning of what has since become known as the ‘protectionist era’, and was to remain the basis of state-controlled care and intervention until 1936. It replaced the *Aborigines Act 1897*. Under the new Act, the care of the state’s Aborigines was to come under the ‘Chief Protector of Aborigines’, rather than the suite of ‘honorary protectors’ who had carried out the role under the previous Act (See Appendix 1, Table 2: Significant dates in the state and Commonwealth administration of WA Aboriginal affairs, p. 269).

**The *Aborigines Act 1905*, and the mass removal of children**

The Aboriginal populations around Fitzroy Crossing, like elsewhere throughout the Kimberley and Western Australia, were subject to very harsh policies relating to the removal of and institutionalisation of children, especially if they were half-caste, in the first half of the twentieth century. This removal was particularly intense in the decade 1900-1910, which in WA was the beginning of the protectionist policy era (Haebich 2000: 229). The Act of 1905 made the Chief Protector of Aborigines the legal guardian for every Aboriginal and half-caste child under the age of 16 years. This Act also put in place:

…the necessary bureaucratic and legal mechanisms to control all their [Aborigines] contacts with the wider community, and to enforce the assimilation of their children and to determine the most personal aspects of their lives’ (Haebich 1988: 83).

While powers granted to police and others under this Act were extraordinary, there was very little requirement on them to record their actions in any way. As Haebich (1988) notes, the removal of children was entirely at the discretion of police who could ‘…ride into camps and grab children indiscriminately, then send them off to institutions without reference to any higher authority or legal process’ (Haebich 2000: 229). Thus

---

57Half-caste was a term used to describe Aboriginal people with one white parent and one Aboriginal one. While this language is deemed offensive in a contemporary context, it was the language used in this historical period. Aboriginal people in Fitzroy Crossing also still commonly use it today.
the total numbers of children removed can only be guessed at, as can the proportions of 'half-caste' versus full blood. Two anthropologists, Kaberry and Elkin, however were both working in the Kimberley in the 1920s and 1930s and both noted a general absence of children. Similarly, Pullen, a Native Welfare Department officer noted in the late 1940s a lack of children amongst any of the station populations he encountered (Jebb 2002: 218).

The Aborigine’s Department had a ‘travelling inspector’ in the Kimberley during the first decade of the twentieth century. His role was to report on the state of native camps throughout the Kimberley, and on numbers of half-caste children and adults. When it was possible, at the behest of the Chief Protector, all half-caste children were to be sent to the Mission at Beagle Bay on the Dampier Peninsula, which was founded in 1891 (Haebich 2000: 236). This remained the case until after 1921 when the Forrest River mission started receiving children from the east Kimberley. Moola Bulla, a large cattle station near Halls Creek that was also to receive many children, was established in 1930 (See p. 55).

Whilst there was no missionary presence at Fitzroy Crossing until the 1950s (See p. 66), missions and institutions outside of the Fitzroy Valley, sometimes as far distant as Mt Margaret in the Goldfields and Moore River native settlement north of Perth, were also to receive mostly half-caste children from the region. The role of white station managers in this process was not always clear-cut. Anecdotally, some managers of the day actively sent half-caste children to institutions in the south of the state; those children sent from Bohemia Downs are an example. Whether this was out of concern for the welfare of these children who were commonly fathered by the managers, or whether it was to avoid being prosecuted for cohabitation, which continued to be illegal in WA until 1973, is not clear. What seems likely is that there were examples of both motivations. There are also anecdotes of white managers assisting their Indigenous

---

workforce to hide half-caste children when inspectors came to visit. These children after all could prove to be valuable members of the station workforce in time, and the understanding of the day was that ‘half-castes’ were easier to train than were ‘fullbloods’.

Station times – pre World War II
The period between 1920 and 1945 saw relations between black and white settle into a degree of relatively peaceful compromise across much of the Kimberley.\(^{59}\) McGrath (1987) writing about relations between pastoralists and their Indigenous workers in the Northern Territory refers to this period as a ‘golden age’, and it is indeed a period that people seem to recall fondly.\(^{60}\) It also was the period during which a stable indentured labour force developed on the stations around Fitzroy Crossing. There is little doubt, as evidenced in some personal histories, that after the early brutality of initial contact, the degree of stability and compromise that was to follow was welcomed, by both Aboriginal groups and pastoralists. For the pastoralists, it meant that their operations could continue free from sabotage. However the cost to the pastoral enterprise was an informal agreement to support extended family groups living on the station via the provision of rations. On the Aboriginal side, it meant some ability to protect sacred sites that were in danger of being desecrated by cattle, or by infrastructure associated with cattle mustering like dams and yards. While the accommodation reached was unarguably a forced one, there were certain benefits for those Aboriginal people who settled down into station life and work. These included protection from traditional enemies, reliable access to good water and food, and access to country and sites encompassed by the pastoral enterprise. As Sullivan (1989) suggests: ‘the station homestead came to replace the dry season waterhole as a source of supply…. [while] during the wet season, stock-work became impossible, at the same time competition for water resources abated’ (Sullivan 1989: 63).

\(^{59}\) For example, Bohemia and McGregor (1995: 102 -3) contains various accounts, including those in which Jack Bohemia, a police tracker, was responsible for the killings.

\(^{60}\) See also Morphy and Morphy (1984) who recount similar nostalgia in the Roper River Valley further in the south east of the Northern Territory.
Of critical importance to the stability of this compromise was Aboriginal peoples’ ongoing access to important sites on country. Their knowledge of the landscape, and of weather patterns, flood-levels and the like, was of great use to the station managers in planning stock grazing and the development of station infrastructure; this influence over white managers’ development of stations provided an avenue for people to continue to protect sites of significance. Ceremonial life, which was returned to during wet seasons ‘holidays’, and responsibilities to maintain country could both be continued under the system. So while these Indigenous ‘station mobs’ did form a vital captured labour force for the development of a cattle industry in the Kimberley, at the same time and within the parameters set for them by their white overseers, these station ‘employees’ seemed to enjoy a degree of autonomy that in many respects which has been lost to them now. It is also apparent that certain elements of cattle culture were genuinely taken up, and valued, by station populations. The lifestyle and skill of good stockmen acquired a very real status, acknowledged across the cultural divide:

Those old [white] managers were real cattlemen. They would teach us properly if there was something that we wanted to learn. They were men who’d give you a job to do and then leave you alone; they weren’t interfering all the time. We had no government looking out for us, and we never got paid, but old managers were good bosses (Marshall 1989: 83).

Again, this was not the situation everywhere, but certainly along the southern reaches of the Fitzroy River and in areas around Halls Creek, accounts from anthropologists, Kaberry in particular, and Elkin to a degree, suggest that life had settled into a stable pattern. One old woman, Dottie Watpi, was recorded in 1987 at Halls Creek in conversations with Helen Ross. Her accounts recall a visit by anthropologist Phyllis Kaberry to Violet Valley in the mid-1930s. Dottie described Kaberry’s fear that in some places still, Aboriginal people wanted to kill ‘whitefella’. She recalled it this way:

61 There may have been another reason for this apparent stability: ‘Kaberry spent three months on Bedford Downs. She didn’t talk much to [me] because she was only interested in full-blood Aborigines….but [I] used to listen….Everything was nice and calm when she was with Aboriginal people. The Station people didn’t bash up Aborigines or mistreat them when she was around.’ (Williams 1988: 96)
We bin tellim; poor bugger, bin frighten im this missus. ‘Nobody killem you here!’ we bin tellim. ‘We only later mob, mefella. We bin born later. Only them olden time people bin do that...killem white man. Not mefella, later mob. Can’t killem anything. We bin workin to (white) woman; and white man, we gottim. We workin for him. But we can’t do that (Williams 1988: 93).

There were still, during these 40 years, dramatic exceptions to this stability. For example, a now notorious massacre occurred in 1926 at Onmalmeri after an East Kimberley settler was speared. The response from local police and settlers was so brutal that it caused a public outcry in Perth and in Australia’s East, and resulted in a Royal Commission being established. It was a powerful element in the growing calls at that time for federal control of Aboriginal affairs (Biskup 1973: 85-7).

Jebb (2002), an historian working mostly with groups up around Gibb River, describes the 1930s and 40s as a time when:

…the pastoral work routine was becoming increasingly structured and time-consuming...Bush populations were contracting, and station populations were developing a pattern of wet season 'holiday' when essential ceremonial meetings occurred (Jebb 2002: 167).

Given that the area Jebb mostly worked in was colonised some 20 years after the more southern reaches of the Fitzroy, it is likely that such patterns amongst the Bunuba and northern Walmajarri – whose country was on the Emanuel and Forrest properties – were entrenched there even earlier.

There is no doubt that an ongoing degree of coercive violence and corporal punishment characterised the relationship between the white ‘boss’ and ‘missus’ and the Aboriginal population residing on any given station. Aboriginal people were to a certain degree ‘owned’ by their station, and it was common practice for police to return absconding blackfellas to their home station. The workforces of the Emanuel stations, however, tended to enjoy a degree of mobility amongst the suite of Emanuel properties.
Nevertheless then, as now, Aboriginal people responded to their circumstances in very clever ways, in ways that may have protected their family, or their ‘culture’, or sacred sites. They learnt the limits of acceptable behaviour expected by *kartiya* (whitefellas), and within these they maintained as much of their own autonomy as was possible. Instead of pursuing direct, open conflict, co-resident Indigenous groups and white station families developed micro-forms of apartheid, certainly in terms of living arrangements. Each continued its own incomprehensible cultural practices at some distance from the other. The ‘peaceful’ relationship therefore maintained a definite superficiality, based as it often was on profound mutual mistrust and misunderstanding.

**Reserves, feeding depots and Moola Bulla**

In 1908, northern pastoralists, police and southern administrators begin considering the setting up of ration depots across the Kimberley, largely because of the growing costs incurred in imprisoning significant numbers of cattle spearers, particularly in the East Kimberley. Government feeding depots were established throughout the southern Kimberley from 1910 on, and by 1929 the total area set aside for such reserves and feeding depots in the Kimberley was over 23 million acres (Biskup 1973: 105). In early 1911, the largest of these feeding reserves, Moola Bulla (which means ‘plenty tucker’) was gazetted as an Aboriginal reserve with the hope of lessening the incidence of cattle killing on surrounding stations.

Indeed there was a lack of clarity about the exact purpose of Moola Bulla. While it was certainly intended to appease the pastoral lobby by reducing cattle killing in the east Kimberley, there was also an acknowledgement that the station was to become a very profitable exercise for the government (Rumley and Toussaint 1990: 89). Its two roles, as a ‘native reserve’ and a working cattle station, were eventually to come into conflict. By the late 1920s, Neville, Chief Protector of Aborigines in WA reported that: ‘Owing to its success as a cattle station and stud station, the real and original purpose of its establishment is liable to be overlooked….it would be a sorry day for the natives of
the East Kimberley if this institution was ever abandoned as a native station…’ (Rumley and Toussaint 1990: 85). In the late 1930s, the reserves’ annual reports began to distinguish between full blood and half-casts. In 1938, it reported that there were on average 189 Aboriginal people and 48 half-castes, 12 of whom were working. The ‘half-caste’ element at Moola Bulla grew rapidly, and the station in the 1940s increasingly began to take on the character of an institution, as government funding for infrastructure increased. Prior to this increase in investment, it seems that, despite the rhetoric about Moola Bulla being a ‘native reserve’, that is, established for the welfare of Aboriginal people, it was little different from most other cattle stations in the Kimberley at that time. The exceptional thing about it was simply its geographical area, over one million acres.

By 1953, there were over 260 Aboriginal people living at Moola Bulla; the reserve had a school that catered for 73 children, and by all accounts was functioning very well (Kimberley Language Resource Centre 1996). So the decision to close the reserve in 1954 came as a shock to many observers, despite the fact that many other reserves had been shut down in recent years. Moola Bulla was sold to Mr and Mrs Goldman, and despite the assurances they gave that people residing there would be kept on, in July 1955 all residents were evicted. Many of these people ended up at the United Aborigines Mission in Fitzroy Crossing, living in tents provided to them by the Department of Native Welfare. There was not as yet a Mission, or Native Welfare Depot at Halls Creek. There is little doubt that the WA government made a substantial profit out of the sale of Moola Bulla, and that while Aboriginal people residing there had (and have) good memories of the place, the real beneficiaries of Moola Bulla were the WA Treasury, and the pastoral industry (Rumley and Toussaint 1990: 103).

The Moola Bulla exodus was to represent the first influx of ‘refugees’ into Fitzroy Crossing, after which time the town was described as a ‘hell on earth’. A substantial number of the people from Moola Bulla made their way back Halls Creek over time (Kimberley Language Resource Centre 1996: 144). Fitzroy Crossing was to be

---

62 A ‘Native Welfare Depot’ was established in Fitzroy Crossing in 1950. See Pullen (1950)
similarly described some 15 years later when a second influx of people was to occur on a much grander scale after the Pastoral Award decision took effect in the late 1960s (See ‘Appendix 1: Fitzroy Valley dates’, p. 267).

**The desert mobs – getting ‘brought in’**
Fifty years and more than two generations after Bunuba and northern Walmajarri had experienced ‘first contact’, southern Walmajarri and then later Wangkatjunga peoples started ‘coming in’ and being ‘brought in’ from the desert to the stations. This process was to continue throughout the first half of the twentieth century, and into the 1960s.

Kolig (1973, 1977, 1981) writing in the 1970s and 80s described ‘waves’ of desert immigrants coming into the Fitzroy Valley, ‘submerging’ the indigenous Bunuba, Nyikina and Gooniy who, he suggested, were ‘hardly traceable any longer’ (Kolig 1981: 21). He writes as though the river groups, who had been, in numbers at least, decimated, had left a peaceful vacuum to be filled by desert groups. This is a contentious and simplistic description, and does not seem to reflect other’s accounts from these years. Kolig also argued strongly that the ‘indigenes’ of Fitzroy Crossing became ‘wolmadjerrised’, another simplified observation. Certainly some elements of Walmajarri culture and language were to be adopted by others, but other anthropologists working at the same time as Kolig were able to unearth very distinct non-Walmajarri identities and practices in and around Fitzroy Crossing. Kolig’s underlying presumption that an *authentic* cultural grouping should somehow avoid any influence from its ‘others’ seems to have blinded him to the ways in which cultural groupings and signifiers can change.

What seems likely is that the Walmajarri’s cultural coherence, which is still evident, was retained because there was a continual, gradual movement of ‘unacculturated’ countrymen into the southern stations, some of which no longer exist. For many

---

63 See for example Moizo (1991) who wrote in a PhD thesis about the layering of cultural identities in Junjuwa, a community in Fitzroy Crossing.
64 Koolena and Yougga Walla were two stations to the south of Christmas Creek and Bohemia Downs.
people, this migration was not unidirectional but circular; people would return to their country south of the ‘southern line’ in the wet season, or stay to perform ceremony on the more southern stations. Walmajarri culture was thus continually reinvigorated from its source.

There are a range of Indigenous narratives from these times, some of which strongly emphasise the impact of colonial violence in their compulsion to move north. Yet other factors, including simple curiosity or a longing to see family already gone, may have also induced people to move (Bent et al 2004). Kolig (1987: 18, 31-3) suggests other factors including the ‘harshness of the desert’, the dangers of being unarmed in the bush, the draw of western commodities and a desire to escape the loneliness of being left behind in the desert.

Of course, while some people came into stations willingly, a lot of people were forcibly brought in. Barney Barnes, a Walmajarri man born around 1918 recalled it this way:

It’s Walmajarri country all around there, around Christmas Creek, right through to Kalyeeda, down the Canning Stock Route, and right through to Billiluna…The Halls Creek police worked the eastern side, the Fitzroy police worked this side, and the Broome police worked the western side. They kept going at it until nobody was left out there. They didn’t allow the Aboriginal people to live in the desert after that. They sent some of the people to Cherrabun, some to GoGo, and some to Christmas Creek (Marshall 1989).

This old man also recalled how as a child, his ‘mob’ had run away back into the desert south of Christmas Creek. He recalled that the police came and rounded everyone up, but let the old people stay, in part because ‘…they started dying. There was a lot of disease for which we didn’t have any medicine’ (Marshall 1989: 128). Desert people have very strong taboos that concern leaving the place where a person has died, often for years at a stretch. If there were many deaths occurring from introduced diseases in the desert, that might also account for the ongoing movement of people out of their own country. There were other attractions too, including a regular supply of food and perhaps significantly for desert groups, water. Many commentators suggest there may
have been droughts in the deserts; others dismiss this element.\(^{65}\) Quite possibly people
did not anticipate that they might not be able to return to their own country once they
became dependent on flour, sugar, tea and tobacco.

Over time, new connections to places occurred on the stations, and a new generation
with a differently layered sense of belonging came into being. A Walmajarri man
recalled it this way:

> There aren’t many people alive now who were born out in the desert. A
> lot of young people were born on Christmas Creek and belong to the
> station country….A lot of the people who are on Christmas Creek now
> are from a different mob; they’re Wangkatjungka people from the other

Wangkatjungka people, who lived well south of the station line (the edge of the most
southern pastoral stations, some of which no longer exist), started moving out of the
desert around the time of the World War II, when the Canning Stock Route was re-
opened (Bolger 1987: 102). It is thought that many were drawn north and east along
the Route to the Lake Gregory area and to Billiluna station, and to the mission at Balgo
which was established in late 1920s. Many of these people ended up living at Christmas
Creek on Gooniyandi/Walmajarri country, some having following an old drovers track
that connected one of the wells south of Billiluna to Christmas Creek station. Others
drifted west to the coast, and concentrated at La Grange mission, now known as
Bidyadanga. The Gooniyandi speakers indigent to the Christmas Creek area are
thought to have moved west, to the stations of Go Go and Fossil Downs (Davey
1979a: 1). Whatever the case, people from Billiluna and others who had been forcibly
sent to Moola Bulla, must eventually have heard of relatives at Christmas Creek. The
Department of Native Welfare records show that the population there increased from
100 in 1952 to 180 in 1963 (Bolger 1987: 104). The last of these people to emerge
from the desert, to the north at least, was around the time of the Vietnam War (Bent et

\(^{65}\) On recalled droughts, see for example Eric Lawford’s account in Marshall (1989) for a 1945
drought. Kaberry (1936) also mentioned one, as did Long (1989), both referring to events in the
1930s. Myers noted severe droughts in 1953-6 and 1960-6 on Pintupi country (Myers 1999: 348),
which abuts on Wangkatjungka country. A report in WA’s Daily News for November 4, 1950, also
mentions a ‘dry spell’ as precipitating increasing numbers of people coming into the southern
stations.
People in Fitzroy Crossing today say that the influx of Wangkatjungka people at this time, who still possessed a law unaffected by colonisation, had a revitalising effect on the ceremonial practices of Walmajarri and others in the Fitzroy Valley.

Station work, and new forms of collective identity

The early to middle decades of the twentieth century saw the beginnings of new forms of collective identity emerge amongst the various camps of people residing on stations. Neighbouring language groups, which would have previously regarded each other with a degree of suspicion, started co-residing and intermarrying on certain stations, and over time, adopting certain cultural elements from each other. The subsection (‘skin’) system became universalised throughout the Fitzroy Valley so that people became ‘intelligible’ to each other. Certain customs, such as that men should live on their father’s country, started to lose traction. While not much is recorded of the nature of these changes by anthropologists working in the area at the time, it seems reasonable to imagine that a certain inventiveness around adherence to custom would have been the result of the very great upheaval experienced by people, which included residing semi-permanently on others’ country, and amongst previously ‘foreign’ language groups.

Elkin (1932) noted that changes to the subsection system varied throughout the Kimberley, but that the mixing up of people was to result in a degree of homogenisation:

The meeting of tribes for ceremonial purposes, and... the mixing of members of different tribes in white employ, facilitates and encourages the spread of such systems of summarising kinship... the labour of comparing and adjusting the actual relationships through kinship terms alone in different languages, would be a very difficult process indeed (Elkin 1932: 325).

That reality was that over time, all the groups residing on stations found it necessary to develop ways of holding relationships in common, not in response to kartiyas or political pressures, but rather as a pragmatic cultural adaptation to the changing nature of groups, relationships, and increased mobility. People of course found ways to
justify, and explain these forced cultural changes within their own cultural bearings. Kaberry (1936) described a ‘station mob’ in the early 1930s:

(W)hen men are taxed with wrong marriages, they are apt to exonerate themselves with the excuse that there were no other women available, and to quote the myth of the moon, Djuru, who married a Nambin woman, ie tribal mother-in-law: ‘We got to follow that one moon,’ they say with a grin, and pervert what should serve as a warning to tribal infringement into a sanction for their own behaviour’ (Kaberry 1936: 456).

These years, then, marked the beginning of the development of a pan-Aboriginal identity, certainly in terms of ‘blackfella’ as juxtaposed to kartiya. They also saw the development of groups identifying with particular stations, a layer of identity that seemed to concretise over the decades. Older people in and around Fitzroy Crossing today always contextualise stories of events and people in terms of the stations they were connected to.

This time also marked the first phase of a paternalistic relationship between Indigenous and non-Indigenous people, as stations took on much of the administration associated with sometimes very significant Aboriginal populations. For example, the Emanuel's Perth office received the pension cheques and child endowment for the Aboriginal people living on all of its properties, and then ‘…returned sufficient cash for pocket money and retain(ed) the balance. Each pensioner receives $4.00 per fortnight in cash.’66 There is little question that many older people who remember the station days expect such paternalism to continue: that whitefellas have a duty to ‘look after’ them, and help them particularly in administrative matters.

**Bunuba and Walmajarri on stations**

While what at was left of the Bunuba language-speaking population largely remained on their own country at Brooking Springs, old Oscar and Leopold Downs stations, accounts from Walmajarri describe greater mobility between the Emanuel stations in

---

66 From report by the Special Magistrate, Department of Social Security, 1966, quoted in Davey (1979a: 3)
particular during the 1930s and 40s. Some of these accounts seem contrary to another view presented by historians, of people being forcibly ‘held’ by stations; what seems likely is that certain stations were more proprietorial than others, and that there may have been particular stockmen of value. Mona Chuguna, for example, records travelling with her husband and parents-in-law out of the desert in the late 1950s to Cherrabun station, just to the west of Christmas Creek. From there, they moved to Meda, then on to Derby, then to Paradise, back to Cherrabun, on to Liveringa and then, after the Pastoral Award decision in the late 1960s, to settle at Kurnangki in Fitzroy Crossing (Jimbidie 1993: 29). For the majority however, these years did see people ‘settle down’ and develop associations with particular stations.

There was a general trend that Walmajarri people did not cross the Fitzroy River from south to north, which was understood to be the boundary of the desert languages’ domain. To the south of the river, certain family groups did develop particularly strong associations over time with certain stations, even where it was not their traditional country. The Wangkatjungka at Christmas Creek station, and the mob at Noonkanbah who were Walmajarri from much further south, are two cases in point. Both of these places were to develop heightened status as centres for ceremony. Anthropologists working in the 1930s (and in the 1970s) recorded Christmas Creek station as a place where many station groups gathered in the wet season for law business. The Walmajarri diaspora was to come to reside in communities on other’s country around the enormous perimeter of the desert country: from La Grange on the coast south of Broome, to Jigalong, to Ringers Soak, to Noonkanbah.

New forms of social leverage
The other critical elements to emerge during these pastoral years were new forms of social stratification. Prior to colonisation, older people who had considerable social status had held traditional knowledge. However, post colonisation new kinds of

67 For example the Emanuel stations of Christmas Creek, Gogo, Meda and Cherabun worked more collaboratively.
68 See for example Kaberry (1939: 11) and Kolig (1981: 134-6)
knowledge and influence became available. Young men could gain an understanding of the work of being a stockman, they could gain some understanding of English and they were thus able to communicate with whitefellas and gain even more information.69

Bush blackfellas, or ‘wild blacks’ were sometimes feared, denigrated, and on occasion murdered, by those more acculturated groups who had the earliest contact with whitefellas (See various accounts in Bohemia and McGregor (1995).

The other form of social differentiation and leverage that emerged at this time was that of skin colour. ‘Half-caste’ children had started appearing almost as soon as the first whitefellas appeared in the Kimberley. Both the fathers of these children, and institutions and their public officers, were to continue to treat these children differently from their ‘full-blood’ kin for decades to come. They were given certain privileges, encouraged to access better quality schooling and discouraged from associating with their full blood relations. They were also encouraged, or forced, to associate with each other, a move which would have contributed to the notion of skin colour as being part of one’s identity.

Station life: a European sub-culture

It is pertinent to ask how the lessons Aboriginal groups learned during this pastoral era continue to be applied in the twenty-first century. For example, how did Aboriginal people conceptualise non-Indigenous authority systems and interact with them? Insights can be gained from these times regarding how some groups of Aboriginal people positioned themselves in relation to the manager, or the ‘homestead’, to access maximum leverage over management decisions or acquire greater autonomy. These insights have relevance in the contemporary context. There are parallels between the ways in which Aboriginal people hid important traditional knowledge from kartiyas for example, and how they continue to do this now. They also continue to seek a balance

69 No doubt Aboriginal women would also have gained leverage by building up their knowledge of the white station wives and daughters, and their domestic requirements and ways. Little is recorded of this domain however either by historians or by anthropologists. Kaberry (1939) of course was the first Australianist to investigate at length the complexity of the cultural responsibilities of Aboriginal women. She was not concerned however to record the impacts of colonisation on the cultural practices of those she was observing.
between adopting behaviours or work practices which might allow access to whitefella resources while not compromising on their mostly dearly held values and assets: maintaining connectedness with kin and looking after country. While much has been transformed at a policy level since these station times, in some ways it is instructive to seek out the continuum which demonstrates that Aboriginal people continue to strive to manage kartiya’s interference and ignorance, just as they were doing in the earliest stages of colonisation.

Arguably it was the domain of ‘work’ and of productivity that was very much the shared currency on stations between Aboriginal people and whitefellas. Goals around looking after cattle and infrastructure, and then droving cattle to markets, became the site of shared values. For Aboriginal women, the ‘missus’ (station manager’s wife) organised a domestic labour force to clean, cook, tend vegetables, and perform innumerable other tasks like making soap. But the intersection of people’s worlds was delimited, and to a large extent their worlds of meaning remained separated. This formative, if largely superficial, period of interaction with kartiyas has had an ongoing impact on the way people think about work and entitlements. It also continues to affect the way people interpret the behaviour of kartiyas. These early relationships are echoed in the views old people have of kartiyas (and these views are often carried also by their children and grandchildren), both of being overly trusting (kartiyas know best) and also being very fearful.70

Station language: ‘Mobs’ and ‘bosses’
Clearly some of the language still used by people in the Fitzroy Valley is derived from these station times. The term ‘mob’, which would have been applied by white station workers to describe a group of cattle, at some point started to be used to describe groups of Aboriginal people. Thus in talking about groups of people with an association to particular stations or to places, the word ‘mob’ is often used. For

70 Kartiyas are feared by children still, and seem to have a kind of ‘bogeyman’ status. This perception is not discouraged, but rather is sometimes used to regulate children’s behaviour, as in ‘Don’t go down to the river alone, kartiya might get you.’
example, as in ‘Brooking Springs mob’, or ‘Cherrabun mob’ or ‘pub mob’71 or ‘Mission mob’. This notion of ‘mob’ is to be distinguished from more anthropological notions describing kin, and incorporates people who had a common, and more recent, history and sense of shared identity, mostly around particular stations or ‘camps’.72 In a contemporary context it is now used to describe those people associated with particular communities, such as ‘Junjuwa mob’. ‘Boss’ is also a term that was used during station times for white station managers, but which has come in a contemporary context to be applied to Aboriginal people with authority, for example ‘law boss’ or ‘Kupartiya boss’. Both these terms are used throughout the thesis because they are still the terms most commonly used in these organisational environments.

Missions and reserves under the policy of assimilation
The decade of the 1950s saw a dramatic shift in how the WA government, following the lead of the new federal Minister for Territories Paul Hasluck, approached what was then termed ‘the Aboriginal problem’. Under the banner of ‘assimilation’,73 part of which involved beginning to allow Aborigines to access mainstream welfare benefits, the WA government began to withdraw its financial support from feeding depots and reserves in the Kimberley. The intent of this withdrawal was that northern Aboriginal people should no longer be exempt from the government’s policies, which were encouraging people to assimilate in the south.

In the north of the state, the primary vehicle to assist in the practical implementation of this policy was the missions (See Appendix 1, Table 2 for timeline of Commonwealth and WA State changes to the administration of Aboriginal affairs, p. 267). In the decade

71 From the 1940s to the early 1970s there was a ‘camp’ adjacent to the Crossing Inn where a number of Bunuba-Gooniyandi people lived.
72 The use of the term ‘mob’ seems to be on the wane, being replaced now by new terms for collectives drawn from American hip-hop culture: ‘crew’ and ‘gang’.
73 The ‘assimilation policy’ period in WA began with the Native Welfare Act of 1954. This policy period was unpinned by the belief that a combination ‘welfare’ and training could help achieve the goal of social assimilation. Part of the policy involved dismantling the various restrictions applied to Aboriginal people to allow them to receive benefits available to other Australians. See Schapper (1969).
1950 to 1960, Marks (1960) reports a ten-fold increase in subsidies to missions throughout the state of WA:

Governmental influence and direction has increased proportionately with the increase in aid, and today is probably the major factor promoting uniformity of mission policy throughout the State (Marks 1960: 105).

This impact of these changes in the Kimberley however was to force people either to remain on stations, or to move into to missions or to towns, where other forms of more mainstream welfare were becoming available. In 1952, the responsibility for the ‘Feeding Depot’ in Fitzroy Crossing was transferred from the Native Welfare Department to the newly established United Aborigines Mission, and by 1959 all such depots had been closed throughout WA. In their stead, the missions took up the new state project of ‘assimilation’, and were encouraged to adopt a more ‘pragmatic’ approach, away from evangelising and towards more practical training (Biskup 1973: 235). This was to fundamentally change the relationship between missions and the state, which up until this time, had been highly unstructured.

**United Aborigines Mission (UAM) at Fitzroy Crossing**

In the early 1950s, the UAM had seen fit to establish a new mission at Fitzroy Crossing. The UAM was an interdenominational institution, supported financially by ‘…fundamentalist believers in the non-conformist churches’ (Walker 2001). Somewhat controversially, since it opposed the predominant assimilationist project, the UAM at this time was discussing the establishment of an Indigenous church. As one anthropologist suggested to the UAM Council: ‘…though it is necessary that the aborigine accept the gospel with heart and mind, it is not necessary that he should adopt the western way of life’ (Marks 1960: 101). This argument was to gain credence within the UAM, and led to a trend for translation of Christian texts into Indigenous languages, a process which was to have powerful impacts in a number of ways. This process began in Fitzroy Crossing in 1967 with the arrival of Joyce Hudson and Eirlys

---

74 This ‘Feeding Depot’ had only been established in 1950.
Richards, two linguists from the Summer Institute of Linguistics. As part of their work in recording the Walmajarri language, they translated hymnbooks and a compilation of scriptures (Anon. 1982: 8). They were to continue this work with the Walmajarri language and its speakers, while remaining closely aligned with the UAM mission, for more than two decades.

Despite the anti-assimilationist undertones within the UAM, it was nevertheless granted land and a permit to establish a hostel for school-age children in Fitzroy Crossing, which was in fact one of the earliest of its kind.\(^{75}\) It is arguable the establishment of this hostel and schooling system had an enormous impact on the English language literacy of a generation, an impact which is still evident in a significant group of people aged over 40 in the Fitzroy Valley. The Department of Native Affairs had originally agreed to underwrite the cost of establishing a mission at Fitzroy Crossing. However, this supply channel dried up within 12 months except for subsidies for seniors and children.\(^{76}\) Nevertheless, the Mission quickly established the hostel for school-age children, the school and a ‘large shade house in which to hold Gospel meetings’ (Walker 2001: 31). In 1954, the Mission’s first superintendent records some 300-400 people attending a ‘life of Christ’ slide show after the annual Fitzroy Crossing picnic race, an event which drew people from throughout the Fitzroy Valley.

In 1955, the Fitzroy Crossing hostel and mission experienced a dramatic influx of residents after Moola Bulla was sold to private station owners. Some 250 residents were trucked to Halls Creek and then to Fitzroy Crossing. The decision to close Moola Bulla, after nearly 40 years, was welcomed by the pastoralists of the Fitzroy Valley who were suffering from a labour shortage, partly as a result of the newly expanding station country to the north of the King Leopold Ranges. The mission was soon overwhelmed

\(^{75}\) The UAM hostel in Derby was established in 1957. 1957 also saw first station school established on Go Go station, in a series of caves.

\(^{76}\) See Walker (2001: 25,30) for an account of how the UAM was duped by the Dept. Native Affairs in terms of financial support and so forth. Walker and some enterprising locals took up hunting feral pigs, which they sold to be butchered in Derby. That the mission survived at all, given the complete absence of investment either by government or by religious groups, is the ‘miracle of Fitzroy Crossing’ to which the author refers.
with telegrams from station owners seeking ‘employees’. The superintendent at the
time was ‘…very pleased to have such an influx of intelligent and able…people.’ From
that time the mission began to thrive and was a good ‘pool’ of labour for any
surrounding stations that required help. The Moola Bulla closure also led to a dramatic
increase in the number of children at the Fitzroy Crossing hostel, which stood at 116 in
1956 (Jebb 2002: 247). There was nowhere at the Mission for the parents of these
children to reside, and so they had to remain at camps on nearby stations. An informal
camp was established by some of these parents at the Mission’s perimeter so they could
see their children more regularly (Knight Pers. comm. 2005).

The period from the late 1950s on however was marked by growing competition
between sectors for labour. There were tussles between pastoral stations, and between
stations and the Mission, for workers. Station managers continued to have a
proprietorial sense of ‘their aborigines’ despite there being limited legal basis to this
ownership. There are many accounts of families with half-caste children being given
food and blankets and sent bush to avoid the visits by welfare or the police. People
recall these events generally as being motivated by benign concern for child-parent
relationships. However, people in the southern Kimberley at least would often follow
their children when they were taken away to a mission or hostel; the pastoral station
thus risked losing some of its workers if it allowed the removal of children: ‘The
missions attracted families whose children would otherwise be taken from them’

Missions as a second kind of European sub-culture
It is difficult to judge the significance of the UAM on the development of Fitzroy
Crossing, but it certainly represented a very important ‘inter-cultural’ experience, after
station life, for many people. In particular, the fact that it encouraged sermons and
texts to be communicated in Walmajarri seems to have had a critical influence on the
status of that language within the town, and as Kolig (1981) argues, particularly
amongst ‘converted’ non-Walmajarri speakers.77 It was one of the first institutions to provide western-style education to Aboriginal children in the Kimberley, and was arguably successful because of the hostel system, in which children could return to family on weekends and holidays. It also encouraged, within certain parameters, the emergence of a form of leadership, albeit religious, amongst Fitzroy Crossing residents. Many of these new leaders were to develop those leadership skills further in the more profane, political domains that began to emerge in the 1970s.78

The extent to which the Mission contributed to the erosion of traditional cultural practices and beliefs is difficult to ascertain. McDonald (2002), writing about the impact of the mission in Halls Creek, provides some insights into the actual depth of ‘conversion’ that the missionaries reported on, often in numerical terms only.

The churches have been successful in suppressing traditional religious practices such as initiation ceremonies and death rituals which are expressed through performance and spectacle. They have been markedly less successful in suppressing (or appropriating) the beliefs and values which underlie these practices. Beliefs and values cannot be seen, and values in particular are rarely articulated. Both Aboriginal people and missionaries tend to interpret the other’s behaviour by situating it within their own cultural context and judging it according to their own standards of appropriate behaviour. As a result, there is a great deal of unrecognised misinterpretation and miscommunication between Aboriginal people and missionaries. This protects Aboriginal beliefs and values from close scrutiny and evaluation by missionaries and other agents of change (McDonald 2002: 148-9).

While there were Bunuba people associated with the UAM in its early days, as the Mission relationship with Walmajarri people and language strengthened, Bunuba people became less charmed.79 Many of the earliest ‘inmates’ of the UAM had been associated with the ration camp, or ‘feeding depot’ as it was officially known. When this camp was handed over to the Mission, those who were dependent on it had little choice but to

77 Kolig termed Walmajarri the lingua franca of Fitzroy Crossing.
78 Although this influence is considerably weaker today that in was then. In Moizo’s (1991) thesis, based on fieldwork in the mid-1980s, he records that the entire Council of Junjuwa consisted of members of a Christian fellowship which had been created by the UAM. (Moizo 1991: 38)
79 See for example Moizo’s thesis (Moizo 1991: 36-9)
conform to Mission rules. One of these rules was ‘no work, no food’. That the Mission supported Walmajarri people to ‘become bosses’ – if only of the religious kind – on Bunuba country no doubt contributed to Bunuba being less engaged with the Mission. Indeed Kolig (1977) writing in the late 1970s described Bunuba as ‘agnostic’.

In the first few years of the 1950s, the majority of the Fitzroy Crossing population was to shift from being Bunuba and Gooniyan to Walmajarri, an increase which was largely a result of the establishment of the Mission. By 1969 the population of the town was still only around 100, but this was to change dramatically in the coming decade (Moizo 1991: 40) (See Appendix 1: Fitzroy Valley dates for timeline of significant events, p. 267).

The lead up to the Pastoral Industry Award decision
The federal Pastoral Industry Award decision (referred to henceforth as the Pastoral Award), discussed in the next section of the chapter, was made in 1965. It was the result however of decades of gradual change in relations between white station owners – ‘bosses’ – and their Aboriginal workforce. It is also coincided with a shift in the mindset of Perth-based white administrators, and in their willingness to remain uninvolved in determining conditions of the Aboriginal populations living on Kimberley pastoral leases. In addition, station managers were increasingly under pressure from their most productive workers, who for the first time had alternative avenues for income from ‘welfare’, to renumerate them for their labour. While the decision was taken in 1965, the Commission allowed a three year period for ‘adjustment’, with the intention that stations might adjust their economies to account for paying people wages. The decision therefore did not become law until 1968, and was not actually implemented in the Kimberley until the early 1970s. By this time, the number of Aboriginal people working on pastoral stations across the Kimberley was estimated to have fallen dramatically to around 600 (Bunburry 2002: 110).

80 There are obvious parallels with the ‘no work, no pay’ of CDEP, and older people certainly commented to me that being subject to such a rule ‘was like being on the Mission’. The local Aboriginal people’s interpretation of this policy was ‘no halleluja, no tobacco.’
81 The exact title of the case was the Northern Territory Cattle Station Industry Award.
Arguably there had been a gradual raising of awareness amongst Aboriginal people in the Kimberley that they might have some leverage over station managers. The notorious Pilbara strike of 1946 signified the first major standoff between Aboriginal station workers and their management. The pastoral industry in the Kimberley could not afford their workforce to become unionised as had happened in the Pilbara. An informal agreement was reached in 1950 between the Native Affairs Department and the Pastoralists and Graziers Association to ‘…pay (nominal) monthly pocket money (to all station workers)…regardless of their caste or skill’ (Jebb 2002: 223). However there was no legal requirement that they do so. Thus in most cases it seems the status quo was to be maintained, except where there were concerns about unionisation, such as in Derby, ‘…where workforce stability was threatened by alternative employment. In those cases it was in the employers’ interests to introduce wages on some stations’ (Jebb 2002: 223). Even where workers were being paid, the sums were significantly less than those received by their white counterparts, a situation strongly supported by trade unionists in the south of the state, who were worried about Aborigines competing with their members for work (Jebb 2002: 226; Bunburry 2002: 81). At the same time, the Western Australian Department of Native Affairs ‘…consistently drew back from open conflict with pastoral employers over conditions for Aboriginal people on stations. They were understaffed and apprehensive that they would become financially responsible for a large group of town-based “indigents” if they interfered’ (Biskup 1973: 206).

The other force for change, which is not much discussed in the literature around the Pastoral Award decision, is the impact of structural changes to the pastoral industry in the 20 years preceding the Pastoral Award decision, which also contributed to a ‘…declining demand for Aboriginal employees’ (Altman and Nieuwenhuysen 1979: 67).
The impact of the Pastoral Industry Award

The Commonwealth Conciliation and Arbitration Commission heard the Pastoral Industry Award Case in 1965. It concluded that Aboriginal workers should be paid the equivalent of their non-Aboriginal counterparts. In making such a decision, it is clear that very little regard was given to the potential impact of such fair remuneration. As Bunbury (2002) declares in his Introduction, “The ruling broke a long standing relationship – not an equal one but a relationship nonetheless – between the pastoral worker and the pastoralist” (Bunbury 2002: 12). In being forced, as they were as a result, to leave stations, people were not only being removed from an industry that had become culturally meaningful to them. Many were also being removed from their own country.

While the Pastoral Industry Award was decided in 1965, Kimberley pastoralists successfully appealed to have its application delayed until December 1968. Given that December was traditionally the beginning of ‘holiday time’, when people were given time off to ‘go walk-about’, the real upheaval did not begin until the following year, 1969. The impact of the decision even then was patchy across the Kimberley and certainly through the Fitzroy Valley because some stations initially attempted to maintain their resident Indigenous populations. Other stations were very prompt in moving to evict large numbers of people, especially across the Emanuel properties, which had a reputation for poor living conditions and treatment.

The Commission of Native Welfare Annual Report (1969) paints an initially optimistic picture of the impact of the Pastoral Award decision. While it reported a group of 200 people being displaced from two (unidentified) stations after the 68/69 wet season, it also reported that they returned to their stations of origin in the dry. This situation was to change dramatically however over the next five years, which is roughly the time it

---

82 See for example Hungerford and Woldendrop (1969) who described life on Brooking Springs station as an ‘orderly feudal existence.’ ‘People in the south might be very surprised to realise the degree of personal involvement, almost “family feeling”, which the best of the station owners have with the Aborigines in their employ’ (1969: 7). It is unlikely that those stations that retained these populations were paying them under the new Award.

83 See for example Pullen (1950) and various accounts in Marshall (1989)
took for the decision to take full effect and for people to either be ‘kicked off’ or to ‘walk off’ – either in protest or in resignation – from the stations where they had lived and worked, in some cases for three or more generations. Of course, the Pastoralists and Graziers Association publicly urged its members not to take any action that would cause hardship to any of their Aboriginal employees.

**Christmas Creek station – the first wave**

It is clear that one of the stations to which the Commissioner of Native Welfare referred in his 1969 report was Christmas Creek station. Eric Lawford, a now elderly Gooniyan man who had been working on the station at the time, described it this way:

> Emanuel decided it was too expensive to keep those old people; too expensive to feed them or give them rations. ‘They’ll have to move off,’ he said, ‘we only pay people to work’ (Marshall 1989: 24).

The station management selected ten stockmen and a few house girls. All the rest were forced to leave. There are a multitude of stories about this event, but it seems clear that many Christmas Creek people were driven into Fitzroy Crossing on tractor-trailers from GoGo where they had been participating in ceremony. Other people, presumably in protest, followed them by foot to the far side of the river across from the small town that was Fitzroy Crossing. Many were carried across the thigh-deep river by Jimmy Bieunderry, an Aboriginal pastor, and others from the United Aborigines Mission. This event, crossing the Fitzroy River, is recalled as one of considerable significance for these desert peoples. In part, this was because of the fear that desert people had of flooded rivers; but it was also considered a kind of cultural ‘rubicon’, even if a relatively modern one which had emerged during the pastoral station era, that desert people were to remain on stations to the south of the river. An emergency camp was established at Windmill Reserve (known now as Mindi Rardi), food provided and action taken to begin processing claims for Commonwealth Social Services unemployment benefits (Commissioner of Native Welfare 1969).

From reports such as those produced by the Commissioner for Native Welfare, government agencies at the time clearly were not prepared for the scale of movement
of people that was about to occur. The same report from 1969 suggests that those people who had lost their employment on the stations would get picked up as ‘contract musterers’. Little consideration had been given, it would seem, to the large numbers of people who were not fully employable but had been sustained by station rations. From 1969 on the town of Fitzroy Crossing began to grow rapidly as groups moved in off the stations. This influx of people, of various language groups and histories, was to form the basis of the modern town of Fitzroy Crossing.

The 1970s – a time of great change
While the town of Fitzroy Crossing does have a history which predates the Pastoral Award decision, this decision represented a crucial point where what had once been a relatively small mission supporting around 100 people, and before that a government feeding depot, within a very short time became a refugee camp for more than 1,000 people from throughout the Fitzroy Valley. After colonisation itself, the Pastoral Award decision was surely the most disruptive event to occur to Aboriginal peoples of the Kimberley’s southern pastoral belt. There are various estimates as to how much the population grew in Fitzroy Crossing in the early 1970s. A Report by the Commonwealth’s Office of the Commissioner for Community Relations (1979) suggested that, between 1969 and 1975, it had increased from 200 to 800 people.

This massive move to town coincided with a number of other important changes in state and federal policy. These include universal and equitable access to welfare, citizenship and access to alcohol. People’s migration into town also represented the emergence of a new, and more direct, kind of relationship between Aboriginal people and the state, via welfare payments. While some people had been paid cash wages on the stations since the 1950s, for the majority this move to town also represented their introduction to the cash economy.

84 ‘Drinking rights’ were gained in 1971 via amendments to the Commonwealth’s Licensing Act.
Conclusion
This Chapter has canvassed a range of historical narratives in an attempt to describe the impacts of colonisation on the peoples of the Fitzroy Valley. These impacts were uneven in time, and across the geography of the Valley. Bunuba and Gooniyan people were colonised three generations before the latest migrants to the Fitzroy Valley, the Wangkatjunga. Post-colonisation, people's experiences varied greatly, depending on the kinds of white masters they were subjected to: whether missionaries, station managers or reserve bosses such as at Moola Bulla. The impact of colonisation across generations and language groups cannot therefore be easily summarised, or generalised, even across a relatively small geographic area such as the Fitzroy Valley. The generalisation that can be made, in light of the brutality and devastation of first contact, followed by the great upheavals after the Pastoral Award, is that these Aboriginal groups have demonstrated remarkable cultural and personal resilience. Arguably this resilience hinges on an ability to strategically engage with overarching non-Aboriginal systems while simultaneously maintaining cultural practices. It also resulted in the development of an ‘Aboriginal’ identity, which provided a platform for the beginnings of the political activism of the 1970s and 80s.

Chapter Three will explore these decades and describe significant events that occurred which impacted on the developing town of Fitzroy Crossing. It will particularly focus on the outstation movement and the associated growth of Aboriginal organisations throughout the town, and the Fitzroy Valley.
Chapter Three: Becoming ‘self-governing’

Introduction
In 1975, the population of Fitzroy Crossing was estimated variously to be somewhere between 800 and more than 1150 people.\(^{85}\) Around half of this figure were people living at the United Aborigines Mission (UAM) at the end of town adjacent to the school, the hostel and the Department of Community Welfare office, while the other half were those living on the Native Welfare Reserve on the other side of the highway, some 5 kilometres away. This reserve had been established in 1969 to allow for the expected influx of people from the stations. In the intervening years, it had become broken up into three areas, known as the top, middle and bottom reserves; top reserve was also known as ‘Windmill reserve’, middle as ‘Figtree reserve’ and the bottom or river reserve\(^{86}\) associated with the ‘Kadjina mob’, a split-off group from those who had walked off Noonkanbah station in 1971.\(^{87}\) By 1975, each of these ‘patches’ was already starting to be associated with people of particular language groups, kin groups and stations. Apart from some very rudimentary shelters at the UAM, there was no housing at this stage for Aboriginal people in Fitzroy Crossing; indeed the entire Native Welfare Reserve apparently only had one tap (Richardson Pers. comm. 2006). McCleod (1984), who had lived and worked with Aboriginal groups for many years in the Pilbara, described the conditions in Fitzroy Crossing thus: ‘[T]hese refugees were forced to live in a squalor which defies description. A stench of poverty and neglect pervaded everywhere’ (McLeod 1984: 147). The appalling living conditions were exacerbated by almost universal unemployment, and for the first time for many, the ready supply of alcohol afforded by proximity to the Crossing Inn (See Appendix 1: Fitzroy Valley dates for timeline of significant events, p. 267).

---

\(^{85}\) Department of Community Welfare’s 1976 Annual Report states that the population of Fitzroy Crossing had grown from 200 to 800 over the period 1969–1975. In 1975, Richardson (1998: 70) estimated that there were 1150 residents, 550 of whom resided at the United Aborigines Mission. There were at this stage around 35 non-Indigenous residents who resided either at the Mission, or adjacent to it. (Richardson 1998: 169)

\(^{86}\) These places evolved later into Mindi Rardi, Kurnangki (the Bunuba word for ‘fig tree’) and Loanbun (junction of the Brooking Channel and the Fitzroy River) respectively, with Mindi Rardi being the furthest from the river and the furthest west.

\(^{87}\) See Hawke and Gallagher (1989) for detailed analysis of the groups of people associated with Noonkanbah station.
Despite – or perhaps because of – the very poor living conditions at the time, the mid-70s were a time of great energy and action for many people in the Fitzroy Valley. 1975 marks the year for example in which the two largest organisations of concern here were incorporated: Junjuwa Community Inc (now under Bunuba Inc) which was located adjacent to the mission, and Wangkatjungka Community Inc (now under Kurungal Inc) which had members both at Christmas Creek station and residing ‘in town’, mostly at Windmill reserve. I shall remind the reader that ‘Junjuwa’ was originally simply a place name – a ridge which represents one of the highest points in town and is therefore particularly flood-proof, while ‘Wangkatjungka’ was a language group.88 These labels, as will become apparent, evolved new depths of meaning and association over the coming decades. At this very formative stage, the ridge ‘Junjuwa’ was to be the place for the first batch of desperately needed houses to be built; construction of some 56 was begun in 1977 on a sub-lease of land granted from the UAM to Junjuwa Community Inc.89 The mob that identified themselves as ‘Wangkatjungka’ were similarly town-based, and became incorporated so that they could, for example, have a common bank account (a ‘chuck-in’) and purchase a vehicle.90 The initial drivers then of the incorporations were thus substantially different, as were presumably the size of their memberships.91

88 Chapter 4 explores in more depth the shifting dynamics around some of these identity markers, be they ‘languages’ or ‘places’. As languages are rooted in countries anyway, the distinction is not so apparent. That identity remains bound to unshifting geographies is certain, yet in no way delimits the mobility of those who carry that identity.
89 The management order for Reserve 9656, a substantial area of land at 995Ha, was transferred from the UAM to Junjuwa Community Inc in 1987 (Department of Indigenous Affairs 2003). That is, the lease remains unvested in any Aboriginal corporation or entity. The 56 houses built at Junjuwa were 24 short of the original commitment by WA’s State Housing Commission (Moizo 1991: 82).
90 ‘Chuck-in’ is a communal account to which a group of people contribute out of their weekly welfare or pension cheque. Large capital items, such as vehicles, then become within their reach as a group. In the contemporary scene, other large items, such as whitegoods or ‘killers’ (the term for freshly killed beef from one of the surrounding stations), can also be purchased on behalf of a family or household. Increasingly, as organisational administrators have less time to manage ‘community business’ such as these accounts, groups are organising electronic banking systems so they can manage them themselves. Both Kurungal Inc and Bunuba Inc have encouraged member groups to adopt this other system in the last 12 months. Generally the community chairperson has final authority on allocating these funds. They are often the source of considerable conflict.
91 No records of early membership are retained by either organisation.
This time marks a new period, with emerging opportunities for what Kolig (1981) termed the ‘common stock of myths’ to which ‘corporate communities’ might affiliate themselves. While this quote from Kolig was specifically about the Noonkanbah affair it has a much wider relevance: that ‘mythical charters [are adaptable]…to the political needs for Aborigines’ regional solidarities’ (Rowse 1993: 66 drawing on Kolig 1981 and Kolig 1990). Arguably it had always been thus, although the spaces available for group formation, both physical and socio-cultural, had altered dramatically, again and again, since colonisation.

Self-determination: the national policy

By this time, the official policy era of ‘self-determination’ was already three years old.92 The ideas being manifest in the policy however had a much longer genesis, having derived from the Aboriginal rights movement of the 1950s and 60s.93 The election of Gough Whitlam’s Labor government in 1972 was to see the adoption of some of the core arguments of this movement, in particular that Aboriginal people should have greater control over their own affairs. At a Commonwealth level, the Department of Aboriginal Affairs (DAA) came into being, alongside the Aboriginal Land Fund Commission (ALFC),94 whose brief was to purchase land for Aboriginal corporate groups. The latter was to become the Aboriginal Development Commission (ADC) in 1980 under the Fraser government. At a West Australian level, where a new Labour government was voted in 1971, the Department of Native Welfare’s responsibilities were divided between the new Department of Community Welfare (DCW) and the Aboriginal Affairs Planning Authority (AAPA). The brief of the latter was very broad, and incorporated the Aboriginal Lands Trust.95 It was also to provide advice to both WA and Commonwealth governments, manage and support Aboriginal interests in

---

92 For a useful genealogy of the term, and how it has continued to be altered by successive governments, see Sanders (2002).
93 See Attwood (2003) for a comprehensive overview of this movement at a national level.
94 See Palmer (1988) for a detailed description of the ALCF activities, and the deterioration of its relationship with its parent agency, the DAA.
95 See Aboriginal Affairs Planning Authority Act, 1972 (Western Australia). WA is the only State or Territory which does not have land legislation that provides for traditional or residential Aboriginal land ownership. This system of Aboriginal Reserves is still in existence.
land and support the two mechanisms established to allow greater access for Aboriginal people to the West Australian government’s decision making processes.96 (See Appendix 1, Table 2 for timeline of Commonwealth and WA State changes to the administration of Aboriginal affairs, p. 269).

The Indigenous corporation, 1975 - 1984
For many Aboriginal groups throughout Australia, the 1970s was the period when ‘governance’ as I am conceiving of it here started to be acted out publicly. This new context required decision-making that managed to be at least partly legible in terms of legitimate practice to both the Western tradition and to the local Indigenous traditions. The 70s saw the beginnings of new forms of dialogue between the colonised and the coloniser, via the crucial conduit of the incorporated body.97

In Fitzroy Crossing, the new policy era coincided with, and arguably contributed to, other developments. New levels of mobility, via the private ownership of motorcars by a growing number of Aboriginal people, contributed to information exchanges across Kimberley groups. Others have commented on the significance of this for ceremonial matters.98 However it seems probable that this increased movement of people also effected a raised politicisation at a regional level.99 Other new technologies – such as

---

96 These were the WA government’s Aboriginal Advisory Council (1972) and the Aboriginal Affairs Co-ordinating Committee – under the new Aboriginal Affairs Planning Authority Act, 1972.
97 The notion of creating state-funded Aboriginal corporations grew out of the work of Charles Rowley, who considered that Aboriginal self-government and larger policy goals of the state could converge via these entities. Nugget Coombs, who in turn had a significant influence on the policies under Whitlam, adopted his proposal.
98 See for example Akerman (1979) and Hawke and Gallagher (1989: 77-8): ‘Whereas people had previously been limited to travelling by foot to the annual ceremonial activities, a cycle began to develop when people and ceremonies moved each year throughout this network.’ The cycle described by Hawke and Gallagher included La Grange south of Broome, through Looma, Noonkanbah, Balgo and into the Northern Territory (Hawke and Gallagher 1989: 78).
99 Various other events relating to this growing awareness are discussed in the literature. For example, there was considerable meddling in the voting of the 1977 Legislative Assembly election in the Kimberley. This largely involved Aboriginal people being encouraged to vote in such a way as to make their votes invalid, and necessitated an investigation by the Court of Disputed Returns, which heard evidence across the Kimberley. See Tatz (1979: 24-40; 1980: 505 - 9). Significantly, one of the candidates in the WA election was Ernie Bridge, an Indigenous man from Halls Creek in the Kimberley. Bolger and Rumley also comment more generally on the increase in political activity amongst Aboriginal people in the Kimberley in the period 1977-1980. See Bolger and Rumley
the cassette recorder – were also significant. For example, the ‘Homemakers’\(^{100}\) disseminated selected readings translated into Walmajarri, out of the WA and national press, to other groups and to each other (Richardson Pers. comm. 2006).

In addition, some Kimberley people began to attend meetings in other jurisdictions, in Perth and at a national level. Some, for example, related to the discussions around Land Rights in the Northern Territory.\(^{101}\) Others related to ongoing, more locally acute issues such as the Noonkanbah dispute.\(^{102}\) This was also the period during which the federal government established a representative body at a national level, the National Aboriginal Consultative Committee, to be replaced four years later in 1977 by the National Aboriginal Congress. Both of these bodies had structures of regional representation, and therefore offered opportunities for Aboriginal people both to run for election, and to vote for Aboriginal candidates.\(^{103}\) This period then represents a

\(^{100}\) The ‘homemakers’ at this time consisted of groups of women interested in learning home-crafts. There were five of these groups in various fledgling communities in the early 1970s. See (Richardson 1993) for a detailed account of their activities and resources.

\(^{101}\) The *Aboriginal Land Rights Act (NT)* was passed in 1976, under the Fraser Coalition government.

\(^{102}\) In 1979-80 the Yungngora people (a Walmajarri subgroup) on Noonkanbah Station attempted to stop oil drilling taking place on their country. Their blockade received wide media coverage, including internationally. However, this represented a pinnacle in ongoing struggles for this group, first with the station owner in the late 1960s and early 70s and then, once the station became theirs in 1976, with the WA government, and various mining interests. For a full account, see Hawke and Gallagher (1989). While the majority of people manning the blockade were Yungngora people, they were also joined by significant numbers of countrymen from Fitzroy Crossing and from further afield (KALACC 2006: 93). Mcleod (1984) wrote of meetings which occurred beyond the purview of the DAA or the anthropologists which ‘...involved hundreds of blackfellows from all over the Kimberley, the Pilbara and the desert’ (Mcleod 1984: 134). It therefore signified a major impetus to the growing ‘pan-aboriginality’ amongst Indigenous people across the Kimberley. In 1979 for example, Senator Fred Chaney received a telegram from the ‘combined communities of the Fitzroy Crossing area’ in support of the Yungngora people, which included Bayulu, Junjuwa, Kadjina, Kurnangki, Kroonull, Warringari and Fitzroy homemakers (Hawke and Gallagher 1989: 133). See also Kolig (1987)

\(^{103}\) Interestingly, Kimberley Aboriginal people’s engagement with these voting processes was far less than with mainstream elections. See Bolger and Rumley (1982b).
radical shift from those that preceded it in terms of the growing rights and entitlements of people, their awareness of these rights, and the nature of their interactions with *kartiya*. As Hawke and Gallagher (1989) noted ‘…[t]hey became aware for the first time that there were potential allies out there in white society’ (Hawke and Gallagher 1989: 79). While the missionaries or certain pastoralists clearly believed they had Aboriginal people’s ‘best interests’ at heart, they had nevertheless been reluctant to let such interests be determined by Aboriginal people themselves. This then was the crucial shift – not that there were non-Indigenous people present who were determined to ‘help’, but rather that the new players positioned themselves differently in terms of power relations with those they sought to assist.

Certain events and organisations, particularly the Noonkanbah affair and the formation of the Kimberley Land Council (KLC) in 1978, were formative for particular individuals and oftentimes their families who became more familiar with what might be called activism. The father of the current Chairperson for Wangkatjungka, for example, was the first Chair of the Kimberley Land Council from 1978, and was on the NAC delegation that went to the United Nations in Geneva to attempt to raise awareness about the situation faced by the Yungngora people on Noonkanbah station. The current, and longstanding, Chairperson of Marra Worra Worra similarly was a major visible and vocal protagonist during the Noonkanbah affair. Emergent leaders during this period often had personal histories combining unusual degrees of mainstream education with either their own or close relatives’ very strong cultural legitimacy.

---

104 In 1978, the Kimberley Land Council (KLC) was formed at a cultural festival held at Noonkanbah, to which people attended from across the Kimberley. A few years later the KLC was to provide support to, and campaign on behalf of, the Yungngora at Noonkanbah. As Bolger and Rumley (1982a) noted: ‘Certainly the response of the KLC represents a sharp contrast to the past response of Aborigines to white oppression which seldom went beyond passive resistance.’ As the first Kimberley-wide Aboriginal organisation, it was a seminal moment in terms of a growing pan-Aboriginality across the Kimberley. The KLC, unlike the land councils in the NT on which it was modelled, did not have any statutory base because there was no land rights legislation in WA at its inauguration.

105 His earlier association with the UAM – he was a lay preacher – saw him assisting many people from the east to cross the Fitzroy River after they had been kicked off stations. He was originally from Billiluna, and so related to Wangkatjungka people. Thus he was able to assist in an emotional sense these people’s first crossing of the Fitzroy River in flood, which was something of a taboo for his countrymen.

106 This man was to pass away in 2007.
The UAM still had a strong presence in Fitzroy Crossing at this time. While there were certainly people from all language groups camping down at the mission compound in the late 1970s, the UAM remained associated most strongly with certain Bunuba people who had a much longer connection with the missionaries. The activities of the WA government’s ‘welfare’ officers did not extend to those people who had been historically associated with the Mission, and indeed it was made clear to them by the missionaries that they were not welcome there (Richardson Pers. comm. 2006). So the era for ‘self-determination’ did not start at the same time for everyone, and there were still institutions that found the concept threatening. This distinction then, between the mission mob, much of which became incorporated in 1975 as ‘Junjuwa’, and all the other groups living in and around Fitzroy Crossing, was to retain its effect through the coming decades and even into the present.

However, the 1970s marked the beginning of the end of the influence of the United Aborigines Mission in Fitzroy Crossing. The reasons for this are complex, but relate in part to both levels of government becoming much more willing to directly fund Aboriginal groups and organisations, rather than channelling monies through institutions such as missions. For people around Fitzroy Crossing, these days marked the beginning of the rise of what Rowse (2002) terms ‘the Indigenous sector’ and what he accurately describes as ‘…the most important product of the policy era known as self-determination’, that is, the proliferation of Indigenous organisations across the nation. Such organisations certainly have become significant features in the

---

107 Richardson also told how it was a commonly held view amongst those living outside the Mission that the mob associated with the Mission were somehow inauthentic blackfellas, having relinquished aspects of their culture and language in exchange for the patronage of the Mission. The UAM, in common with other similar institutions, did not have a very good relationship with surrounding pastoralists historically either, as it was perceived to be competition for labour.

108 It was not only the UAM that did not immediately grasp the end of its proprietorial relationship with its ‘inmates’, as the first Minister named them (Walker 2001: 31). Many of the surrounding station owners also found the new autonomy being granted to Aboriginal people threatening.

109 It was not until 1987 however that the UAM surrendered its lease to Junjuwa Community: ‘The hand over of the reserve at Fitzroy Crossing is significant as it signals a new era for the UAM. With the Indigenous people taking more responsibility themselves both in running their own community and in maintaining Indigenous churches, the UAM finds itself in a new role of support and encouragement’ (Walker 2001: 35).
institutional landscapes of most remote and rural Indigenous communities (Rowse 2005). In the Fitzroy Valley, within a period of only 10 or so years, there was exponential growth in the number of such bodies. This reflected the impact of the outstation movement and the scope it allowed for smaller and smaller groups to identify and form the basis, in terms of infrastructure, for independent formation.

Changing cultures: the Department of Community Welfare approach

The Commission for Native Welfare had created the position of District Officer in Fitzroy Crossing in 1971. A few years later its successor, the Department for Community Welfare (DCW), the coordinating government agency in town at the time, was to adopt a radical approach in response to the appalling living conditions in the town which had been witnessed by both the Federal and State Aboriginal Affairs ministers in a visit to the town in 1974. The approach involved adopting a ‘community development’ model, to be delivered by Stan Davey and his wife Jan Richardson, who had previously been employing these principles with the Oombulgurri people in Wyndham. I raise the arrival in town of these two kartiya because they have a special significance historically; Aboriginal people still alive who had worked with them certainly fondly remember them. They were, from my understanding, a different kind of kartiya. They were neither of the mission, nor of the station nor welfare ‘type’ in a cultural sense: their agenda was radical, and was based on Aboriginal rights,

---

110 Between 1968 and 2003, the number of Indigenous organisations incorporated nationally increased from 554 to 2861. Of course, many of the organisations in question here are incorporated under the WA legislation, so are not included in this number (Rowse 2005: 209). Rowse (2005) points to the Review of the Aboriginal Councils & Associations Act 1976 which estimates that around half of all Indigenous organisations are incorporated under state Acts (Corrs Chambers Westgarth Pty Ltd 2002: 96).

111 See for example Hawke and Gallagher (1989: 84-5, 7). Stan Davey had already had a long involvement in the struggle for Aboriginal rights, including as secretary for the Federal Council for Aboriginal Involvement, established in 1958, and its predecessors including the Council for Aboriginal Rights, and the Victorian Aborigines Advancement League. He and his wife Jan Richardson had also been employed by the Pilbara strikers to teach English literacy (Richardson pers. comm. 2006). His activities are referred to in a number of texts documenting this history, for example various entries in Attwood (2003). He was arguing for example in the early 60s for the ideal of ‘community control and co-operative development’, but more generally and arguably very effectively for equal wages, industrial protection and later, land rights (Attwood 2003: 244, footnotes 18, 70). Davey was described at this point as ‘…probably the most influential figure amongst whites devoted to Aboriginal Affairs’. He was also a very vocal critic of the policy of assimilation (Attwood 2003: 203).

112 Sullivan (1996a) made similar observations of the presence of ‘white provocateurs’ (1996a: 115).
empowerment and even enlightenment in the Freirean sense. That they were sent to Fitzroy Crossing was largely at the initiative of the DCW CEO at the time. Theirs was an unprecedented posting, as they were given considerable latitude in enacting the principles of ‘community development’. This period marked a new frontier for the relationship between kariyas (which had been pastoralists, missionaries and policemen up until this point) and Aboriginal people living around Fitzroy Crossing. It was the first time that kariyas appeared who were prepared to acknowledge the legitimacy of, and act on, corporate expressions of Aboriginal will. However they were given state backing to do so.

While Davey and Richardson may have been some of the earliest of this ‘kind’, they were to be followed by many others. Some of these ‘enlightened’ whitefellas were employed by newly created entities such as the Aboriginal Legal Service or Marra Worra Worra (MWW). Others survived by contributions from the communities’ ‘chuck-in’, and simply provided whatever advice or assistance they could; one such individual who still spends substantial amounts of time working with people around Fitzroy Crossing described himself in ‘those days’ as a ‘gate opener’ and ‘white stirrer’. He described the late 1970s and early 1980s as an ‘amazing time’ as the old men who had grown up on stations sought to ‘get beyond the nightmare of Fitzroy Crossing’ by re-establishing those strong communities ‘without white bosses’ (Hawke Pers. comm. 2006).

Davey, on arriving in Fitzroy Crossing in 1975, noted that what appeared to be one mass of Aboriginal people camping in and around the town in fact consisted of seven

113 Richardson has also written a PhD thesis, part of which examines her personal motivations and those of Stan Davey, including the inspiration they drew from the Liberation Theology movement which was underway in South America (Richardson 1998).

114 He was described at the time as ‘…the first gudia to really help us’ (Office of the Commissioner for Community Relations 1979: 4).

115 It has been entirely legitimate for researchers to develop typologies of indigenous actors – leaders (See for example (Gerritsen 1982a; Moran 2005). But Indigenous people also develop typologies of kariyas – ‘missionaries, mercenaries and madmen’ is a commonly used one. Another old woman divided them into those who were ‘professionals’ (‘too hard’), ‘working class’ (ie. tradesmen) and ‘mung beans’ – a common phrase around Fitzroy Crossing for alternative types or ‘hippies’. The latter two were preferable for employment in a community organisation.
distinct groups who imagined themselves as separate communities with ‘…differences of language, kinship, aspirations and needs.’¹¹⁶ His very firm belief was that each separate group should have its own goals acknowledged, and needs met. Only then could the possibility of a ‘pan-Aboriginal identity’ emerge once each group was ‘secure in its own identity’ (Richardson 1998: 57).

The approach of the officers of DCW at this stage was radical, but very effective. It revolved around assisting the community ‘…to handle its own affairs’, but also I would argue to demand services and treatment that were within their rights. Part of what Davey is describing is akin to modern day ‘governance training’:

[通过主持社区领导人的会议，DCW促进了有关自我帮助项目的交流信息，刺激其他社区的行动。这些会议也已被用于介绍委员会程序和结构’ (Davey 1979a: 16).

However these procedures were being introduced as part of a broader strategy of empowerment, and of consciousness-raising. They were in no sense considered a necessary element by government, but represented a way for Aboriginal groups to make decisions based on consensus, and in manner that was open to everyone. Instead of their being a point of articulation for government programs or officers, they were much more an expression of Indigenous agency, and a means for expression of corporate aspirations, and demand-making. In some senses, these DCW officers were the precursors of the modern-day community administrators, although they were much more unashamedly acting in an advocacy role: ‘…it is practically impossible for an illiterate leadership to assure the maintenance of their members’ entitlements’ (Davey 1979a: 11). They were also very strongly of the belief that increasing Aboriginal people’s political awareness, and understanding of their own rights was the first step to their emancipation (Richardson 1998).

¹¹⁶ The groups that he identified were Bayulu (Gogo), Kadjina (Loanbun), Kroonull (Christmas Creek station), Kurnangki (Middle reserve), Wangkatjungka (Windmill reserve), Yungngora (Noonkanbah and town reserve) and those at the UAM, mostly Bunuba (Richardson 1998: 74). The names in brackets are where these groups were physically residing at the time of incorporation.
Kroonull and Wangkatjungka beginnings

The groups associated with Christmas Creek station in the early 1970s included those who had been trucked off the station into Fitzroy Crossing. Christmas Creek was one of the first stations to move off hundreds of people, in 1969. On two occasions large numbers of people returned there, in 1969 and again in 1973. In '73, on finding they had been locked out of the station, and for the most part having just walked the 100km to return, they then set up camp on the perimeter. This ‘camp’ was to become the site of the contemporary community of Wangkatjungka.

In 1975, it was estimated that there were around 80 people from Christmas Creek living at the Windmill Reserve, and around 120 remaining out on the station – these numbers were probably highly variable however. There were also around a dozen people still employed on the station (Marshall 1989: 24). Commentators such as Kolig noted at the time that

…most of the Julbaridja would be only too happy to return to Christmas Creek under changed conditions. The initial reluctance to admit to the desire of returning…is due to the shock suffered when expelled on an ad hoc basis and the fear this might happen again (Kolig quoted in Davey 1979a: 4).

In an earlier report by Davey, it was noted that Windmill reserve was ‘…the least cohesive of the Fitzroy Crossing groups…’ and that alcohol seemed to be more of a problem for the young men there than other camps in town. With the assistance of Davey, this group incorporated as Wangkatjungka Community Inc in 1975, under the Associations Incorporations Act, 1895-1969. Kroonull, the group who remained living at Christmas Creek Station, was incorporated in 1977 (Davey 1979a: 8). This group, who were part of the original Wangkatjungka incorporated body, ‘split off’ largely in order

---

117 Note that ‘Kroonull’ was the earlier spelling of ‘Kurungal’.
118 The relationships between station groups and the managers could be very different. Those on Brooking Springs, and on other family owned and managed properties, had better interactions than those stations that employed contract managers. In 1980 for example, there were still a group of 30 Bunuba people living on Brooking Springs (Moizo 1991: 54). The Emanuel properties on the other hand, including Christmas Creek, employed outside managers who were less concerned with the welfare of their Indigenous residents. (Moizo 1991: 40)
119 Note that Kolig’s used the term Yulparidja to describe this language group.
to have financial independence via their own ‘cheque book’ (i.e. ‘chuck-in’) after a
dispute with the town-based group over spending priorities. Kroonull soon established
a community ‘store’ out on the station, which operated somewhere between a
conventional store and the ‘store’ of the station which was akin to a ration depot; that
is, it was largely non-profit. A building program began also in 1975 (Aboriginal Affairs
Planning Authority and Aboriginal Lands Trust WA 1976),\textsuperscript{120} and it quite quickly
became a ‘model community’.\textsuperscript{121} Its population was estimated to be 200 by 1979 (Davey
1979a: 1). Social problems however were persisting at the Windmill Reserve in town, to
the extent that families there established a refuge centre for the children of drinkers.
Pressure was put on these drinking families to ‘…remove themselves to Christmas
Creek or Balgo Mission’ (Davey 1979a: 7).

At the same time, DAA and a staff member from the Emanuel pastoral company were
exploring the possibility of setting up a ‘village’ (as ‘communities’ were called in the
1970s) on GoGo station; they decided to approach the issue of establishing such a site
at Christmas Creek by the same process. There was initial agreement between station
management and the Kroonull leaders as to the best site to establish a village, and apply
for a lease excision. The site however was ‘stony and barren’ and rejected by engineers.
At this point, Jimmy Bieunderry, a Walmajarri man and prominent Mission leader in
Fitzroy Crossing, proposed shifting the site to one adjacent to the highway, at a site
known then as ‘The Pinnacles’, known now as Ngumpan. He argued that this site,
being next to the highway (rather than next to the homestead some 20km along a dirt

\textsuperscript{120} Junjuwa and Wangkatjungka, were incorporated in 1975, before the Commonwealth \textit{Aboriginal
Councils and Associations Act} (ACAA) was passed in 1976. They were therefore incorporated under
\textit{WA Associations Act}, legislation established for mainstream small-scale associations such as sporting
clubs. This Act therefore had far less stringent reporting and meeting requirements; many of the
much smaller groups which incorporated later however, and which were to become subsidiaries of
the umbrellas of Bunuba Inc and Kurungal Inc, did so under the \textit{Aboriginal Associations and
Corporations Act} (1976). The trend shifted again in the late 90s, as groups realised that the WA Act
was far less demanding and intrusive, and so it came into favour once again. Hence both Bunuba Inc,
incorporated in 1999 and Kurungal Inc, incorporated in 2001, did so under the WA legislation. The
‘Kroonull’ organisation being described here however has left no trace in either the WA or the
federal records, although it seems likely it would have been incorporated under the 1976 Act.
\textsuperscript{121} ‘One of the biggest ‘success’ stories of the area is that of the Kroonull community, which
responded in most positive [sic] fashion to a community development program facilitated by Mr
Davey under the auspices of the Department for Community Welfare in 1975’ (Office of the
Commissioner for Community Relations 1979: 2).
road) would have better potential for development. It also had a much superior water supply, and better soil. This proposal was rejected on the grounds that the new site (Ngumpan) was too far from the school, and from the homestead, for ready employment of labourers. Imminent events however were to threaten the suitability of the site adjacent to the station in new, unforseen ways (see Christmas Creek station walk-off below). Interestingly, the proposal to develop a townsit at this same place – Ngumpan – was again raised in 2005, and is currently being discussed by the WA Department of Planning and Infrastructure. Precisely the same arguments are being put forward concerning the logic of resiting much of Wangkatjungka as were being put forward 30 years ago.

As described below, the corporate entity of ‘Wangkatjungka Community Inc’ was to move from the mob at Windmill Reserve out to the community of Wangkatjungka. Nevertheless, a number of people who originated from Christmas Creek stayed in town, many having married in to other groups. Their own incorporated body of Mindi Rardi was established in 1989.

Christmas Creek Station walk-off and its consequences
In mid-1979, a number of Aboriginal Christmas Creek Station workers were assaulted by white station staff on their way back from Fitzroy Crossing, and smeared with flour. This event precipitated a ‘walk-off’ off from the station of around 200 people, who were also protesting it seems at the very poor conditions they were living under.122 The majority of these people were trucked out in the community truck to ‘The Pinnacles’, the site which had been proposed by Jimmy Bieunderry and others as a better place for the Wangkatjungka people to establish a community. ‘The Pinnacles’ site’s traditional owners lived at Bayulu community, on Go Go station, but had agreed to allow the Kroonull mob to ‘…take oversight of the area as it is too far for them now to carry out their necessary obligations’ (Davey 1979b). Again, Davey was called upon to make a

122 From Plater (1979) : ‘Stockmen at ‘Christmas Creek’ are paid $106 a week after $26 has been taken out for rations. From that $10 for each woman and $5 for each man and child is deducted. This does not include accommodation as the people live in humpies near the homestead.’
case on behalf of Kroonull, and wrote a submission arguing why there were many good reasons to resite the proposed Kroonull community to where everyone was camping in protest. The government agencies involved however refused, and in time the majority of those camping at ‘the Pinnacles’ went back to Christmas Creek – it was after all the site on which the government was starting to install community infrastructure. A significant group however remained at Ngumpan, although it was not until 1986 that they received an Aboriginal Lands Trust lease.

**Kroonul/Wangkatjungka split**
Inevitably considerable friction developed between those people who had chosen to return to Christmas Creek station after the flour incident, and those who had moved to the Pinnacles (Ngumpan). At a meeting in March 1980, it was resolved that the community resident at the Pinnacles would retain the name of Kroonull Community Inc, and the group at the station would reclaim the name of Wangkatjungka Community Inc. At the time of this meeting, there were 140 people still at the Pinnacles and 57 at Wangkatjungka (Adamson 1989). Regardless of this fact, and of the very unpleasant history between Aboriginal people and the management of Christmas Creek station, the decision was made in November 1979 to continue with its plan to establish a ‘village’ at the site on the station perimeter, adjacent to the homestead and the school. It was assumed that the people camped at the Pinnacles would be drawn back to the Wangkatjungka site by the improvement in living conditions there.

**The impact of racism**
Stan Davey encouraged the Aboriginal stockmen involved in the Christmas Creek assault to complain to the police in Fitzroy Crossing, and when no charges were laid, to take legal action themselves, using the Aboriginal Legal Service (ALS) (Marshall 1989: 27). The ALS, and the nascent organisations of the Kimberley Land Council and Marra Worra Worra all assisted the Christmas Creek mob in taking the manager to court, but he was found not guilty (Office of the Commissioner for Community Relations
They also made formal complaints about police inaction over the matter to the Office of the Commissioner for Community Relations, a new federal institution charged with implementing requirements of the Racial Discrimination Act.

The events surrounding the Christmas Creek walkoff, and lack of follow up by local Fitzroy Crossing police, were sufficient to justify a report on various problematic aspects of race relations in the town by the same Office. On the release of the report, the West Australian premier at the time, Sir Charles Court, complained to the Prime Minister that it was ‘…inaccurate, biased, simplistic in its approach and racist’ (Office of the Commissioner for Community Relations 1981: 9). Clearly, the federal government’s Commission considered the problem of racism in Western Australia a serious one – and perhaps the Premier’s response to the Fitzroy Crossing report only served to confirm this – and they produced another report two years later investigating racism across the whole of WA (Office of the Commissioner for Community Relations 1981). More than two-thirds of complaints and incidents raised in this report were matters that had occurred in the Kimberley, and a number related directly to Fitzroy Crossing.

One such incident involved the forced transfer of Stan Davey and Jan Richardson by the DCW in 1979. It seems likely that the timing of this proposed transfer, coinciding as it did with a raising of awareness about rights amongst certain groups in and around Fitzroy Crossing, may have been more than a coincidence; Davey certainly was crucial in ensuring that Kevin Norton, the Christmas Creek manager involved in the assault described above, was tried in a court. He also may have encouraged the station workers involved to join the Australian Workers Union, and suggested to them the idea

---

123 See also Hawke and Gallagher (1989) for an account of events surrounding the transfer of Stan Davey, and the complaints made against the then police sergeant in Fitzroy Crossing, Mal Cole (Hawke and Gallagher 1989: 168).
124 Similar reports were made about for example the extent of racial discrimination in Queensland, in New South Wales and in Townsville.
125 Arthur’s (1990) thesis, based on work carried out in the Fitzroy Valley in the mid to late 80s, noted that ‘It is believed by local people that one of these officers was transferred for taking what was considered by the Department as an excessively pro-Aboriginal political stance on certain issues.’ See also Richardson (1998: 221-8)
of a strike being held across the other Emanuel leases of Meeda, Cherrabun and GoGo (Plater 1979). In any case, the Davey-Richardson period was brought to end in Fitzroy Crossing, as was their association with DCW – they both resigned from the Department in protest. Much of their advocacy work was taken up by Marra Worra Worra, which began operating in 1979, and was officially incorporated in 1981 (Hawke pers.com. 2006).

**The establishment of Marra Worra Worra**

As more and more communities began to incorporate, the number reached a critical mass where it became sensible to have a central body to manage some of the requirements of the ACA Act. Marra Worra Worra\(^{126}\) was to play a major role in the establishment of many outstations for non-Bunuba people – Gooniyandi, Walmajarri and Wangkatjunga and Nyikina. It began to receive funding in 1983 through the Commonwealth’s Department of Aboriginal Affairs (DAA), with some additional assistance from the WA Aboriginal Affairs Planning Authority (Arthur 1990: 89; Sullivan 1996a: 85). It also had a role during the Noonkanbah dispute, at least in the sense that it acted as a communications centre between the station, WA and federal politicians, the media and so forth (Hawke and Gallagher 1989: 133).

Marra Worra Worra’s main purpose at the outset was to manage the paperwork, accounts and incorporation requirements for the burgeoning outstations in the Fitzroy Valley. It thus allowed people to be based on outstations and to receive welfare entitlements, by providing a service of cashing social security cheques, as well as organising community chuck-in systems which consisted of a series of milk tins lined up on the Welfare desk (Sullivan 1996a: 85). In 1996, Sullivan wrote that MWW was the ‘most successful’ resource agency in the Kimberley, and that a number of others were being modelled on it, although just how he measures this success is not clear.

---

\(^{126}\) The name of the organisation is sourced from the Bunuba language – ‘worra worra’ meaning a tract of country that you belong to, and ‘marra’ being the name for an area now known as Brooking Channel, which runs adjacent to the township of Fitzroy Crossing. The original meeting was held at the Kurnangki boughshed to discuss the establishment of an organisation to look after the desert groups.
In common with the DCW at this time, MWW did not concern itself with Bunuba people or with those still living at the UAM, but rather focussed on assisting the non-Bunuba groups to regain access and establish outstations on country. The Commonwealth Department of Aboriginal Affairs (DAA) initially supported MWW in this aim. In the early 1980s, MWW ensured that communities had their own bookkeepers, but provided an overarching accounting service. Its other main role was as a ‘resource agency’, although there was considerable overlap between the two roles. The financial management that MWW maintained included: social security payments (cashing cheques), extracting power/rent and chuck-in for communities, paying bills for both individuals and for outstations, paying of community accounts, and more generally administering government funding requirements.\(^{127}\) It also administered non-government community schools, the first of which was established on Noonkanbah, and the numbers of which continued to grow throughout the 1980s.\(^{128}\) It also managed land related issues, such as applications for pastoral lease excisions and liaison with mining companies.

**Junjuwa community**

Whilst the late 1970s marked the beginnings of returning to country for the more recently-colonised desert groups, Bunuba people continued to languish on the mission reserve, and were the last to regain access to country or to establish outstations.\(^{129}\) The separation between the MWW communities and Junjuwa continues up to the present to a degree and has been crucial in the evolution of the town of Fitzroy Crossing. The original design of Junjuwa Community was to reflect the fact that the traditional owners, the Bunuba, had to share their first community with other language groups. The different languages initially had their own ‘streets’ - Bunuba in one strip,

---

\(^{127}\) Arthur (1990) reported that in 1984-5, around 5 million dollars ‘passed through’ the organisation. (Arthur 1990: 92)

\(^{128}\) There are current six Aboriginal Independent Community Schools in the Kimberley; four of them are in Fitzroy Valley - Yiyili, Yakanarra, Kadjina and Yungngora.

\(^{129}\) Arthur (1990) suggested that the differences between MWW and Junjuwa Community Inc also related to land issues: that the land on which MWW first had an office was part of the UAM lease; he also pointed to ‘…a difference of philosophy between the UAM and MWW regarding community development and Aboriginal Land Rights’ (Authr 1990: 90)
Walmajarri in another, Wangkatjunga in another and so forth. According to Moizo (1991), Bunuba were to remain a minority in the community of Junjuwa until 1987 (Moizo 1991: 190). They nevertheless maintained political dominance of the Council, despite the fact that the very broad constitution of the Junjuwa Community Inc allowed any resident of Fitzroy Crossing to be a member. The late 1980s saw the establishment of a number of communities throughout the Fitzroy Valley, for all the non-Bunuba language groups, including Kurnangki and Mindi Rardi in the town itself, on the old Native Welfare reserve (See Map 4, p. 123). In sheer frustration, Bunuba people started to lobby hard for pastoral excisions at around this time, and within half a dozen years, had achieved extraordinary success (See p. 106).

The community of Junjuwa was to remain vitally connected to the mission into the early 80s when it was funded by DAA to employ its own project officer. Prior to that time however, the UAM superintendent continued to have much influence, even if theoretically the community of Junjuwa was by that time independent of the Mission. It was not until 1987 that the UAM decided to surrender its lease to Junjuwa. In the end, the reserve was vested with the ALT and a 99 year lease given to Junjuwa (Department of Indigenous Affairs 2003).

Dramatic shifts in what and who were deemed legitimate are evident in the policy shift from assimilation, where half-castes were deemed more worthy of attention, to self-determination, where questions around cultural authority were suddenly taken seriously. This notion of the ‘authentic aborigine’ is shown to have considerable impact in the following three Chapters. However, as certain ideas around Indigenous community development began to lose favour, and others came to the fore during the 1990s and into this decade, more acculturated groups such as those associated with the Mission

---


131 Sanders (1993) for example in mapping beginning dates of CDEP, identified eight communities in the Fitzroy Valley apart from Junjuwa that also were running CDEPs (Sanders 1993: 8-9). None of these communities or outstations were for Bunuba people.
have gained traction as worthy recipients of programs and funding support. The point to be made here is that authenticity has a shifting history as long as colonisation itself.

1985: The coming of significant resources

In 1975 where this chapter began, there were three incorporated bodies in the Fitzroy Valley: Junjuwa Community Inc, Wangkatjungka Community Inc and Bayulu Community Inc on GoGo station. Within a few short years, this number had tripled.  

132 There can be no doubt that the fracturing that occurred – visible in the emergence of various incorporated bodies but also in the establishment of numerous outstations – was as a result of the unprecedented resources that began flowing at around the same time. We also see a growth in umbrella-type structures wherein the original larger structures, such as Junjuwa, spawned smaller offshoots which remain connected administratively to the mother body, despite establishing their own incorporated body. Changes in government funding policy, particularly the development of the new Community Development Employment Project (CDEP), would have an ongoing effect on the relationship between such subsidiaries and the hub organisation, as will be discussed at some length in Chapter 6. The socio-cultural compulsion to decentralise remained strong, but was in tension with the emerging financial and administrative reasons to act collectively. 133 This tension is fundamental to the umbrella type structures we are discussing here, although arguably to any kind of Indigenous corporate body that attempts to bring together different groups.

The period beginning in 1985 can also be characterised by the proliferation of government programs, and indeed by the substantial increase in non-Indigenous

---

132 There are currently 31 organisations registered under the ACA Act in the Fitzroy Valley; two of these are cattle stations, MWW is one, and six are service-type organisations such as Mangkaja (the art centre) and Karrayili (the adult education centre). That leaves 22 small community organisations. This number does not include those that have deregistered. It also does not include the significant number incorporated under the WA Act (including Bunuba Inc and Kurungal Inc amongst others.)

133 Tenions between dispersed versus centralised systems and organisations have been much discussed in recent literature around the Indigenous sector. See for example (Sanders 2004), (Smith 2002), and also (Rowse 1992), especially Chapter 5.
employees and bureaucrats whose job it was to implement these programs. These outsiders required ongoing guidance as to how to best act in the interests of the Indigenous population in terms of program implementation. Observers made the point to me that it was the time when the incredible energy of the late 1970s and early 80s started to dissipate, in part because people became distracted, their energy diverted, by having to engage with such a proliferation of processes of government service and program delivery. Once again, the paradigm of ‘self-management’ was very much delimited by the space for articulation between Indigenous groups and the Australian governments, federal and state, that sought to encourage it. Increasingly, instead of being given limited funds, but greater discretion which allowed Indigenous groups the autonomy to be self-directing, the policy of self-determination in practice became more and more about directing others – policy-makers, bureaucrats, advisers and administrators – on how to deliver services. In a sense, ‘self’ determination was becoming institutionalised and Aboriginal people were gradually losing control of it. Perhaps Martin (2001) was correct when he observed that ‘…despite rhetorical support for Indigenous self-determination, government is inherently incapable of moving beyond its own dominating rationale’ (Martin 2001: viii).

Such a proliferation of government programs and agents however could also be argued to have had its positives – the haphazard manner in which this process occurred opened up avenues for, or indeed required, some creative articulation between local actors and the bureaucracy. Arguably, the benefits associated with this rather chaotic period have diminished somewhat, and in any case, it was only those with significant cross-cultural skills that were able to turn it to their advantage. An important result for ‘Indigenous governance’ was the proliferation in requirements for direction from executives made up of Indigenous people in and around Fitzroy Crossing.

---

134 The non-Indigenous population of Fitzroy Crossing has increased from just 30 in around 1975 (Richardson 1993), to around 250 in 2006 according to the Australian Bureau of Statistics data. 135 Gerritsen, (1982) described how administrative confusion via the proliferation of government departments and programs worked in favour of ‘dominant men’, by allowing them to ‘…tell different departments different stories’. He suggests that interdepartmental confusion and duplication has its advantages from the viewpoint of Aboriginal leaders: ‘…it enhances their community’s autonomy and thus their personal power’ (Gerritsen 1982a: 18).
Arguably the most important source of funding for these organisations for most of their existence has been the Community Development Employment Program (CDEP). CDEP began in 1977 as a federal government (DAA) initiative, under Ian Viner, Minister for Aboriginal Affairs. It aimed to provide an alternative to ‘sit-down money’, as welfare was becoming known, particularly in remote communities where there was an absence of a formal labour market (Sanders 1985, 1988; Sanders and Morphy 2001). The first community to adopt the CDEP in the Fitzroy Valley was Noonkanbah in 1986-7. Many other communities both in and around Fitzroy Crossing were to take up CDEP in the next few years; Junjuwa was the first community to adopt it in Fitzroy Crossing in 1988, and Wangkatjungka was to take it up later in the same year (Sanders 1993: 13). Both Bunuba Inc and Kurungal Inc were CDEP grantees in 2005, and had been for around 18 years. Substantial percentages of both of their budgets were drawn from the program at the time this study was undertaken, although this was to change for Bunuba in late 2005 (See Chapter 5).

In Moizo’s (1990) early study of the impacts of the scheme on Junjuwa in the late 80s, he noted that three groups of about ten people each had left the community since CDEP was implemented, and moved either to other communities in town, or had started outstations of their own. All were ‘minority languages’, that is, non-Bunuba. The scheme then was crucial in that it ‘…offered an avenue [for such groups] to affirm their own identity and independence from the larger language groups’ (Moizo 1990: 36). While outstations had been established before the availability of the CDEP

136 The CDEP scheme sees participants working generally 16 hours per week – or 4 mornings. Crucially the scheme allocates more than just salary – that is, the ’community development’ aspect has required capital budgets, oncosts and staff salaries. CDEP enabled the purchase of, for example, vehicles, machinery and other large scale capital-intensive items. It also provided baseline funding for the provision of staff to run an office. The role of such staff has been absolutely crucial in acting as cross-cultural negotiators in any number of such organisations. See Batty (2005) These staff often have little choice but to fill in many other administrative gaps and needs that arise in such organisations, which may have little direct relevance to their job as co-ordinator of a CDEP scheme, see Thorburn (2007a)
137 At this stage, Junjuwa was administering the CDEP program in some newly established outstations of Walmajarri people who had been living there: Kurnangki, Muludja and Ngalinkadji (Imber Pers. comm. 2005). The last two however were to develop their own CDEPs within 12 months (Sanders 1993).
scheme, the fact that smaller groups could draw an independent source of funding under the scheme, clearly made the establishment of outstations even more attractive. Rowse (2001b) has noted that CDEP is distinguished from other social security type initiatives because it requires ‘…the formation of an ongoing community-based political authority’ (Rowse 2001b: 43). That CDEP has been the crucial funding cornerstone for many such organisations is incontestable. However, in its early form at least, it also offered the baseline funds necessary for groups to take the ‘exit’ option, and so undermine the original entity of which they may have been a member.138

In the early 90s, Junjuwa Community Inc administered the CDEP for a number of the newly established communities, including Mindi Rardi and Kurnangki in Fitzroy Crossing, and Joy Springs. Wamali, Biridu and Bungardi, all Bunuba-language group outstations established at this time, had the Bunuba Aboriginal Corporation managing their CDEP. Darlugunaya also ran its own CDEP.139 While non-Bunuba groups (Mindi Rardi, Kurnangki and Joy Springs) soon sought independent CDEP programs, after 1994 the Bunuba groups who had been managed independently or by BAC started to return to the Junjuwa administrative umbrella. This related to a change in staff at the Junjuwa Community Inc office from an individual who ‘didn’t want Aboriginal people in the office’, to someone more at ease with working with local people. In 1995, the then administrator recalls there were more than 300 participants. Different groups pooled their capital funds, which were separated out on a per capita basis, particularly across those outstation groups who were more closely related.

This program was to prove a major support in enabling communities to retain a degree of autonomy over the direction of their own ‘development’. It was also, as Sanders has argued extensively, to prove very popular with the community organisations that managed it. Sanders argues that it allowed such bodies to ‘…build their local

138 See Hirschman (1970) for original theorisation of exit, voice and loyalty in organisations. As Sanders (2002) notes in this context, ‘[t]he exit option for disaffected people within existing organisations has often seemed easier and more attractive than the option of staying in existing organisations and voicing and resolving differences.’ (Sanders 2002: 12)

139 Chapter 4 discusses the Bunuba outstations and communities in detail.
community authority in relation to their CDEP workforce and…also… [in relation to] to their larger community constituency’ (Sanders 2007b). As a funding source, it also represented the closest thing to guaranteed ongoing funding that such organisations had, a reality that was acknowledged by ATSIC (ATSIC 2000). Rowse (2001b) has argued that CDEP schemes and the organisations which run them ought to be considered an instance of ‘Indigenous political authority’: ‘...CDEPs are political institutions whose aims include perpetuating and increasing their own empowerment’ (Rowse 2001b: 39). Of course CDEPs do not exist in institutional vacuums and there are certainly often other organisational ‘fronts’ that people or groups can use to seek or to further power. This particular program however seemed especially well suited to such ends however because it was, as Rowse quoted from Coombs, ‘…not simply a means of …employment…but a training exercise in self-management.’

Rowse noted that one of the great benefits of the CDEP scheme was the degree of autonomy it enabled (Rowse 2001b: 39, 40). For example, within certain policy parameters, CDEP organisations were able to define what constituted ‘work’ under the program (Rowse 2001b: 39). Rowse also notes that being a CDEP grantee would increase the potency of any given organisation in a regional sense, in that it would have to form relationships with other local NGOs as well as the various tiers of government (Rowse 2001b: 40). Rowse also notes that ‘(a) CDEP scheme may be part of a power base for the emergence of a regional Indigenous leadership’ (2001b: 41). These qualities of CDEP were partly responsible for a new level of engagement of many Aboriginal groups with their own community-based organisations, an engagement that,

---

140 Coombs in (Rowse 2001b: 41)
141 (Arthur 2002) expands on this point, using concepts of negative and positive autonomy.
142 Rowse raises ‘home duties’ in this context, alluding to the fact, one presumes, that such duties are not considered work of value by the mainstream, or at least in urban CDEPs to which he makes reference. In communities such as those under consideration here, these kinds of duties had certainly historically been considered as productive work – on the mission, and on the station, particularly where this work was carried out in communal spaces, or in the homestead. Being a ‘good housekeeper’ remains something of interest to women in communities around Fitzroy Crossing, probably for a raft of less than obvious reasons, but perhaps in part relating to having a program and associated resources independent of their menfolk. Richardson (1998) made similar observations in her Masters thesis.
despite the rhetoric of self-determination, had previously sometimes been lacking.\textsuperscript{143} The political possibilities opened up by the CDEP for both Bunuba Inc and Kurungal Inc will be considered at some length in Chapters 5 and 6, particularly in light of the changes to the program that were being introduced in 2005.

In line with Rowse’s arguments, one ex-administrator from Junjuwa, who had worked there in the mid 1990s, described the considerable latitude available to groups to develop work programs that they deemed a priority (Owen Pers. comm. 2006). By the time of his employment with Junjuwa Community Inc, there were a number of CDEPs throughout the Valley. He also described the financial loopholes that could be exploited in order to receive more funds than were legitimate. In particular, each CDEP was funded on the basis of the number of participants in the ‘community’. A list of names was all that was required to demonstrate this number to ATSIC. Of course, Indigenous people in Fitzroy Crossing, then as now, were highly mobile. Thus out of a list of 300 participants, he estimated that at any given time around 70 people might not in fact be living and working in the community. In addition, there was limited cross-checking of these lists, so it was common for people to be registered as CDEP participants in a number of communities simultaneously. The benefit for the Junjuwa CDEP, and no doubt for many CDEPs, was in the inflated on-costs budget that was therefore at their disposal. It is worth noting that this meant it was important for CDEP schemes to maintain the number of participants; it also meant that the larger and more ‘central’ CDEP schemes were less vulnerable to the vagaries of people’s mobility than were some of the smaller, less central ones. In addition, an economy of scale meant that it made sense to maintain a form of centralised administration, even when people’s impulse was to form smaller, more independent groups. ATSIC became increasingly disinclined to fund smaller CDEPs, and began to consolidate them into larger and larger bodies, an example of which is Kurungal Inc (Spicer 1997).

\textsuperscript{143} See Batty (2005) for discussion of this particular irony of the early self-determination policy, and Indigenous peoples’ lack of engagement with it.
The changing role of MWW, and CDEP

The number of CDEP organisations throughout the Fitzroy Valley grew during the 80s and early 90s, with the support of MWW in managing the more complex financial reports, and was funded to provide support and training for community bookkeepers. The funding for this training role however was taken away in 1997, and MWW was forced to take over the accounts of many communities itself.

Between the years 2000 and 2005 however, in part as a deliberate strategy of consolidation on the part of the federal government agency responsible for CDEP, MWW was forced to take on the complete administration of more and more CDEP projects. Initially this happened through a related organisation, Fitzroy Works. In July 2004 however, ATSIS decided that MWW was to become the major CDEP organisation for the Fitzroy Valley. Its number of CDEP participants went from zero to six hundred in two weeks. At the same time, a number of other much smaller umbrella organisations were created, including Kurungal Inc, Walmajarri Inc (defunded in April 2005, giving MWW another 120 participants), Yiyili, Yakanarra and Koorabye (also since defunded). While the last three of these organisations had existed previously, they had not been umbrella organisations. In December 2005, the ICC took the decision to defund Bunuba Inc’s CDEP program, and to hand Bunuba’s 210 participants over to MWW. Given the history outlined thus far, it will not surprise the reader that this decision was very controversial. The lead up to this decision, and some of the fall out from it, will be discussed in Chapter 6.

---

144 In the late 1990s, MWW was doing the books for 13 communities (many of which were themselves running CDEP across a number of communities). These were Yiyili, Bayulu, Wangkatjungka, Djugerari, Kadjina, Koorabye, Yakanarra, Muludja, Joy Springs, Noonkanbah, Ngalingkadji, Parukupan and Yungngora. (Bell Pers. comm. 2005)

145 In 2000, there were 13 independently run CDEPs in the Fitzroy Valley. After some ‘substantial rationalisation’, there were only four remaining in 2005 – Bunuba Inc, Marra Worra Worra AC, Yungngora AC and Kurungal AC (Taylor 2006a: 56-7).

146 ATSIS – Aboriginal and Torres Strait Islander Services – became the body that managed all of the services previously managed by ATSIC after the reforms of 2003-4.

147 MWW now manages CDEP in 36 communities, many of which had previously had some kind of management structure in place to look after their own CDEP. These management structures have, in the words of the MWW CEO, ‘…now been gutted’ (Bell Pers. comm. 2005).

148 Some in Bunuba Inc contend that their organisation was behind the hand over of their CDEP. Their view is that Bunuba Inc made the decision not to renew the contract. MWW now administers communities throughout the Fitzroy Valley, from Jimbalakadunj community, 120 kilometres to the west, to Yiyili community, 170 kilometres to the east of Fitzroy Crossing.
It is interesting that unlike many such organisations, MWW was never associated with a particular community or group; it was established with the clear aim of assisting across such divisions. In MWW’s own words:

During its lifetime Marra Worra Worra more than anything else has been both a part of and a response to the determination of the Aboriginal people of the region to return to their country to live in autonomous communities. The outstation movement, as it is often called, is the driving force of Aboriginal life around Fitzroy Crossing. This is reflected in the ever increasing numbers of communities serviced by Marra Worra Worra over the years, from the original six, that became seven in 1978, twenty by 1984, and thirty five by 1992. The process of small groups budding off from the large communities, seeking and eventually acquiring their own land, growing larger, and in turn spawning new groups is a dynamic phenomenon that still continues (Trans Remote Assistance 2006).

While in the past, MWW was crucial to the sustainability of organisations like Wangkatjungka, increasingly it is unable to provide much support to the smaller CDEP umbrella organisations such as Kurungal Inc. Of course, from the perspective of MWW’s management, it would be preferable if the few remaining CDEP grantees could stay afloat – the expansion of MWW as an organisation is now severely limited by issues such as the size of its building, difficulties in recruiting skilled staff (it now has 45 staff) and the availability of housing in Fitzroy Crossing. There is little doubt that the issues around MWW’s incapacity to take on any more CDEP participants in the medium term has granted Kurungal Inc a little more security.

The impact of the decisions then taken by the ICC on the character and future direction of Marra Worra Worra have been enormous, and have completely altered the organisational landscape of the Fitzroy Valley. It is ironic that one of the earliest and most respected Indigenous community-based organisations in the Kimberley has found itself cannibalising, under duress, many of the smaller outstation and community-based organisations it helped establish in the 1980s. Its original role, as a resourcing agency for outstations, has been almost entirely subverted, and it is far less answerable to its
Aboriginal constituency then it has ever been in its history, and far more closely bound to compliance with government funding rules.

**The Aboriginal and Torres Strait Islander Commission**

In 1990 the Aboriginal and Torres Strait Islander Commission (ATSIC) came into being.\(^{149}\) However, by the beginning of my fieldwork in 2005 it was no longer delivering services, and an entirely new system of federal government service delivery through Indigenous Co-ordination Centres (ICC) had been put in place.\(^{150}\) There is an enormous literature on practically every aspect of ATSIC, including innumerable reports commissioned by the organisation itself on how to improve its performance, as well as external reviews.\(^{151}\) For the purposes of the focus of this thesis, it is important to note that ATSIC consisted of a new representative Council at a national level, and regional councils, of which there were 60 initially, reduced to 36 in the 1993 reform of the ATSIC structure. The number in the Kimberley went from six to three, and the Bandaral Ngadu region, which was essentially the Fitzroy Valley,\(^{152}\) was amalgamated with the Derby region, into the Malarbarah (or West Kimberley) region. ATSIC then represented another stage for Indigenous political actors, and there were to be two from Fitzroy Crossing’s Bunuba people, one of whom served two terms from 1990 to 1996 as Chairperson of ATSIC Regional Councils in the Kimberley before his election as Commissioner.\(^{153}\)

---

\(^{149}\) It was established as ‘…a statutory authority which would combine the executive and administrative roles of the DAA and the ADC, with both national and regional representative bodies of Indigenous people’ (Sanders 2002: 4).


\(^{151}\) Palmer (2005) provides a useful overview of this body of research and analysis. See also the various papers in Sullivan (1996b).

\(^{152}\) Indeed this region was established on the basis of the catchment of Marra Worra Worra. Thus the Marra Worra Worra executive was ‘…reconstituted to to consist of the same group as the eleven member Regional Council.’ Perhaps this community-based organisational support might explain the success this region seems to have had in attracting funds. See Crough and Christopherson (1993: 225, 51-4)

\(^{153}\) In other words, for the majority of ATSICs existence, there was always a Bunuba person on the executive of the Malabarah Regional Council.
From the interviews that I conducted, there emerges a view that ATSIC worked as a kind of buffer to protect small organisations such as these from the vagaries of federal government funding. It also acted as an advocate for Indigenous issues at regional levels; the demise of ATSIC created a vacuum at this level which is yet to be filled in the Kimberley. The other crucial task it undertook was to keep small NGOs informed of shifts in policy across federal government departments, a job which has since had to taken up by staff of each and every organisation (Hyde Pers. comm. 2005). In short, its demise meant that the workload of such organisations dramatically increased, in a climate in which they became far more vulnerable to the vagaries of policy, and of local bureaucrats. They also became the focus of the very harsh spotlight of accountability that had previously been directed at ATSIC, and which had managed to a degree to deflect the spotlight from the smaller community-based organisations.

**Kurungal land reclamation**

Unlike in the Northern Territory, which saw Land Rights legislation enacted under the Fraser government in 1976, Indigenous groups in Western Australia were to miss out on a state-based land rights regime, despite a lengthy inquiry conducted by Paul Seaman in 1984, which made recommendations similar to the NT’s Woodward inquiry. The rejection of a majority of his recommendations by the WA government of the day, headed by Brian Burke, was largely a result of pressure from the WA mining industry. While a watered down version of Land Rights legislation was introduced to the WA parliament, it was in any case defeated in the upper house, which was dominated by the opposition.

154 As the Seaman Inquiry was underway, the West Australian mining industry, via the Western Australia Chamber of Mines, waged an expensive and lengthy anti-land rights campaign in both the press and television media. This campaign depicted what some have described as the ‘…most famous political advertisement to feature on Australian television…’ depicting a pair of black hands building a brick wall across the middle of the state of Western Australia (Libby 1989: 76). The issue was to become a crucial one in the upcoming WA state election. The fact that national land rights legislation would apply to WA in any case meant that it was, ironically, more in the Burke government’s interests to attempt to push their own, weaker, legislation through the WA parliament before the federal government did the same. Burke therefore was primarily seeking assurances from Canberra that if federal government legislation was developed, it would not apply to WA. In 1986, it seemed that Prime Minister Bob Hawke’s electoral interests and Burke’s converged somewhat, and Hawke decided to abandon national land rights legislation altogether. The exact train of events that lead to this decision has been much debated in the literature. See for example Libby (1989)
Despite this extremely disappointing outcome, the late 1980s and early 90s saw a number of groups throughout the Fitzroy Valley succeed in gaining ownership of portions of their country. A number of initiatives were crucial here, such as the Aboriginal Community Development Program (ACDP) (Arthur 1991: 2). The ACDP was a joint initiative between the Commonwealth and WA governments, administered by the Aboriginal Areas Protection Authority (AAPA). This program proved crucial in providing groups with seed funding to invest in basic outstation infrastructure – to sink a bore, put in basic plumbing and so forth, although groups had to have an incorporated body to receive the funds. It also assisted people in ‘…obtaining legal tenure over small portions of pastoral property and Crown Land’ (Royal Commission into Aboriginal Deaths in Custody 1991: Section 35.4).

In addition, the WA government established EXIM, a government-owned corporation, to buy back and restructure a number of Kimberley properties, including

---

155 The program began in 1986 and ran for five years. Each party – the WA and the Commonwealth – agreed to contribute $10M per annum, so over its life, the ACDP invested $100 million largely in gaining secure tenure and establishing reasonable living conditions for people on outstations throughout WA: ‘The objective of the program is to raise the communities' essential services and built environment to levels prevailing in similarly sized non-Aboriginal communities in the same region. The program is linked to complementary support by other existing programs such as the AEDP. (Royal Commission into Aboriginal Deaths in Custody 1991)

156 EXIM’s negotiating parties included the Commonwealth’s DAA, the WA government, the pastoral industry in the Kimberley and Aboriginal interests who were being represented by MWW, the ADC and also to an extent the DAA (McIlwraith 1985). The Commonwealth agreed to grant around $6M to cover the total costs of the entire purchase at around $11M, on the proviso that Aboriginal people would stand to benefit from the purchase. According to Arthur (1990) there was much politicking amongst these various interests, and it seems that the Commonwealth to an extent lost out. That is, of all the land under EXIM, the Commonwealth demanded that 25% be set aside for local Aboriginal people. It was unaware however of the very great variation in land quality between the ex-Emanuel leases and the neighbouring properties of Louisa and Bohemia Downs that were further from the Fitzroy River. He quotes an EXIM document: ‘No self-respecting pastoralist…will give his support to a project that may result in Aboriginals (sic) ending up with a large part of the Emanuel leases’ (Arthur 1990: 40) Clearly, EXIM was determined that only the poorest land would be handed to Aboriginal interests – that is, the new stations to be subdivided out of Bohemia and Louisa Downs – and that is indeed what was to eventuate. By 1988, the federal and state governments had agreed that the ‘new’ Bohemia Downs and Mt Pierre stations would be transferred to Aboriginal groups, and that Aboriginal people would have the ‘first option’ to buy the new Louisa Downs. (O’Mara 1988) See also (Legislative Assembly Select Committee into Land Conservation 1991: 88) which suggested that the restructure’s effect was ‘…to maintain or improve the already highly viable position of two leases which could have been viably subdivided…while reducing the viability of four of the pre-existing leases to create eight leases in total.
all of those owned by one of the oldest pastoral families in the central Kimberley, the Emanuels. EXIM acquired the five Emanuel properties of Christmas Creek, Cherrabun, Go Go, Margaret Downs and Meda stations – Margaret Downs no longer exists. In addition EXIM acquired the adjoining Australian Land and Cattle Company stations of Louisa Downs (199, 499Ha) and Bohemia Downs (110, 226Ha)(Crough and Christopherson 1993)(See Map 2). The latter two were considered of poorer quality than the Emanuel leases, and their station infrastructure was described as ‘derelict’ by the Aboriginal Development Commission at the time (Arthur 1990: 141). In 1991, these two stations were restructured into the three of Bohemia Downs, Louisa Downs and Mount Pierre (216,281 Ha) and were handed back.\(^{157}\) The first, Bohemia Downs, is the station on which Kupartiya, the ‘hub’ community of Kurungal is found and is therefore of significance here.\(^ {158}\) It is also significant that Christmas Creek station, despite Tim Emanuel’s express wishes that his stations be granted to their Indigenous inhabitants, was to remain in non-Indigenous hands. It seems that, as with the Seaman Inquiry, external political concerns around not raising fears of the non-Indigenous population and industries meant that Aboriginal interests once again had to miss out. As Arthur noted:

\[\ldots\]one group was discounted from the project (EXIM) by the ADC in the interests of the others because it had associations with land that was just too good to make it realistically obtainable in the political arena.\(^{159}\)

The Lawford family and a handful of others at Ngumpan who could lay some traditional claim to Bohemia Downs were still at this stage living on Christmas Creek station, and in Fitzroy Crossing. At the time of its purchase, Bohemia Downs had recently been destocked under the brucellosis and tuberculosis eradication campaign (BTEC), and initial assistance was provided to restock by the Aboriginal Development Commission (ADC 1989).

\(^{157}\) Obviously, the area of these stations was substantially less than those from which they had been subdivided.

\(^{158}\) I am using the term hub in the sense that Kupartiya is now where the Kurungal office is housed, and from where much of the organisational resources stem.

\(^{159}\) While he does not specify, I expect Arthur was referring to either GoGo, or Christmas Creek, both of which have extensive river frontage and therefore represent very good grazing country.
The (re)acquisition by the Lawford family of Bohemia downs, on which they later established Kupartiya community, was an important moment. As Alan Lawford reflected:

> When we moved out there from Fitzroy Crossing that same year, the country was wrecked. There was bad erosion, the river frontage had no feed, and the paddocks were full of spinifex and woody weeds. The infrastructure was completely run down and there were no fences...I am the fifth manager of Bohemia. All the managers have been from our family (Lawford 2006).

So, while the Bohemia Downs mob moved back and began the long process of re-establishing a pastoral enterprise, the Christmas Creek mob remained ‘locked out’ of their station. Relations between the new South African owners and the station excision of Wangkatjungka remained as strained as they had been under the Emanuel managers.

**Bunuba land reclamation**

While MWW, and in the late 70s the DCW, were working to great effect assisting many groups regain access to country and establish outstations, the Bunuba people remained by and large living in the community of Junjuwa. It was with some frustration that they watched all these other language groups setting up outstations, while they remained unable to access their country, and continued to co-reside with other language groups. Tensions across these groups remained strong, and the proximity of Junjuwa community to the Crossing Inn no doubt contributed:

> But look this side, in the Wangkatjungka row, it’s a different story altogether, you know them mob, they’re proper bastards, they want to boss us now. Them old Wangkatjungka boss scared us young fella, and them Wangkatjungka young fella them bin bringing grog every night, big mob too them fella bin bringin. Well I reckon they should all go back to their country, Christmas Creek way, more better for us Bunuba (Moizo 1991: 132)

Crough and Christopherson (1993: 15) similarly refer to the Wangkatjungka community to illustrate the weakness of the West Australian Land Act in upholding rights of Indigenous groups to access country. This lock out was reported in the West Australian newspaper on September 13 and 14, 1993, in relation to the Land Amendment (Pastoral Leases) Bill – which in any case, was not passed.
The coming of CDEP coincided with the beginnings of the push by Bunuba to reclaim their country; this was also the time when Bunuba was becoming the majority language group in the community of Junjuwa. So the basis of people’s identities arguably started to shift, and the urge to decentralise and to demarcate groups within Bunuba started to grow. In Moizo’s study of the impact of CDEP on Junjuwa, this shift is well articulated in this quote from a man who was to become the boss of Galamunda outstation:

> But you see what we need now, it’s a place on our own, for each mob, my mob, Johnny mob, them Walmajarri too, you know some land not much, just enough for a bit of cattle. Mine place I want him next to my father country on the river…Then we will take them young fella, they will work for us …I tell you, we need places on our own and to look after community business by ourselves, there are too many kartiya (white people) working for us right now. I hope we can make it this time. We’ve been screwed too many times (Moizo 1990: 39).

As is apparent in this quote, the desire for access to country also related to other aspirations: being productive, being self-sufficient, managing young people and so forth. The views of this man, now deceased, parallel those that drove the new structure of Bunuba Inc: that more dispersed, autonomous communities would be more functional.

While other language group residents of Junjuwa could by this stage either move to, or at least visit, their relatives living on outstations, Bunuba people had no such option.161

> This is a continuing cause of anger and frustration to the people…because they feel a sense of inequity when the other peoples of the area have been able to acquire land (Hawke 1989: 6).

In 1991 after a number of years of lobbying state and federal government agencies including ATSIC and the Aboriginal Development Commission, as well as the management of the various pastoral leases on Bunuba country, Bunuba people were to succeed in regaining a crucial station, Leopold Downs. It was purchased by ATSIC in 1991, after the collapse of the West Australian Cattle Company, which had also owned

---

161 There was one exception at this time. Darlngunaya community was established in 1985, and was the first community to receive housing outside of Junjuwa.
the leases of Fairfield Downs and Brooking Springs stations, also on Bunuba country. This success followed years of applications for excisions from these pastoral stations, as well as negotiations over others including Blina and Laurel Downs. As a prime cattle station with much river frontage, and given its productivity and size (404,467 Ha), Leopold Downs was a remarkable acquisition (Crough and Christopherson 1993: 55). Bunuba Aboriginal Corporation (BAC) was established in the same year as the Leopold purchase, at the outset simply to hold the pastoral lease. It was to soon develop a much wider brief, and took on the work of land-related lobbying and negotiation across Bunuba interests. It also attempted to map the connections of Bunuba people to particular estates, to assist in the process of lodging excision claims and more general land claims (Claydon Pers. comm. 2006) It was to be the first organisation established to further the interests of Bunuba people alone. Arguably it was spectacularly successful, and within five years of its establishment, had managed to acquire another two pastoral leases that, in combination with Leopold Downs, equated to roughly one-third of Bunuba people’s traditional lands in the heart of their country. Fairfield station, acquired in 1994, and Leopold Downs were to be run together, as one enterprise, while Milliwindi was to be run as a separate concern (See Map 2). Yaranggi Cattle Company was established to run the station enterprise in 1992 and a Bunuba man, and very experienced pastoralist, became the manager and moved into the homestead. There was great symbolic weight here for Bunuba people, who had previously lived for generations on Leopold Downs and only ever experienced its management under white outsiders.

The structure of BAC was very different, and restrictive, by comparison to Junjuwa Community Inc. Its members consisted of particular named elders who were able to speak for certain tracts of country or clan estates. In practice, there was an awareness

162 Hawke (1989) charts these applications in some detail.
163 Crough and Christopherson (1993) suggest that it was the only Aboriginal-owned pastoral enterprise in 1993 that was economically viable.
164 While the stations of Fairfield Downs and Milliwindi do have a common boundary, there are no roads connecting them. Milliwindi is accessed via the Gibb River road. In any case, in terms of clan estates, Milliwindi was associated with a different family to Fairfield; see Chapter 4.
amongst the older decision-makers that their younger, more western-style educated, relatives could help them. This process of ‘two-way mentoring’ meant that there were extraordinary pressures on the younger generation, many of whom in 2005 made up the current generation of ‘leaders’. As the original BAC staffer recalled, they sometimes had no choice but to allow old people to make poor decisions, and then wear the consequences for not stopping them (Owen Pers. comm. 2005).

In the period when both Junjuwa Community Inc and BAC were in existence, they operated out of neighbouring offices. They nevertheless had separate non-Indigenous staff, separate accounts and separate meetings. BAC was funded by a 10 per cent levy on Junjuwa’s business-related revenues; when Fairfield station became available for purchase, BAC was able to raise $100 000.165 Staff who worked there at the time recalled that the division between, for example, CDEP and service delivery issues, and land related issues, worked well and meant that conflicts relating to one area did not spill over into the other. After a flurry of activity in the early 1990s, BAC appears to have become somewhat moribund in the latter half of the decade. As it was incorporated under the ACA Act however, it was nevertheless required to have AGMs.

The reclamation of country in the early 1990s was to impact significantly on the ways in which Bunuba people sought to, and were able to, constitute themselves corporately. While it runs against the grain of a taken-for-granted western maxim in which ‘united we stand, divided we fall’, for Bunuba, this process of fragmentation certainly does seem to have represented or reflected a process of empowerment.166 It also marked the beginning of a broader cultural renaissance for Bunuba people, which in itself had an impact on the standing of Bunuba people within the town of Fitzroy Crossing.167 Part of this I would argue relates to their undisputed status as the traditional owners of the

165 The total price of the station, at $1.2 million, was covered by $700 000 from ATSIC, $400 000 from the WA Aboriginal Lands Trust and the BAC contribution.
166 Richardson (1993) similarly argues that the breaking up of the mass camp at the Native Welfare Reserve in the late 1970s into various sub-groups was a process of empowerment, of settling back into appropriate cultural groupings of authority.
167 There were also three Native Title claims lodged by various Bunuba groups in the 90s, which have since been merged into one claim.
town itself, a status which was always respected by outside Indigenous groups, but which did not really enter the consciousness of non-Indigenous outsiders until the late 1980s when the language around land rights and traditional ownership was becoming more commonplace. This renaissance will be discussed in more detail in Chapter Four.

**Business interests and asset accumulation**

Another crucial distinction between the communities associated with Bunuba Inc and those associated with Kurungal Inc is that of historical opportunities for accumulation of assets and business investments. Bunuba Inc, and its predecessor organisations, have done relatively well on this front, while Kurungal Inc has not. Any assets associated with subsidiary members of the latter, such as Bohemia Downs station or the store lease in Wangkatjungka, are certainly not considered assets of Kurungal Inc. Part of this imbalance relates to the fact that Bunuba’s core focus of activities has continued to be around the town of Fitzroy Crossing, a service centre which has a captured market of all surrounding communities. Most of the communities associated with Kurungal however are substantially off the bitumen highway and therefore isolated from any significant market. The only exception is Ngumpaan, the community that continues to be discussed in terms of its potential to act as a regional centre for the area.

The acquisition of the pastoral lease by BAC has already been mentioned. However Junjuwa Community Inc was also to acquire significant investments over the 1990s. With Marra Worra Worra, local Bunuba traditional owners negotiated a future right to a 50 per cent dividend of Bandaral Ngadu Pty Ltd which owns and operates Ngiyali Roadhouse, one of two roadhouses in Fitzroy Crossing. It also had a private property investment portfolio consisting of around a dozen houses in the town of Fitzroy Crossing itself, which it leased out either to government departments or to other local Indigenous organisations for staff accommodation. It also had a 40 per cent share in Leedal Pty Ltd, a business which owns and operates a number of service businesses in
Fitzroy Crossing, including the Tarunda Supermarket, the Crossing Inn, the Fitzroy River Lodge, and the Fitzroy Crossing Post Office.  

While it is arguably the property investments that have allowed Bunuba Inc, since the 1999 restructure, to draw an independent income, there is ongoing discussion about what the organisation ought to earn from its original investment in Leedal in 1990.  

At the time of Leedal’s creation, and via a lengthy process of community meetings, it was decided that there ought to be six community stakeholders (Arthur 1989 (unpublished)). These were:

- Kadjina
- Bayulu
- Kurnangki
- Yiyili
- Marra Worra Worra
- Junjuwa

All of these groups, except Junjuwa, were granted a 12 per cent shareholding; Junjuwa’s 40 per cent holding was in recognition of their traditional land-owning status. Since the original creation of the company, there have of course been many changes and adjustments to the groupings upon which this original division was based. In any case, none of the original shareholders have ever received a ‘dividend’. Leedal is nevertheless a major element in the socio-political landscape of Fitzroy Crossing; the current Chairman of the Board is Bunuba.

---

168 Leedal owns Tarunda Shopping Centre, Supermarket, Post Office and Caravan Park outright, but in 2005 Indigenous Business Australia (IBA) still had major shareholding in the Crossing Inn Hotel and the Fitzroy River Lodge, a large tourism venture located on the outskirts of town.

169 Negotiations with the ADC to purchase these various town-based businesses began in April 1988, and continued well into 1989. The ADC had previously financed the purchase of a number of pastoral leases in the area in years prior, but this was the first consideration by the ADC of investing in a major (semi) urban retail venture. Junjuwa Community Inc is said to have originally contributed $100 000.

170 It is planned that Leedal will own all of their investments outright before 2010; from an initial investment of $1 million they will control properties with a value in excess of $14 million (Coppin 2006).

171 This same individual has been Chairman of Leedal since the early 1990s.
In addition to the assets outlined above, in 2005 a number of individual Bunuba people have businesses of their own. These include:

- Bungolee tours operating at Tunnel Creek and Windjana Gorge
- Darngku Heritage tours on Giekie Gorge
- Mustering contractor
- Fencing contractor
- Darlngunaya funerals
- Community bookkeeper
- School canteen contractor
- Fitzroy Express (local band, very successful)

Individuals who were also very active on the Bunuba Inc Council, including the Chairman, managed five of the eight businesses.

**The two umbrella bodies are born: 1999 and 2001**

Thus far we can see that there are some fundamental differences between the groups that make up the two umbrella organisations of Kurungal Inc and Bunuba Inc – differences of history, of asset accumulation, of group dynamics and pressures, of degrees of acculturation, of cultural geographies. This section will describe another crucial variation between them: their genesis. Bunuba Inc could be described in the lexicon of governance as an endogenous organisation, and Kurungal Inc as exogenous.\(^\text{172}\) That is, the first grew out of internal change and motivations, the second was an idea developed externally, inside the bureaucracy of ATSIC.

\(^{172}\) Endogenous refers to a phenomenon which is internally generated, while exogenous refers to one in which external pressures or processes have resulted in the phenomenon. The former organisational type is generally agreed to have a better survival outlook.

__Bunuba Inc__

In 1999, Junjuwa Community Inc and Bunuba Aboriginal Corporation were symbolically merged to form Bunuba Inc, a new corporation formed under the WA
The intent of the new corporation was to bring together all of the interests of Bunuba people – land, social, cultural – under one organisational umbrella. At the same time, there was a corporate arm created – Bunuba Pty Ltd – which was to own and manage all business enterprises and keep them separate from Bunuba Inc with its more social focus. The concept and structure had been discussed in a series of meetings and workshops over the preceding 18 months. This process culminated in the ‘basketball court meeting’, a very large community gathering and barbeque held on the basketball court at Junjuwa where, in a semi-ceremonial fashion, all of the public documents, leases and the like were brought together and ‘handed over’. The actual legality of the transfer of these documents as representing actual transition of ownership of assets is doubtful however. Such a state of affairs however is far from unusual according to the accountant of Bunuba Inc, who worked with a number of Indigenous organisations throughout the Kimberley. In any case, the transferral of such assets from one entity to another would have cost an enormous amount, in the hundreds of thousands, in stamp duty, but also in legal and financial advice. Certainly in terms of funding from government agencies, monies were from that point on allocated to Bunuba Inc, and it took up responsibilities for administering CDEP throughout Bunuba communities, as well as running various other government funded programs such as the DHW funded housing program, Meals on Wheels, a suite of administrative

---

173 ‘Symbolically’ in the sense that neither Junjuwa Community Inc nor BAC were decommissioned; they both have continued to exist. This fact has had significant implications for the coherence of Bunuba Inc, as is explored at some length in Chapter 6.
174 A number of Bunuba people stated that there were ‘shocked’ by the suddenness with which Bunuba Inc was created. However, as stated in a report by an independent consultant reviewing Junjuwa Inc for ATSIC in 2000 ‘I sighted quite detailed documentation to confirm that a consulting process for the restructuring has been undertaken with members, through workshops and meetings. And that an initial strategy has been drawn up which has considered relevant factors such as the legal structure of related corporate bodies, membership, corporate objectives, potential commercial enterprises, target outcomes, initial time-frames, etc. An Interim Restructure Report dated March 2000 issued by the Chairperson has supported this initial documentation.’ People’s post hoc negative recollections of how the organisation came to be may relate more to their subsequent dissatisfaction of its operating regime in 2005.
175 See Post-script, p.181. In late 2006, again after a series of very large community meetings, Junjuwa Community Inc was to split away from Bunuba Inc. In the organisational divorce proceedings, assets were divided between the two entities; however much of the leadership capacity of the organisation, and their relative capacity to sustain resource flows, remains with Bunuba Inc, which now represents all communities and outstations except for Junjuwa. It is unclear what the membership of Junjuwa Community Inc consists of, that is, whether many residents there still maintain and leverage rights from Bunuba Inc on the basis of the traditional associations with particular outstation families and country.
services and municipal services such as road maintenance, and electricity and water supply maintenance.\textsuperscript{176}

The new Bunuba Inc structure was very much more sophisticated and elaborate than its two predecessors (both of which nevertheless continued to exist legally and to hold assets). While elections for the Council of Junjuwa Community Inc did not exclude representatives of the outstations from being active on the council, the new structure of Bunuba Inc made it a certainty that their interests would be well represented, but also more evenly represented. Under the Junjuwa constitution, the election of Chairperson was simply a matter of numbers, so that on one occasion, a truckload of people arrived at the AGM to vote for one particular person, and he became Chair. Many of the outstations and smaller bodies were already incorporated independently of Junjuwa Community Inc, a legal necessity at a minimum for them to hold land. All of these smaller incorporated bodies then became the new ‘members’ of Bunuba Inc, characterising it therefore as an umbrella organisation in the sense that its nine subsidiary bodies – which later grew to twelve – themselves had membership lists of individuals. Their political and cultural characteristics are explored more in Chapter 4, although one could argue that the new structure, which divided up the Bunuba polity into ‘clans’ was a deliberate and open attempt to do what such organisations are regularly criticised for: being divided along kinship lines.\textsuperscript{177} The new structure also included a corporate arm – Bunuba Pty Ltd – which was to hold and manage assets such as the private properties which had been owned by Junjuwa Community Inc, and a 50 per cent shareholding of the Ngiyali roadhouse, the other half of which was owned

\textsuperscript{176} Bunuba Inc provides administrative and financial services to member communities, including general bookkeeping, payroll and virtual banking, the administration of and reporting on government grants, and most importantly, a facility for handling basic income payments – pensions, social security payments and CDEP payments. Bunuba Inc’s services extend into the area of community and infrastructure development, and such other services as pursuit of land and living area claims; liaison and negotiation with mining companies; coordinating the planning and delivery of services and infrastructure to communities, from stores to housing and water and power supplies; and the organisation of training programs. Bunuba Inc is able to provide administration and housing support via rent collection. Housing related services include repair and maintenance of housing and managing for example of house waiting list, which was drawn up by the Bunuba Council. Such processes are very important where housing stocks are so limited, and in such poor condition, if conflict over houses is to be avoided” (Bunuba Inc 2005: 10).

\textsuperscript{177} See O’Malley (1998: 160).
by MWW. Bunuba Cattle Company, which by this stage had replaced Yaranggi Cattle Company, managed the two stations of Leopold Downs and Fairfield and also came under Bunuba Pty Ltd in this new structure. This had important implications for the ways in which Directors on the Board of the Bunuba Cattle Company were nominated, which is explored more in Chapter 5. Unlike Junjuwa Community Inc, the membership of Bunuba Inc was formally limited to its 12 subsidiaries. Each subsidiary body elected both a representative and a proxy to sit on the Bunuba Inc Council. In practice, though not specified in the constitution, Council meetings were attended by elected representatives only. The new entity of Bunuba Inc thus managed to achieve two outcomes. Firstly it allowed the reassertion of group identities below the wider ‘Bunuba’ identity, and secondly it did this by adopting a structure that mirrored ‘Western’ governance styles.

While some Bunuba people bemoaned the more closed nature of the Bunuba Inc Council meetings, from interviews with a longstanding staff member who had worked at Junjuwa Community Inc in the 1990s, it seems that similar numbers had attended those Council meetings also. As it tends to be the same individuals that have sat on the Council over time, perhaps the transition from one organisational structure to another is not especially clear in people’s minds. The meetings described by Moizo however, when Junjuwa still had many different language groups, were much more open, spontaneous and inclusive, as are the Kurungal Inc meetings today.

In interviews carried out with Bunuba people in 2005, there was an interesting range of opinion on both the value of the new structure, and the legitimacy of its appearance in 1999. Some were very positive about how Bunuba Inc allowed specific representation.

178 It is worth noting however that the station leases, whose combined value was estimated in 2005 to be more than $10M, remained held by Bunuba Aboriginal Corporation, despite the fact that this entity had become moribund in the late 1990s. Some argued that it was in the economic interests of Bunuba to transfer these leases to a more active Bunuba corporate entity such as Bunuba Pty Ltd, thus allowing that company greater financial leverage. Others however considered the leases as so valuable in socio-cultural terms that they should remain held separately by Bunuba Aboriginal Corporation, and therefore safely disconnected from other Bunuba business activities, including the activities of the Bunuba Cattle Company. In any case, the legal transfer of ownership of such valuable leases from one corporate entity to another would cost more than $100,000 in stamp duty.
only; others reminisced with fondness about the very inclusive old Junjuwa Community Inc. There was much suspicion, both of individual Councillors (not your own one generally) and most certainly of the non-Indigenous staff. It may be that the structure (and how it was to work) was too complex or abstract, and not well understood by constituents, hence the feeling that they were being ‘tricked’ somehow. In other words, some members were better able to grasp the new structure and what it was attempting, than others. Arguably this was a failing of the leaders at the time, to ‘bring people alongside’ the restructure and thus ensure they had a sense of ownership of the process.

**Kurungal Inc**

After the glowingly good reports of ‘Kroonull’ written during the Davey-Richardson era, it is difficult to track what was happening with Wangkatjungka in the 80s and 90s. In terms of outstation establishment, there are only two other member communities of Kurungal Inc beside Wankatjunkga, Kurpartiya and Ngumpan, all of which have been mentioned. These are Gilly Sharp and Ngarantjadu. Ngarantjadu, established in 1985, is about an hour’s drive south of Wangkatjungka, and is on Walmajarri country proper. It was originally established for two brothers who have since passed away. Because of its remoteness and seasonal inaccessibility, its population can fluctuate, and it has been some years since it has had any permanent residents. While the place itself could only support a handful of residents, the incorporated body’s membership is much larger, and consists of kin of the two original founders. Gilly Sharp is a far more recent outstation, essentially consisting of one family group with a handful of dongas and bough shelters. The boss for this place is one of the least disputed ‘traditional owners’ for surrounding country, being of Gooniyandi/Walmajarri descent. It has received minimal assistance from government in establishing its infrastructure.

Other outstations and communities have also been established nearby, such as Mingalkala, Mt Pierre and Bawoorooga, all within a 50 km radius along the Great Western Highway. In 2005 however, none of these were coming under the Kurungal umbrella, although Mingalkala had been in the past. In 2005 interestingly, Mingalkala’s CDEP was being administered by Yungnggora Inc, on Noonkanbah station, some 100
kms the other side of Fitzroy Crossing. None of these communities of people, despite being geographically close to the Kurungal Inc communities, shared their history. Kurungal people’s particular history, and how it has formed a community of interest with distinct characteristics, is explored at more length in Chapter 4.

In the early 1990s, the community of Wangkatjungka had a small group of very capable local bookkeepers, who worked out of an office at the back of the community hall. All of these people are still there, and are now active on the Kurungal Council. Back then, Marra Worra Worra managed the higher level accounting for dozens of organisations throughout the Fitzroy Valley, and provided support to locally trained bookkeepers to manage the simpler accounts at a community level. Wangkatjungka also managed the accounts for the Ngumpa CDEP, and at the beginning for Kupartiya also, although Kupartiya soon requested to manage its own affairs (Imber Pers. comm. 2005).

Nevertheless, in part because of a number of incidents in which white administrators were assaulted in the late 1990s, ATSIC took the decision to move all of the administrative services associated with the CDEP scheme from Wangkatjungka to Kupartiya. There had also been disputes between the Wangkatjungka community and other smaller ones such as Ngumpa, since the Council structure of Wangkatjungka did not require any representation from smaller groups, despite the fact that they managed their CDEP. At the time, people in the various communities concerned were informed that the administrative centre was being moved to Kupartiya because of its ‘stronger leadership’. Quite what this meant was not especially clear to anyone, although it might relate to the fact that Kupartiya, with only around 20 residents, was more ‘stable’ and quiet. It also had one very distinct and easily identifiable ‘leader’, the son of one of two elderly brothers residing at Kupartiya who were unquestionably traditional owners. It could also be said that the bosses of Kupartiya were more educated in Western terms, and hence represented an easier avenue for government articulation. Geographically however, the community of Kupartiya was a long way from where the majority of

---

179 The main family at Mingalkala had married into a family at Noonkanbah, and had resided there for many years before returning to the senior man’s traditional country.
Kurungal constituents resided. It was 60 kms from Wangkatjungka, via two 20 kilometre sections of dirt road and one 20 kilometre section of bitumen. It is often therefore inaccessible in the wet season.

This ‘moving’ of Kurungal Inc’s administrative centre has a number of implications that might not be immediately apparent. The value of having a community office extends greatly beyond a matter of pride, convenience or resources such as telephones. ‘The office’ is a critical source of agency and leverage in communities such as these, a focus of energies, a place where action happens. It also often has non-Indigenous staff members who can assist people with any number of administrative, or more general, problems.\footnote{These include issues around banking, paying of fines, organising travel, managing conflict with government departments such as ‘welfare’, employment and tax file numbers and so forth (Thorburn 2007a). See also Chapter 5, for discussion of CDEP changes, and impacts on informal services at Bunuba Inc.} A suite of problems have emerged for the new Kurungal Inc, which are explored in more detailed in Chapter 6, relating to misunderstandings and suspicions as to what the organisation is, who ought to speak for it and who it represents. It is characterised by a lack of engagement in formal processes such as ‘Council meetings’, in contradistinction to well attended Wangkatjungka ‘community meetings’, which are generated by community members and are not concerned with administrative matters but rather with issues of community concern.\footnote{Such meetings discussed for example concerns relating to young people smoking marijuana, and the poor school attendance rates.} It is perhaps not surprising that the tensions now built into this organisation seem to be directed towards non-Indigenous staff members. Hence, the organisation has a high turnover of staff, which has further added to its lack of coherence.

So much of the Kurungal organisation’s energy was focussed on managing conflict and misunderstandings with kartiya that this became my focus for this case study also: it really was what people wanted to talk about. As noted elsewhere, ‘While the co-ordinator couldn’t understand why people had limited interest in Kurungal Inc since it was their organisation, the ‘community’ considered that it was really more of a kartiya thing, something that was his responsibility to tend to’ (Thorburn 2008: 339). As a
researcher inquiring into the nature of this organisation, it was striking how asking people about it so often lead to a discussion of the non-Indigenous CDEP coordinator. The Kurungal Inc study then came to focus on this skewed character of the organisation, and on the interaction between the Indigenous and non-Indigenous parties.

Conclusion
I have explored in this chapter the ways in which historical, broad socio-cultural and bureaucratic elements have combined to produce the two organisations under consideration here. The following Chapter examines the internally diverse identities and sub-groupings that each organisation seeks to contain, and also explores both the exclusive and inclusive dynamics these generate. It begins to build the picture of some fundamental differences between the constituencies of the two organisations in question. These differences that are elaborated further in the vignettes relayed in Chapters 5 and 6.
Map 1. Language groups
Map 2. Pastoral leases of the Fitzroy Valley

Map 3. Native Title Claims in the Fitzroy Valley

Note: This map data was sourced from the National Native Title Tribunal website <http://www.nntt.gov.au/Publications-And-Research/Maps-and-Spatial-Reports/Documents/Quarterly%20Maps/WA_Kimberley_NTDA_schedule.pdf>, accessed on 31 March 2011.
Map 4. Fitzroy Valley communities

Note: This map only shows communities mentioned in the thesis itself. There are at least a dozen other significant communities in the Fitzroy Valley which are not portrayed here. This map's data was sourced from the Nindilingarri Fitzroy Valley communities map and the West Australian Department of Indigenous Affairs West Kimberley District map, <http://www.dia.wa.gov.au/Documents/Maps/Maps%20June10/WKComs_A4.pdf>, accessed on 31 March 2011.

\[182\] Only those communities mentioned in the text have been included in this map. For a more detailed map which incorporates all communities, particularly the significant number of Walmajarri ones to the south, see Morphy (2010: 11).
Chapter 4: Identity at the organisational level and below

Introduction
This chapter explores the various formations of identity that individuals and groups bring with them into organisational environments. Some are drawn from more traditional ways of forming the self, others from the post-colonial context. None of these forms of subjectivity are absolute or unquestionably determined and all, it would seem, are open to degrees of contestation. This section then seeks to identify not only the ways in which people constitute themselves in these organisational contexts, but also what binds them to and separates them from others. In terms of organisational structure, it should be noted that ‘umbrella’ structures, such as the ones being considered here, have particular strengths and weaknesses. At the very least however, they allow scope for inclusive and exclusive sentiments to coexist, although at times this generates considerable tension. Allowing such tensions to exist, and to be properly expressed in ways that accurately reflect the relationships they contain, is crucial to the functioning of such organisations. Of course, all kinds of organisations, from political parties to a basketball team ‘contain’ myriad viewpoints. The aim here is to examine the subjectivities at play in these two Indigenous organisations, and their mutability at a micro-level, which forms the basis for very complex and very particular political action. It is this action, which can sometimes be characterised as ‘conflict’, which the Indigenous governance discourse pathologises.

Structurally the chapter will move from group identity – the macro level – to individual identity – the micro level. Both organisations are considered, but because the two are so different, direct comparisons are not always possible. Having described the different historical pathways that led to the creation of these two organisations in the previous two chapters, here a more anthropological approach is taken in seeking to understand what binds people to any given organisation, and what excludes them. This chapter also explores the groupings that exist at a sub-organisational level, and then how individuals can situate themselves within or between these various groupings. It will go on to discuss the more formal, visible positions adopted by or granted to particular individuals, and the tensions that can both undermine and fortify these individuals’
positions. The significance of non-Indigenous actors, and of broader government policy shifts, on the internal dynamics of these organisations is explored in more depth in Chapters 5 and 6.

The ‘Bunuba’ identity

‘Bunuba’ is a language, and an associated country. In a contemporary context however, this description is where certainty and boundedness ends, and once the designation ‘Bunuba’ is applied to individuals and groups, then all kinds of hierarchies and caveats may apply. The category ‘Bunuba’ now refers to a group of around 600 people who are in some measure descendants of Bunuba people or who have married in to this group. There are nevertheless disputations as to the validity of certain individuals, or families, calling themselves Bunuba on the basis that they also have ancestors from other language groups – great grandmothers or grandfathers who were reputedly from the desert, or Gooniyan and so forth. Such suggestions are not generally well received and can generate considerable heat – being really Bunuba, and held to be as such by others, is a desirable state indeed.\^183 In the initial discussion that follows, the category of ‘Bunuba’ is depicted as a solid, bounded category but the reality is that it is not always thus.

The degree of fluidity in belonging to particular categories, be they ‘language’ or ‘clan’ or ‘family’ or otherwise, has come to characterize the Indigenous polity in the post-colonial context. This state of affairs has been discussed at length by anthropologists, particularly in relation to the difficulties it causes in matters of Native Title.\^184 Merlan (1997), in writing about conflicts over country, writes:

Part of the effort…is to constitute 'Aboriginal' social relations in ways that are redirected outwards towards external and, for many Aborigines, more abstract or less directly experienced kinds of social institutions and identities, like those of corporate bodies, and mediated by these and other State-linked institutions (Merlan 1997: 12).

\^183 A comprehensive connection report has been completed as part of the Bunuba Native Title claim, which is still in process. As such the report can only be made publicly available by a court order.

\^184 See for example Sutton (2003: 59-66)
While Merlan is writing specifically about the land claim context, her point is also relevant here. So that while the Bunuba language certainly existed in pre-colonial times, it is only in a post-colonial context that the Bunuba language has come to categorise a kind of person, an entity more rigid and abstracted from Indigenous practice than the category itself can allow for.

Later in the chapter, the incorporated subgroups within ‘Bunuba Inc’ are explored, although again the divisions between subgroups are not absolute and may be more an artefact of contemporary political relations between groups rather than reflecting a facsimile of pre-colonial relations. It is important also that many ‘Bunuba’ individuals have significant connections and familial relationships to other language groups and places, but these may not be acknowledged in public forums where different language groups come together. That is, in public governance-type contexts, people tend to express an allegiance or belonging to one language group only. Where there is dispute about the legitimacy of individual or group language-belonging, then these connections to other language groups tend to be publicly raised. People’s connections to other language groups are most clearly evident in their daily interactions, resource sharing and so forth. The apparent necessity to present a united coherent ‘Bunuba’ identity is arguably made sense of in terms of pressures related to the post-colonial context, and in particular to the powerful position of Bunuba people as traditional owners of Fitzroy Crossing.

**Bunuba as emerging identity marker**

Identity does not grow in a vacuum. It is in a sense a marker of contradistinction – ‘we’ are this, and **not that**. The Bunuba people’s early experience of colonial violence, and their own particular adaptations to a necessary co-existence with non-Indigenous

---

185 A notable exception to this in the Fitzroy Valley are the Walmajarri and Wangkatjungka language groups. Reasons for this much greater degree of interchangeability were touched on in Chapter Two, and are reflected by the contemporary reality that these two groups share a Native Title Claim, Ngurrara.
people marked them in new ways from the desert peoples to the south. Their historical
associations too with, for example, Brooking Springs station or Old Oscar Downs, or
the mobs associated with the United Aborigines Mission in Fitzroy Crossing, or with
the old Police station, formed the basis early in the process of colonisation for new
distinctions amongst themselves.

That Bunuba are traditional owners of the site of Fitzroy Crossing was largely irrelevant
in the first half of the twentieth century. However, in particular with the influx of large
numbers of desert people from the stations in the late 1960s and early 1970s, that
traditional owner status became increasingly significant. The events surrounding the
Pastoral Award decision required a coherent decision making mechanism and voice
from Bunuba as the traditional owners. The establishment of the community of
Junjuwa in the mid 1970s on Bunuba land also acted as an impetus for the development
of a more coherent ‘Bunuba’ identity.

Interestingly, in a PhD thesis by Moizo (1991) based on fieldwork carried out in
Junjuwa in the mid 1980s, in which he worked most closely with Bunuba, there is
almost no mention of the clan estates which became the basis of Bunuba people’s
reworked identities in 1999. Moizo’s argument was that ‘Junjuwa’, a community only in
the sense of it being a place where some dozens of houses were constructed, was
becoming the new basis for identity, and subsuming more traditional language-country
associations. His argument however has been thoroughly disproved by subsequent
events surrounding the establishment of outstations by all language groups resident in
Junjuwa at the time, including Bunuba.186 At the time that Moizo was writing, the only
outstation being established by Bunuba was Darlngunaya, and the vast majority of
Bunuba continued to live in Junjuwa, although outnumbered by the desert language
groups. Their ‘others’ then, in this context, were other language groups, and the
emphasis was on distinguishing themselves from the Walmajarri and Wangkatjunga – to

186 Moizo does himself record many expressions of desire to return to country; perhaps if subsequent
events had played out differently, and people had been unable to return to country, then Junjuwa may
well have developed into the kind of ‘sentimental community’ about which Holcombe writes
(Holcombe 2004).
a lesser extent Gooniyandi. By the time Moizo was working in Fitzroy Crossing, the majority of Bunuba people had been living in Junuwa already for around 15 years. In such a context it was more crucial for ‘Bunuba’ to be united against the other language groups living on their country. In a contemporary context, where most of these other language group families have been able to return to country, the sub-groupings of ‘Bunuba’ have found expression, through outstation claims and by gaining station excisions. The events of the 1990s discussed in Chapter 3, in which Bunuba people were able to regain access to much of their country after three pastoral leases were acquired, as well as the work being put in to the Native Title claims, all contributed to a renaissance of these land-based affiliations which found a very particular expression in the Bunuba Inc structure. The reclaiming of these subsidiary Bunuba identities is further explored below.

A resurgence of interest in the Bunuba language also took place in the 1990s. Walmajarri and Wangkatjungka speakers came in from the desert with languages intact, and these languages continue to be widely spoken by adults and, to a lesser extent, by children (Richards and Hudson 1990: 7). On the other hand, Rumsey has estimated that by the 1950s, Bunuba in general had ceased to be learnt by Bunuba children, on the basis that there were very few fluent speakers under the age of 30 when he started studying the language in 1978 (Rumsey 2000: 3).\(^ {187}\) He proposes that partly in reaction to the dominance of Walmajarri as the lingua franca of Fitzroy Crossing, and the attention given to it by linguists from the Summer Institute of Linguistics from the late 1960s on, a renewed interest developed in the less-studied and recorded languages of Bunuba and Gooniyandi, driven by the Kimberley Language Resource Centre. There have since been a number of publications of stories in Bunuba.\(^ {188}\) An orthography has been developed for the language and it is now taught at the Fitzroy Crossing District High School.\(^ {189}\) Rumsey (2000) reported that ‘…more young adult speakers and semi-

\(^{187}\) This article provides an overview of linguistic material that has been collected on Bunuba.
\(^{188}\) These include Kimberley Language Resource Centre (1991) and Kimberley Language Resource Centre (1998)
\(^{189}\) Despite its official title, this school caters for years 1 to 10.
speakers of the language have been showing an active interest in it [Bunuba language] in the 1990s than in 1978’ (Rumsey 2000).

**Bunuba Inc and subsidiary bodies**

The development of Bunuba Inc has been described in Chapter 3. However in order to comprehend its workings, it is necessary to unpack the subsidiary bodies that Bunuba Inc as an umbrella organisation represented. Arguably these entities did not represent a juridification of a pre-existing, or underlying, ‘true’ cultural landscape of the kind to which Mantazaris and Martin (2000) refer (Mantziaris and Martin 2000: 126). Rather, while to an extent reflecting clan groups and particular tracts of country, they also represent what has evolved to become, in a post-settlement context, particular power dynamics around certain individuals and their successful articulation with non-Indigenous resource flows. It must be noted however that the dynamics of power between individuals and between groups are highly dynamic; this reality is explored more fully in Chapter 5.

In Table 1 below (p.134), the first column is entitled ‘Clan groups’ despite the fact that some of these groupings are not in a strict anthropological sense clan groups. This designation is nevertheless how these subsidiary bodies were characterised by the Bunuba Inc leadership and staff. Of the twelve ‘clan’ groups listed, only five are clan groups that had pre-existed settlement. It is noteworthy that this ‘clan’ terminology was adopted arguably to give greater legitimacy to these groupings, and perhaps to generate a certainty and boundedness for each which clearly did not exist, or at least did not exist on an equal basis for all ‘clan’ groups. That the Bunuba term for clan, or country, ‘muway’, was not adopted, suggests that those involved in restructuring Bunuba

---

190 In a latter paper, Martin (2003b) states that juridification ‘…raise(s) the problem of the underlying social relations being distorted or dominated by the legally enforceable expression of the same relations’ (Martin 2003b: 10).
191 Many others writing in this field have commented the significance of particular individuals, or ‘leaders’ or ‘big men’. See for example Gerritsen (1982a), Tonkinson (1978), Holcombe (2005) and Myers (1986a).
192 Note that there were only 9 ‘clan groups’ in the original Bunuba Inc structure established in 2000. By 2005, this number had grown to 12.
Inc knew that these new clans did not entirely reflect traditional ones, but nevertheless desired to draw on the stability of the notion of clan in drawing up the new structure. I am not sure whether most Bunuba people would realise that the English, anthropological translation for their muway is ‘clan’, but I suspect that many would not.

Kaberry in 1939 recorded thirty-six ‘big camps’, or ‘horde countries’ for Bunuba, although it is clear that a number of those that she recorded were in fact only place names for particular geographic features (Pannell Pers. comm. 2010). According to the anthropologist who has worked for many years on the Bunuba Native Title Claim, there were originally 18 clan estates, or muway, on Bunuba country, although some of these tracts of country have very few people who can speak for them (Pannell Pers. comm. 2010). In general, it was those estates to the north of the Leopold Ranges that were hit hardest in the early twentieth century by murderous whites operating beyond the limited purview of the colonial administration (Jebb 2002).

**Bunuba muway**

I will briefly note the ways in which one has an attachment to a particular muway, or country. Note that these are not mutually exclusive, and one can have attachments of varying strengths to different muway. This list is not to my knowledge hierarchical, although the first factor is most definitely the strongest claim for attachment; that is, the traditional Bunuba society was patrifilial. However there are inevitably circumstances and individuals where this hierarchy is not strictly applied. Attachments may come through:

1. one’s father but especially one’s father’s father (gulagi)
2. birth and/or being ‘found’ on Bunuba country
3. possession of a name derived from a Bunuba ancestor
4. place of initiation

193 Note that Kaberry was working in a period when clan organisation in an Australian context was not well understood. There was at this time confusion between ‘land-owning’ and ‘land-using’, the ‘horde’ being the latter entity.
5. burial site of close relative

6. one’s mother

7. adoption by a Bunuba mother or father

The first of these is conventional across much of Indigenous Australia. The second of these relates to where you were conceived, that is, what place you came out of. These places can be natural formations such as creeks and waterholes, birthing trees or places in town such as the old hospital. This birth place is not necessarily the same as one’s ancestral muway. One’s jarinny or totem reflects the kind of animal that you were in your pre-human form, and represents a crucial way in which Bunuba children become intelligible to their wider family – the stories of how and from where people got their jarinny are well know by many, and these stories are repeated again and again.

For Bunuba, matrifiliates (see 6 above) have a different role to patrifiliates, taking a more custodial role in matters relating to country, but deferring always to those with father’s father connections, everywhere the latter have very limited traditional knowledge of the places in question compared to the former. Matrifiliates have a primary responsibility to support those who have a patrifilial connection to a place. In addition, any one individual may have a patrifinial association with one tract of country, a matrifinial association to another and affinal association (based on marriage) to yet another (Pannell Pers. comm. 2010).

The third type of attachment in the list relates to a name, which people sometimes call their ‘blackfella’ name, of one’s grandparents’ generation. Through this other name, one can call up certain rights to that deceased relative’s estate, and can expect special treatment from the immediate family of that same antecedent. The fourth and fifth elements listed above are self-explanatory. The seventh relates to the extent of claims to country-belonging one can make as a non-Bunuba person when one has been ‘grown
up’, adopted (marurr) by Bunuba people on Bunuba country. In 2005 there were three councillors who fitted this description. One in particular faced diminished authority as a spokesperson for his (adopted) father’s country after his father’s death, and was regularly challenged as being not really Bunuba. It is noteworthy however that he never faced such challenges while his adoptive father was still alive.

The subsidiary bodies of Bunuba Inc, or ‘clans’ as they were called, had a highly heterogeneous character. Some were small communities populated by dozens of people; others were tracts of country populated by nobody but nevertheless associated with a particular family with aspirations of returning to country. Crucially all were associated with individuals who were prominent at the time Bunuba Inc was established in 2000. At the time of writing five senior individuals associated with different subsidiary bodies and outstations had passed away since 2000. Some of these deaths had very destabilising effects, especially on those outstations that were established at the instigation of these individuals. It is not only that people living in these places often move away after the death of a senior figure; it is also that people who had lived under the patronage of the recently deceased senior person may find their position in that place suddenly untenable, or subject to attack from external parties.

The tensions that Bunuba Inc had sought to contain in 2000 shifted with the passing of some of these old people, and new sets emerged, requiring another process of negotiation. Disputes for example arose when the old man connected with Wamali died, and a younger relative (from Darngku marwuy) who had assisted the old man to develop the place, attempted to take over the new outstation. The argument between the young man, who had very little traditional authority over this country, and the much older traditional owner for Galamunda, was so acrimonious that the entire outstation of

---

194 Sutton (2003) has also observed that people can draw country rights from people who ‘grew them up’ rather than from natural parents, although he notes that in this context, the view of one’s relations and community as to the extent of these entitlements is especially important (Sutton 2003: 188).

195 Austin-Broos (2003) made similar observations of Arrernte kinship.
Wamali was abandoned, and in 2005 remained so.\textsuperscript{196} It was renamed Yirramalay, and a daughter of the old Wamali man now represents the place on the Bunuba Inc Council. Similarly the current Chairman for Biridu, whose father had been a long-term Chairman for the old Junjuwa Community Inc, lost considerable authority on the Bunuba Inc Council when his father passed away, largely because he had been adopted by this man, and could be accused of being ‘not really Bunuba’. Biridu does however remain seasonally populated.

\textsuperscript{196} Note that the dispute had been ongoing prior to the older Wamali man’s passing. His connections to that muway however were much less in dispute than those of his younger relative.
Table 1 Bunuba Inc Subsidiary Bodies 2005

<table>
<thead>
<tr>
<th>Bunuba Inc ‘clan’ name</th>
<th>Muway or place name</th>
<th>Location</th>
<th>Muway to which family is associated</th>
<th>Incorporation date</th>
<th>Date Community established</th>
<th>Population 2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>Junjuwa</td>
<td>Place name (ridge above high floodwater level)</td>
<td>Junjuwa community, Fitzroy Crossing</td>
<td>Various</td>
<td>1975 (Commonwealth Act(^{199}))</td>
<td>1975</td>
<td>350</td>
</tr>
<tr>
<td>Burawa</td>
<td>Place name (hill to east of old mission)</td>
<td>Old mission hostel and adjacent houses</td>
<td>Darngku</td>
<td>2000 (WA Act(^{200}))</td>
<td>2004</td>
<td>15</td>
</tr>
<tr>
<td>Darlungunaya</td>
<td>Place name</td>
<td>Excision from Brooking Springs, Old Fitzroy River Crossing, adjacent to old UAM Hospital site</td>
<td>Darngku</td>
<td>1987 (WA Act) (also has a body under the Commonwealth Act)</td>
<td>1992</td>
<td>28</td>
</tr>
<tr>
<td>Bungardi</td>
<td>Place name (‘Bungardi’ was name of site where this family aspired to have their outstation)</td>
<td>Excision from Brooking Springs</td>
<td>Munmural, Milluwindie</td>
<td>2004 (WA Act)</td>
<td>Mid-1990s</td>
<td>50</td>
</tr>
</tbody>
</table>

\(^{197}\) By ‘place name’ I mean the name for a geographical site, or for an actual community. That is, some communities on pastoral lease excisions have taken the name of their *muway* and adopted it as the community name.

\(^{198}\) These figures are from the Bunuba Inc Community Housing and Infrastructure Plan, a document required by the WA Department of Housing and Works to secure ongoing funding. The methodology used in compiling these figures differs somewhat from that of Morphy in 2010, reflecting to a degree the aspirations of where people wish to reside, rather than a population count as such. These figures do not represent therefore the number of people ‘represented’ by any given Bunuba Inc clan group, but do give an indication of the larger versus the smaller groups. Since 2005 there have been a number of new houses constructed at Bungardi, Burawa and Darlungunaya. More accurate figures were published in 2010. See Morphy (2010).

\(^{199}\) *Aboriginal Councils and Associations Act 1976*

\(^{200}\) *Associations Incorporation Act 1987*
<table>
<thead>
<tr>
<th>Bunuba Inc ‘clan’ name</th>
<th>Muway or place name</th>
<th>Location</th>
<th><strong>Muway to which family is associated</strong></th>
<th>Incorporation date</th>
<th>Date Community established</th>
<th>Population 2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yirramalay</td>
<td>Both</td>
<td>Excision from Leopold Downs station</td>
<td>Waringarri</td>
<td>-</td>
<td>1993</td>
<td>7</td>
</tr>
<tr>
<td>Warringarri</td>
<td>Both</td>
<td>Community on excision from Leopold Downs station</td>
<td>Waringarri</td>
<td>-</td>
<td>2003</td>
<td>4</td>
</tr>
<tr>
<td>Galamunda</td>
<td>Both</td>
<td>Community on excision from Leopold Downs station</td>
<td>Galamunda</td>
<td>-</td>
<td>1993</td>
<td>12</td>
</tr>
<tr>
<td>Biridu</td>
<td>Place name on Galamunda estate</td>
<td>Excision from Leopold Downs station</td>
<td>Galamunda</td>
<td>2000 (WA Act)</td>
<td>1993</td>
<td>30, seasonally fluctuating</td>
</tr>
<tr>
<td>Yuwa</td>
<td>Place name</td>
<td>‘Yuwa’ is name for a spring at old Fairfield homestead.</td>
<td>Ngalarra</td>
<td>2000 (WA Act)</td>
<td>Aspirational</td>
<td>-</td>
</tr>
<tr>
<td>Bunuba Inc ‘clan’ name</td>
<td>Muway or place name&lt;sup&gt;197&lt;/sup&gt;</td>
<td>Location</td>
<td>Muway to which family is associated</td>
<td>Incorporation date</td>
<td>Date Community established</td>
<td>Population 2005&lt;sup&gt;198&lt;/sup&gt;</td>
</tr>
<tr>
<td>------------------------</td>
<td>----------------------------------</td>
<td>----------</td>
<td>-------------------------------------</td>
<td>-------------------</td>
<td>--------------------------</td>
<td>-------------------------------</td>
</tr>
<tr>
<td>Milluwindie</td>
<td>Both</td>
<td>Milluwindie station</td>
<td>Milluwindie</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Mowanban&lt;sup&gt;201&lt;/sup&gt;</td>
<td><em>Muway</em></td>
<td>Mowanban 2004 (WA Act)</td>
<td>-</td>
<td>2004 (WA Act)</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Munmural</td>
<td>Clan estate</td>
<td>Munmural</td>
<td>-</td>
<td>1996 – camp near Milluwindi homestead only</td>
<td>10 – 50 seasonally fluctuating</td>
<td>-</td>
</tr>
</tbody>
</table>

<sup>201</sup> Mowanban is therefore the only ‘clan group’ of Bunuba Inc to be named after a *muway* only. This family lives for the most part in Derby.
Bunuba Inc ‘clan’ names do not have a one-to-one correspondence to muway. Thus, for example, the family belonging to the Darngku muway or estate is associated with the Burawa and Darlingunaya ‘clans’. The Bungardi ‘clan’ is meanwhile associated with more than one muway. While some ‘clan’ groups had a very stable representation on the Bunuba Inc council, such as Bungardi and Darlingunaya, others such as Burawa, Munmural and Junjuwa had more shifting character, with representatives on the Council regularly changing, sometimes between subsidiary bodies. In addition, while these formalized, and mostly legally incorporated bodies, were associated with particular authority figures, there was also many shared interests; that is, people’s interests and relationships were not necessarily contained within the subsidiary bodies.

People could also shift their orientation to particular ‘clans’ or social groupings over time, and could maintain a number of these connections simultaneously. For example, one of the main families residing at Darlingunaya in town contained senior traditional owners for Galamunda. The brother of the original boss for Galamunda who passed away in 2005 had married in to the Darlingunaya mob. Similarly the Chairman for Milluwindie resides at Junjuwa, while the Chairman for Munmural resides in Derby. ‘Yirramalay’ became the new name for the outstation of ‘Wamali’ after the dispute described above. ‘Yirramalay’ is the Bunuba word for the actual place where the outstation has been established, whereas ‘Wamali’ is the name for Cadjeput Creek, the place where the mob had originally aspired to establish the outstation. Clearly the structure of Bunuba Inc was not an attempt to capture this multiplicity of connections, and yet they were nevertheless present, influential and always exerting a fluctuating influence on relationships. While the ‘clans’ were superficially the basis of local political action and affiliation for Bunuba, that is not all they were. They were not therefore bounded conceptually from the rest of people’s sociality, and were in fact much less rigidly determined than might be suggested in the formal structure of Bunuba Inc.

Despite the flux described above, the ancestral identity of particular sites or areas and certain features of the ‘law’ laid down in ancestral times – such as language – remains immutable. Rather, it is the way people constitute themselves as groups in relation to
specific tracts of land that is mutable. The disruption of social processes since colonisation has widened the possibilities for variant forms of affiliation. But there remains an implicit hierarchy of value that places higher value on some forms of affiliation, leaving space for contestation and power plays between individuals and groups.

**Station connections**

The core surviving family groups of Bunuba are those that had historically resided on either Brooking Springs station, or Leopold Downs station. While others (Sullivan Pers. comm. 2007) have theorised about a historically-based split between those Bunuba based in town, at the United Aborigines Mission and other camps such as that adjacent to the pub, and the families resident out on the stations, such a division did not seem particularly evident in 2005. While there are a significant number of people with connections into other clan estates, they can generally also claim a connection to either one of these stations, and into the clan estates that underlie these two areas.

This dual axis of post-settlement Bunuba identity, the Leopold and Brooking mobs, are still very much discernible in the most powerful families. It is also apparent in the structure of Bunuba Inc if one takes account of the clans associated with those two stations: Darngku for Brooking Springs and Galamunda, Ngalarra and Warringarri for Leopold Downs and Fairfield Downs. There certainly was a sense in which people had previously considered themselves part of the ‘Brooking mob’, or the ‘Leopold mob’, and this superficial identification with particular stations was also true for most stations in the Fitzroy Valley. ²⁰²

The station era also saw a great increase of mobility of people into others’ country for work, or because of marriage. Traditionally Bunuba *muway* would certainly have trade

---

²⁰² Despite these being neighbouring stations, Bunuba people did not tend to work between these stations as they were managed by different white families. The lack of connection at the management level worked against Bunuba people moving freely across these stations, unlike those Walmajarri people who worked on Emanuel stations and recall considerable movement between them.
and marriage connections to neighbouring language groups. Those connections remain
evident, for example with the Darngku *mnway* and its very strong connections with
neighbouring Gooniyandi. But in a contemporary context many people have
connections much further afield, via their mother or father or in-laws, to desert places
or to Broome, Derby and Halls Creek. These connections elsewhere can act as a
pressure point during disputes over rights and relatedness that arguably characterised
the Bunuba political arena far more than the Kurungal one. Moizo (1991) noted a
similar discord as characterising Bunuba:

> There were numerous subjects of discord between Bunuba sub-groups;
in fact, there were more frequent and deeper disagreements between
them than between any other subgroup from other linguistic units.
This was probably caused by the closeness in terms of country of origin,
ritual activities and kinship links that existed amongst these sub-group
units, despite all the differences emphasised by their members (Moizo
1991: 140).

The Bunuba Inc structure as described above then was in a sense a negotiated
settlement between all of these parties, and individuals, at one point in time. It brought
into relief the power dynamics around a dozen individuals, and around established
Bunuba communities. It also attempted to capture group aspirations for establishing
new communities. According to those who were involved in developing the concept of
Bunuba Inc in 1999, the new structure was an attempt at reinvigorating people’s
connections to country, and re-empowering individuals at a level where their authority
had real meaning. It is important also to be mindful of the fact that Bunuba Inc was a
service delivery organisation, and managed for example the allocation of housing to
many Bunuba people. Such a structure was therefore also a deliberate move to ensure
that smaller groups received an ‘equal’ share of resources, and were able to voice their
concerns and participate in decision making at the highest level. It was also an attempt
to clarify resource allocation across groups and thus limit disputes between them by
delineating their responsibilities, a deficit which some suggested had characterised
Junjuwa Community Inc, the main organisational predecessor to Bunuba Inc.
Junjuwa

The number of people living in Junjuwa in the wet season was said to swell to 440 (from 380 during the ‘dry’) with members of the outstation groups coming into town (Hyde Pers. comm. 2005). It was where the main Bunuba administration is based and, because of its size, where a lot of municipal type services are based. Many Bunuba individuals, and their families continued to live in Junjuwa, or at least to spend time there. In the new Bunuba Inc constitution however, there were to be no Bunuba authority figures associated with the Junjuwa ‘clan’, or incorporated body, because all of these figures were represented elsewhere. Or at least that was the concept.

Junjuwa’s purpose as a subsidiary body was to represent those people resident at Junjuwa who were not Bunuba; that is people who were married in, or who had developed a historical association with the place. So that while the geographical community of Junjuwa was without a doubt the largest Bunuba community, and Junjuwa community Inc was the longest serving Bunuba-related organisation, in the new structure of Bunuba Inc, it was stripped of any real authority. In part, this was a deliberate attempt to undermine the identity associated with living in Junjuwa that had built up over its 30 year life, and to reinvigorate the identity of more traditional associations, the authority of particular figures and the strength of kinship at a smaller and arguably more functional and manageable level.

The members of Junjuwa, at least constitutionally, had the same rights as all other ‘clan’ groups, except as one councillor informed me, the right to Native Title. And yet ‘Junjuwa Community Inc’, the organisation that Bunuba Inc was meant to replace retained significant assets, including the Aboriginal Lands Trust lease on which it stands. This tract of land is five times the size of Junjuwa community, and represents an extremely valuable land holding. ‘Junjuwa community’ was also named as one of the original five stakeholders in the Leedal Pty Ltd; arguably it was attributed this share on the basis of it being the main representative body for Bunuba people at the time that
Leedal was established.\textsuperscript{203} The rights then to three seats on the Board of Leedal – the majority in terms of language group allocation – remain vested in Junjuwa Community Inc. The impacts of this tension, between the formal legal rights which the entity of Junjuwa still held versus the attempt to reinvigorate Bunuba people’s more traditional connections, is explored further in Chapter 5. While no one articulated this as such, I would also suggest that part of the appeal of the new Bunuba Inc structure was in undermining the significant power base which Junjuwa community had represented: being Chairman of Junjuwa had been a powerful position indeed, much more so than the same position on Bunuba Inc. In the new structure, power was shared amongst the 12 councillors who could act together, if the situation required it, to keep the Chairman in check.

\textit{‘Community Chairpersons’}

A further, less visible, level of authority was exercised in the Bunuba Inc structure: that of community Chairpersons, that is, people that were elected at the community or clan level.\textsuperscript{204} These community Chairpersons were never those that were chosen to act as representatives on the Bunuba Inc council; they had considerably more authority on an intra-community basis, and were pivotal in dispute resolution for example, and in allocating chuck-in at that level. The new Bunuba Inc structure allowed people to have control over budgets – ‘chuck-in’ and CDEP – at a family or ‘clan’ level, that is, at a level where consensus is much easier to gain.

\textbf{Bunuba: traditional owners of Fitzroy Crossing}

In the contemporary scene, the Bunuba identity has become a powerful force in the town of Fitzroy Crossing, although strictly speaking it is Darngku people on whose country the town sits. As traditional owners, they have rights to the seats on most Boards of management in the town. And as mentioned in Chapter one, one of the

\textsuperscript{203} Similar issues have arisen for others of the original five stakeholders, largely because the language groups, which were once associated with each have reformed their identities via new incorporated bodies.

\textsuperscript{204} As mentioned above, some ‘clans’ were not incorporated bodies, or did not have associated communities or assets to manage, and so were not required to have AGMs.
unique things about Fitzroy Crossing is the preponderance of NGOs. In 2005 Bunuba had 3 seats out of the 12 on the Board of Marra Worra Worra – a minority, but a significant presence nevertheless. They also had seats on the Board of Karrayili and the Women’s Centre. There is also their ownership, or part-ownership, of various interests including Ngiyali, Leedal, Bunuba Pty Ltd (housing and other investments) and the Bunuba Cattle Company (BCC). They are also very reliably represented at any Fitzroy-wide community forums, such as the Fitzroy Futures Forum or other meetings that have been held to discuss, for example, how to manage alcohol, or concerns over growing numbers of suicides.\footnote{205}

That Bunuba, as a language group, are connected into so many other organisations and aspects of the town means that a major disruption in Bunuba can quite easily spill out into other organisational entities and forums. In addition, the Bunuba presence is necessary to ratify decisions made about the future development of the town itself.\footnote{206} Their power in part then is drawn not from attending meetings, but in threatening not to, for no decisions can really be made without their implicit approval, even at times when they concern the non-Bunuba communities of Kurnangki and Mindi Rardi, which remain on Bunuba country. At a town level however, Bunuba Inc is most definitely perceived as very partisan, that is, concerned primarily and forcefully with its own constituency. This can be juxtaposed with Marra Worra Worra, which was historically focussed on the wellbeing of all other groups in the Fitzroy Valley, especially the desert groups.

Despite its internal divisions and tensions, Bunuba have a strong collective identity. The reworked Bunuba native title claim,\footnote{207} for example, states that the claimants all

\footnote{205} The Fitzroy Futures Forum was established in 2000. It has proved a remarkably successful model for enabling productive articulation between both state and federal governments, and the community. The 2010 Social Justice Report (2011) contains a section discussing its effectiveness.

\footnote{206} They have had a crucial role to play in negotiations with the WA state government over the proposed new school, hospital and power station, all of which began construction in 2007. The School negotiations in particular pivoted on Bunuba approval, since the proposed site was significantly situated on the 9656 lease which is ‘held’ by Junjuwa community.

\footnote{207} There had originally been a number of Bunuba claims submitted, some of which overlapped. The reworked claim, sometimes referred to as the ‘polygon’ claim, contains all of the original claims.
derive ancestry from a common fifteen individuals. Anecdotally, I was told by anthropologists involved in pulling the claim together that there was remarkable consistency and knowledge across claimants as to their place in this genealogy. Indeed, their various genealogies met up precisely with the Bunuba genealogies recorded by Kaberry in the 1930s (Pannell Pers. comm. 2010). Kolig argued that Bunuba as a collective identity may have developed greater coherence precisely because of their opposition to Desert groups, causing ‘…many Bunuba to identify more closely with Bunuba collective ideas than they would under different circumstances’ (Kolig 1973: 29). In any case, the coherence of Bunuba might also reflect their very different formation of social organisation. The desert groups exhibit arguably what could be deemed a more inclusive formation, in which ‘…the expansion of the notion of relatedness …in turn makes possible negotiations of country boundaries on the claim of a shared identity (via) bilateral affiliation rather than by marriage per se’ (Moizo 1991: 143). In this sense, Bunuba’s descent groups were originally more contained, and exclusive, whereas the desert groups sought to be more inclusive and expansive, a sensible approach to kin in a landscape where resources were unreliable and people travelled great distances tracking them.

For Bunuba people then, there exists a tension between ‘exclusive’ tendencies and the need for inclusivity via multiple means of affiliation in order to preserve group identities. Arguably that the two coexist may not be a measure of ‘dysfunctionality’ but may in fact be a kind of predictable dynamic in groups such as these and their organisations. Policy shifts around supporting outstations in the late 70s and 80s arguably contributed to the tendency towards atomism, whereas more recent policy shifts, which favour larger communities over smaller ones, are swinging the pendulum back again to encourage social cohesion at larger scales. 208

---

208 See Sanders (2004) for similar discussion on the co-existence of atomistic and collective forces in these contexts.
The ‘Kurungal’ identity

*Kurungal country, Wangkatjungka country*

While ‘Bunuba’ is indisputably a label designating language group affiliation, the label of ‘Kurungal’ has had a shifting history, and is thus more open to dispute, or at least nuances of interpretation. The genesis of the contemporary incorporated body ‘Kurungal Inc’, and its historical antecedent, is described in the middle of Chapter Three. As described in Chapter Two, the majority of people living at Wangkatjungka are connected directly, or through ancestors, to country in the Great Sandy Desert. In this sense of connection, they are living on others’ country. However, many people now living at Wangkatjungka were born there, or conceived there, and a great number have relatives buried on Christmas Creek station. Such connections to place do not give Wangkatjungka people any native title rights for Kurungal, but there is nevertheless a strong sense amongst these people that Kurungal, the place, and the community of Wangkatjungka are theirs.209 As has been articulated elsewhere in this thesis, there are a number of people who do claim direct descent from the original inhabitants of the country that underlies Christmas Creek station. However most of these, who are listed as Kurungal Native Title claimants, do not live at Wangkatjungka, but in Fitzroy Crossing or at Bayulu or elsewhere. They had moved out of the area to GoGo and Fossil Downs stations much earlier in the colonial process and so their connections to these areas had weakened somewhat, and their ties to their newer countries had strengthened.210 Nevertheless there are a few individuals significant to the Kurungal organisation who are also Kurungal Native Title claimants, and who do live within the geographic and political scope of the organisation. (See Map 3)

The country that Christmas Creek station overlies includes the border between Walmajarri and Gooniyandi, and there is a tendency towards disputation over the ownership of particular sites in this area, including the spring adjacent to the little community of Ngumpan. According to one Wangkatjungka councillor:

---

209 Many older people from Wangkatjungka were claimants in the successful Ngurrara Native Title claim, which was determined on November 8 2007.

210 Others have noted that the demarcation between traditional owners and ‘residents’ is not always clear cut. Holcombe (2005) for example observed that the shifting ground between these two groups at Mt Liebig was ‘volatile post-settlement’.
Really, when you hear the history properly from the old people, that old Mrs (...) there, she say this part here, Ngumpan, that not Gooniyandi really. You hear the names, now that Ngumpan sounds like a Walmajarri word. There’s a spring there, other side of the road, one old man there in Bayulu, he know the song for that place, he Walmajarri that song (Fieldnotes 2005: Book 4).

This disputation did not impact on the majority of Kurungal people, as they had little or no claim to knowledge of this country in terms of language. It is worth raising here however, if only to draw the comparison with Bunuba, whose colonial experience of ongoing residence on country – even if under considerable duress - meant that knowledge of country and clan estates were reasonably beyond dispute.211

In numerous submissions to Paul Seaman during his Land Inquiry of 1984, the ‘Wangkatjungka community’212 recorded their connections to country via four descent lines (Bolger 1984). Bolger (1984) described two of these descent lines as speaking for country that was ‘Walmajarri/Wangkatjungka mix’. This presumably is relating to areas that incorporate the two language groups and therefore account for countries of both language groups. Many Wangkatjungka are able to speak Walmajarri, and the two languages belong to the same language family, Pama-Nyugan. Yet, we need to remember when talking about strict language boundaries that these are artefacts of non-Indigenous map makers and linguists; it is interesting to consider the nature of language and landed-identity ‘bleeding’ in ‘border’ areas, particularly in the case of desert groups who regularly traversed each others’ country. This is reflected in the reality that there are both Walmajarri and Wankgatjungka people represented as claimants in the Ngurarra Native Title claim. There is a sense in which in the contemporary environment, these language group designations are becoming less fluid and open than they were traditionally.

211 Kolig (1973) characterised Bunuba as largely devoid of socio-cultural tradition, and as a group adrift, ‘splintered’, ‘intermarried’ and so forth (Kolig 1973: 29). The anthropologist who has spent some 14 years working on the Bunuba connection report for their Native Title claim however strongly disputes the claims of Kolig. The two anthropologists working on the neighbouring claim of the ‘Wanjina/Wungurr – Wilinggin’ also reported great clarity amongst Bunuba in terms of confirming language/country boundaries and so forth (Pannell Pers. comm. 2010).

212 This ‘community of interest’ resided at Christmas Creek, Junjuwa, Ngumpan and Bayulu (Bolger 1984).
**Ngarantjadu – a Wangkatjungka ‘outstation’**

The ways in which newer connections to country can emerge for displaced people such as this group at Wangkatjungka is demonstrated in the setting up of a Wangkatjungka ‘outstation’ at Ngarantjadu. This place is also known as ‘no. 2 well’ and is situated about 100kms south of the Christmas Creek homestead. It was still not on Wangkatjungka country, but was substantially closer to it. It was also on land that had previously made up Koolena station, a sheep enterprise long since abandoned, but a place with which some Wangkatjungka people had a historical connection. Ngarantjadu was established in the early 1980s – although at this stage it only consisted of a bore, and vehicular tracks. In 1983, an airstrip was cleared.

Ngarantjadu is indisputably on Walmajarri country. However again in the early 1980s, discussions were had with the traditional owners for that country, who agreed to ‘give’ it to a small group of Wangkatjungka men so that they could live at, and ‘look after’ Ngarantjadu. (Anon. 1983: 2.4) The Wangkatjungka submission to the Seaman Inquiry in 1983 states that:

> Once this outstation is established, some members of the community hope to move further south, specifically to an area known as Kuningura…This area is on the Canning Stock Route…and appears to have been about the northernmost limit of traditional Wangkatjungka territory just prior to the 1940s (Anon. 1983: 3.2-3).

While an outstation at Kuningura never was established, the outstation at Ngarantjadu remains a kind of political ‘container’ for one family at Wangkatjungka. It is however only visited intermittently, and in 2005, Kimberley Regional Service Providers (KRSP) were beginning to dismantle some of the infrastructure from there, such as bores and solar panels.

**One countrymen**

I wish to raise the notion of being ‘one countrymen’ here because it had considerable ethical pull in the public domain of Kurungal people. People regularly made statements
in meetings that ‘we are all one countrymen’, particularly on occasions in meetings
where a dispute was becoming heated. This ongoing invocation of commonality was an
even more crucial call for those living on the country of others. Indeed, Moizo (1991)
made similar observations of Walmajarri living in Junjuwa in the 80s:

Growing up on the same station is in fact the criterion that under-writes
Walmajarri co-resident groups kin groups: people perceived and defined
themselves as Cherrabun, Noonkanbah or Gogo ‘countrymen’,
although these places were far away from their original birthplaces
(Moizo 1991: 143).

Unlike the Junjuwa Walmajarri residents that Moizo was describing however, many of
residents of the contemporary communities of Wangkatjungka and Kupartiya were
born on that same country. The call to remaining true to one’s countrymen then
seemed not so much about having traditional country or birthplaces in common, as to
having a suite of historical and residential factors in common.

Similarly, Myers (1987) described Pintupti’s use of the term thus:

To understand the concept of ‘one countrymen’ as delineating the
widely extended set of persons with whom one might reside and co-
operate helps us to understand the links between social relationships
and space…While who is a ‘countryman’ is open to negotiation, what
seems important is that people ‘from one country’ should help each
other and that claims to be ‘countrymen’ open up access to resources
and labour (Myers 1987: 45).

Whereas Bunuba people seemed reluctant to fully relate the ways in which they were
connected to groups outside of Bunuba (to me, at least) for Kurungal people this
seemed less contentious. That a crucial cohering element for Kurungal mob relates to
their ‘resident’ or ‘immigrant’ status meant there was a real openness about relating
distant connections to kin and country. In other words, that they had connections
elsewhere did not undermine their identity as Kurungal, but rather confirmed it. Myers
(1987) also made the following observation about ‘historical people’ or visitors to
someone else’s country:

…it is clear that their behaviour is somewhat ‘restrained’, that they
exhibit ‘embarrassment’ or deference at seeming to assume too much.
They do not rise to give speeches in public meetings…they are tentative
in announcing intentions, assuming very little: they are always ‘asking’, making sure it is alright to do as intended (Myers 1987: 40).

However, in the example of Kurungal, I argue that people’s sense of entitlement to participate in decision-making has moved beyond that of mere ‘historical’ people. The dynamics I am describing here represent a shift in people’s sense of entitlement that is drawn significantly from a shared post-colonial experience. It therefore represents a new dynamic, which has thus far been little studied by anthropologists.213

2 families: a snapshot

The acknowledged boss for Kupartiya is Gooniyandi/Wangkatjungka, as are his parents, though the site of Kupartiya community, on Bohemia Downs station, is Gooniyandi. The current representative for Wangkatjungka, has an even more complex background. While her father is the brother of the Kupartiya boss’s father and therefore also Gooniyandi/Wangkatjungka, her mother’s father was Bunuba (Janggabany214 – notorious Bunuba police tracker, involved in rounding up people over Bilaluna way, which is where he ‘found’ her grandmother). Her now deceased husband however, who was enormously respected, was from Bilaluna and was therefore also Walmajarri, but with family connections down through the Canning Stock route to Wangkatjungka country deep to the south west – he had many relations in the community of Wangkatjungka.215 In addition, she was born on Bohemia Downs station. Her eldest daughter is the current community Chairperson of Wangkatjungka, and her second oldest was the previous Chairperson of Kurungal. This family then has some claim to be one of the original mobs, drawing on connections to Gooniyandi and Wangkatjungka/Walmajarri. Although I was told by this same woman that there was only really one original family:

…and the only original people for this place now, for Wangkatjungka, is the H_ mob, over there at Ngumpan, because they’re

213 An exception would be Holcombe’s 2004 paper on the ‘sentimental community’ of Mt Leibig.
215 For an account of the influence of this figure in the town of Fitzroy Crossing, and his status in the early 1970s, see Kolig (1973: 33) who has given him the pseudonym ‘Joshua’.
Walmajarri/Gooniyan that mob. Only just one family….This side, all this lines are broken, family tree lots of broken twigs…(Fieldnotes 2005: Book 6)

The ‘Kurungal Inc’ identity
Kurungal Inc was established in 2001, bringing together previously separate corporate entities, in an attempt at formalizing an identity and thereby perhaps generating loyalty and engagement of a constituency that, while connected in terms of historical identity, had previously run their affairs separately. Absolutely crucial to the undermining of any possible sense of coherence or belonging amongst constituents has been the relocation of the ‘office’, an incredibly important resource in these environments, to Kupartiya on Bohemia Downs station. This community is 60 kilometres from Wangkatjungka, via two sections of dirt road, which are often impassable in the wet, and 40 kilometres from the communities of Ngump and Gilly Sharp. In a logistical sense alone, and amongst people who have very few vehicles, this is particularly problematic, although the new dynamics this move set in place went far beyond issues of mere logistics:

Ngump, Wangkatjungka used to be office, used to get money. Used to count em out money, doing it separately there. We had everything that time. Then ATSIC come around, move everything to MWW, all that money go that way. No good now that office at Kupartiya, not like before at Wangkatjungka. We bin get robbed there now. Chuck in money. Money bin cut off (Fieldnotes 2005: Book 4).

Not only the office, but the administrator and his wife who was the housing officer, also resided at Kupartiya. In addition, most of the equipment – boring machines, trenchhole diggers, vehicles, tip truck, rubbish truck and so forth were stored at Kupartiya. In a crucial sense in the case of Kurungal Inc, an outstation (in terms of population numbers) was elevated to the status of being the administrative core, while the largest community was demoted to being a mere service recipient. In 2005 when the fieldwork began, the Chairperson for Kurungal resided at Wangkatjungka. She also held the position of Centrelink agent for that community. While there was an ‘office’ at Wangkatjungka, it was only such in a structural sense. There was no phone or fax that people could ‘ring out’ on, unless it was the Centrelink agent contacting the central agency; there was no computer, no internet or email access, although the administrator
could phone in. Doing business with the community of Wankgatjunkga, independent of the administrator, was therefore a virtual impossibility, a fact of which Councillors and other Wangkatjungka residents were acutely aware.

The other important tension here relates to the fact that the community of Kupartiya is located on Bohemia Downs station, which is essentially run or managed by one family resident there. Nevertheless, whilst this Kupartiya family has strong connections to Wangkatjungka (the Kupartiya boss’s mother is a Wangkatjungka woman, his father Gooniyandi), Wangkatjungka people in general do not have connections back the other way. Nor do have they have any official rights or entitlements to either the management or the profits from the station – the seats on the Board of Management are reserved for the Ngumpan and Gilly Sharp Bosses. In any case, the ‘station’, that is, the home where the family lives, has its own office, fax, internet and so forth, as would most functional cattle stations, as well as its own ‘plant’ and equipment. That the office was moved there at the instigation of ATSIC only demonstrates that this small community was already independent, well-connected and benefiting from leadership which embodied both deeply respected cultural knowledge, as well as an ease and charm in managing kartiyas.

So that while structurally the subsidiary bodies of Kurungal Inc, and of Bunuba Inc, seemed equivalent, the siting of Kurungal’s office at Kupartiya greatly empowered that community at the expense of all the others. What the administrator failed to understand was that, while the identity and cultural practices of ‘Kurungal’ people remained strong, these did not translate into a commonality associated with the formal organisational entity of Kurungal Inc.

**Kurungal subsidiaries: 5 ‘communities’**
In 2005 there were five subsidiaries bodies of Kurungal Inc: Wangkatjungka, Kupartiya, Gilly Sharp, Ngumpan and Ngarantjadu (See Table 2, p. 153). All of these are place names. As with Bunuba Inc, one of these places, Wangkatjungka, was where the vast
majority of the Kurungal constituency resided. The establishment of Kupartiya, Ngumpan and Ngarantjadu have been discussed elsewhere. Gilly Sharp was a reasonably small outstation, inhabited by the family group who are considered to be the main traditional owners for the country around Ngumpan and out towards Christmas Creek. The outstation had received no government funding, but nevertheless there were a number of permanent structures there, caravans, shed and dongas. A neighbouring community of Mingalkala had also previously been a subsidiary of Kurungal, but, after a dispute came under Noonkanbah management in 2005. Noonkanbah is a community some 150 kilometres on the western side of Fitzroy Crossing, but has significant intermarriage links to Mingalkala.

The subsidiary body of Ngarantjadu was comparable to Bunuba’s Yirramalay and other smaller Bunuba ‘clan groups’. That is, it was a seasonably occupied outstation established by one family who otherwise resided at Wangkatjungka. The families at Ngumpan represented the people who did not return to Christmas Creek station after the 1979 walk-off. Nevertheless their familial and historical ties to Wangkatjungka and the station remained strong. Similarly the extended family at Kupartiya had also resided at Wangkatjungka prior to the purchase of Bohemia Downs station, and also had strong kinship ties to people there. A nearby community called Bawoorrooga was geographically located within the orbit of Kurungal Inc, but because of limited kinship or historical ties of this family group, did not become a subsidiary body.

The crucial binding element then of all of Kurungal groups is strong historical and kinship connections to the mob at Wangkatjungka, and to the place of Christmas Creek station. Of course, people do not articulate their connectedness in these terms, but rather make claims to being ‘one countrymen’ or simply to being ‘Kurungal’. People’s contemporary connectedness via shared colonial experiences of a particular cattle

216 The significance of older people’s connections to particular stations cannot be overemphasised, although it is certainly waning in younger generations, whose connections are increasingly articulated in terms of particular communities. For station connections in the Kimberley, and the Fitzroy Valley see for example Bunburry (2002), Hawke and Gallagher (1989), Jimbidie (1993), Marshall (1989) and Moizo (1991).
station is not at all apparent in any of the language around ‘Kurungal Inc’, and yet this is clearly the crucial cohering element that underlies the unity of Kurungal people. The limited extent to which the coherence of Kurungal people translated into a sense of ownership of Kurungal Inc is explored at some length in Chapter 6.
Table 2 Kurungal Inc Subsidiary Bodies 2005

<table>
<thead>
<tr>
<th>Kurungal Inc subsidiary bodies</th>
<th>Meaning of name</th>
<th>Location</th>
<th>Incorporation date</th>
<th>Population 2005</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wangkatjungka</td>
<td>Community name</td>
<td>Community on fenceline of Christmas Creek station</td>
<td>1976 WA Act&lt;sup&gt;219&lt;/sup&gt;</td>
<td>200-250</td>
<td>Note that Wangkatjungka was originally constituted under the Commonwealth Aboriginal Councils and Associations Act 1976.</td>
</tr>
<tr>
<td>Kupartiya</td>
<td>Community name</td>
<td>On Bohemia Downs station</td>
<td>1999 WA Act</td>
<td>30 – 50</td>
<td></td>
</tr>
<tr>
<td>Ngumpan</td>
<td>Community name</td>
<td>At Springs at Christmas Creek turnoff</td>
<td>1981 Commonwealth Act&lt;sup&gt;220&lt;/sup&gt;</td>
<td>30 - 50</td>
<td></td>
</tr>
<tr>
<td>Gilly Sharp</td>
<td>Community name</td>
<td>Block adjacent to the Great Northern Highway</td>
<td>2004 WA Act</td>
<td>10 – 25</td>
<td></td>
</tr>
<tr>
<td>Ngarantjadu</td>
<td>Outstation name</td>
<td>One hour’s drive south of Christmas Creek homestead</td>
<td>1985 Commonwealth Act</td>
<td>Seasonally inhabited</td>
<td></td>
</tr>
</tbody>
</table>

<sup>217</sup> Note that Wangkatjungka was originally constituted under the Commonwealth Aboriginal Councils and Associations Act 1976.

<sup>218</sup> These figures are approximations taken from working documents of Kurungal Inc.

<sup>219</sup> Aboriginal Councils and Associations Act 1976

<sup>220</sup> Aboriginal Councils and Associations Act 1987
Individual authority and its derivatives

This chapter has thus far discussed the two organisations and their subsidiary bodies and the ways in which these levels of corporation can be read as politico-identity markers. It is also crucial to consider however what is occurring at an individual level. As a researcher of governance, I engaged primarily with the formal, elected Councillors in each organisation. Some of these people might be deemed ‘leaders’, although as an analytical category the term can be problematic, because it lacks the specificity that characterizes the times and contexts within which any individual might qualify as a ‘leader’.221 Again, I would argue that the notion of ‘leader’ is insufficiently political; it suggests stewardship, legitimacy, and a general wholesomeness. It is a clear example of how the language of governance begins with a concept already normatively laden, and then seeks to measure its presence or absence in the political practice of Indigenous people. In the introductory chapter, I touched on a suite of authors who have written about ‘leaders’, but engaged with a different language that enabled them to more fully capture the complexities and politics around such people. These authors include Gerritsen (1982a), Bern (1989), Holcombe (2005), Myers (1986a), Sullivan (1996a), Tonkinson and Howard (1990), Sansom (1980) and Howard (1982).

In Moizo’s (1991) thesis about Junjuwa, he distinguishes leaders from councillors, and writes that councillors always consulted leaders before decision were made. Like Rowse (2001a), I would suggest that the dichotomy between traditional knowledge-based authority figures and those who draw authority from knowledge of non-Indigenous systems is a false one (Rowse 2001a: 116). Similarly Bern (1989) argues that positioning leaders in one or the other of these legitimizing frameworks is likely to be reflective of the moral assumptions of the observer, rather than the complexity of practice (Bern 1989: 171). Nevertheless this dichotomy does have its uses as an analytical framework, so long as the categories are not treated as mutually exclusive.

221 The ICG project, which did engage with the language of leadership, notes four broad categories: Leadership of language groups, clans, families and coalitions of groups; leadership of indigenous knowledge and resource systems (including cultural, information, technological and financial capital); leadership of organisations at local, regional, state and national levels; and age and gender specific leadership roles (Hunt and Smith 2006b: 8).
In writing about individuals in this context, the issue to explore is how they are positioned vis-à-vis others on the council, and outside of the council. Clearly the previous section describing elements such as clan affiliations, historically-based station connections and kinship are crucial here. But we must also put at the fore of this discussion other post-colonial or western forms of knowledge, and how these translate to the empowerment of particular individuals. These newer forms of knowledge need to be considered in light of the historical life trajectory of individuals if we are to comprehend how this knowledge has been acquired. For example, being a ‘half-caste’ child in the 1960s greatly increased the likelihood of one being sent away to boarding school, and this is certainly what happened to a number of people who were Bunuba Inc Councillors in 2005. Being familiar with the English language, and more generally with whitefella cultural practice, meant that a number of these Bunuba people were placed in ‘leadership’ roles from a relatively young age, although they were very much operating under the watchful eye of older relatives who ‘sat behind’. In recent years, there have been a number of deaths of crucial older Bunuba people, and a number of relatively young people (ie. Late 40s – 50s) have attained much greater autonomy in their decision making as a result.

The Kurungal Inc governance environment can similarly be characterised by a number of individuals whose English language and western culture familiarity were above the average. As with Bunuba Inc, the authority of these individuals to act, or to make decisions, was very much constrained by elders ‘sitting behind’. As is explored more in Chapters 5 and 6, the governance practice around meetings between the two organisations was notably different. Kurungal Inc meetings were characteristically attended by a large number of older people, whereas in Bunuba Inc meetings, older people were characteristically absent. The reasons for this are considered more in these later Chapters, but what is important at this stage is to recognise that where an individual councillor had limited ‘traditional’ authority, they could nevertheless draw on the ‘traditional’ clout of older kin, and their understood positions on certain matters. Speaking against an individual councillor then could be perceived as also speaking against their older relatives: ‘He knew he couldn’t say (these things) in the meeting.
because that would be offending my mother’ (Fieldnotes 2005: Book 2). Kolig (1973) writing in the early 70s about changes to political leadership in Fitzroy Crossing noted that the ‘political leaders’ tended to be younger than the ‘religio-ideological’ leaders. He suggested that authority at that time could be characterized as a ‘joint’ matter, between these two different kinds of ‘leadership’, but he notes that this is a model only, in that there are often degrees of ‘…predominance of one party over the other’ (Kolig 1973: 31). Kolig’s observation is hardly surprising; these organisations represent environments where competition over resources, and power struggles are commonplace. Inevitably people, families and coalitions will make use of whatever knowledge they have at their disposal, whether it be ‘traditional’, western or a combination. Indeed a new element in the ‘western knowledge’ toolbox has become a familiarity with the language and concepts of ‘good governance’. These are now vital if a group is to impress upon government its legitimacy, and general worthiness. Such language is also very useful if one is attempting to undermine the legitimacy of other groups, or individuals.

Others who have written about Indigenous organisations have attempted to develop a typology of actors.\footnote{222 See for example Moran (2005) and Gerritsen (1982a).} A very detailed ethnography could be attempted to describe the relationships of a given group of people in a given meeting. It would however only be useful to demonstrate a single point in time, and a single subject matter under discussion in the meeting, and in itself could likely be contested. In any case, the basis of any two individual’s relationship with one another can contain a multitude of these elements, certain ones of which may be more or less appropriate to be called upon in any given context. The mutual nature of these relationships however means that they are not given, but rather depend on a history of ongoing conformity to protocols by both parties, a history that is often contested.
Skin groups

Individuals in both organisations under discussion here, and indeed throughout the Fitzroy Valley and beyond, are positioned within an eight class subsection system. This system forms an intricate social constellation that determines crucial aspects of how people are related, and on that basis how they interact. In traditional times, it was the fundamental determinant for marriage, and ensured that women bore children to men who were sufficiently distant from them genealogically. This skin system interacts with the kin system in the sense that the former is socio-centric and the latter is egocentric. One’s skin remains the same throughout life and dictates one’s relationships to all other categories of people. On the other hand, and as with the western system, an individual has unique kin relationships to others in the social universe. So that you are brother with respect to certain individuals, father to others and so forth. The behaviour appropriate to particular skin relationships (for example, to all of your classificatory brothers, sisters-in-law, mothers, aunties) is a weaker version of the kin relationships. In the context of this thesis, it is important to note that these classificatory categories remain strongly adhered to, particularly in the generation of people who were active in both Council environments. In a political sense then individuals who lack a genealogical connection can draw on skin relationships in an organisational environment, by calling others their skin names and thereby implicitly compelling them to act according to those relationship obligations. This was more the case with Kurungal Inc since there were people in the leadership group who were not genealogically related. With Bunuba Inc, because it was a smaller group who had descended from a much narrower group of ancestors, both kinship connections and classificatory connections were called on.

The nature of these relationships can range from light-hearted, jokey style interactions to far more serious and respectful modes of interaction. Cross-sibling avoidance determines that brothers and sisters cannot speak directly to each other, or only in a

---

223 Otherwise termed ‘subsection’ relationships, or ‘classificatory’ relationships, by anthropologists.
224 I would make the observation that the current younger generation’s (ie. 17 – 30 year age group) understanding of this system, and coherence to it, is much diminished by comparison.
‘round about’ way, but nevertheless with respect.\textsuperscript{225} The relationships between grandparents and grandchildren are characterised by joking, teasing and fun. Uncles and aunties have almost absolute authority over nephews and nieces, and mothers-in-law are to be avoided. The first two examples were definitely at play in both Council environments where there were brother/sister dynamics, and uncle/nephew dynamics evident. Sisters-in-law and brothers-in-law (\textit{wardu}) also have very strong mutual obligations; it is virtually impossible to refuse a request from your \textit{wardu}.

There are some other important kinds of relationships which similarly are powerful, but which were not in evidence to my knowledge in either organisational environment. The first is the relationship one has with one’s adopted parents, that is, the people who have ‘grown you up’.\textsuperscript{226} There are Bunuba and Walmajarri/Wangkatjungka language words for this relationship, and one’s obligations to one’s adopted parents are strong indeed. There is the also the relationship one has with the generally much older person who took you through initiation. Again, this relationship is characterised by very strong obligations of looking after and respectfulness.

Bunuba have another element to consider here, and this relates to the fact that many people’s ‘blackfella’ name is derived from an ancestor of three generations prior, that is, of one’s great-grandparents generation. People are considered reincarnations of these prior individuals and as such can call on relationships with these ancestors’ descendants. They can also to an extent make demands relating to traditional land ownership and rights on the basis of those belonging to this prior individual. Having such a call to these rights respected however is highly dependant on a number of other measures, which would determine the cultural authenticity of the person involved. Its highly contingent nature perhaps explains why this way of making a claim seems to be rarely called on.

\textsuperscript{225} For example, a sister at a meeting might refer to her brother as ‘that one’, or ‘that bro’, but will not address him directly

\textsuperscript{226} This term can have a range of meanings, from legal adoption under non-Indigenous law and total responsibility for the child, to its use by people who were present and witnessed the child growing up as part of an extended family group, and had some marginal responsibilities therein.
Embedded in the notion of a western style representative council is the assumption that all representatives are somehow potentially equivalent and equally able to represent a constituency in a council environment. This kind of representation requires an individual to compartmentalise different aspects of their social persona in ways that are extremely difficult in a kin-based society. While being able to act impartially is a valued attribute of Western leaders and decision makers, in societies such as these, such a personal quality would not only be unlikely, but also repugnant.

**English language literacy**

The significance of familiarity with the English language cannot be overstated for Kurungal Inc context, where the majority of people’s first languages continue to be Wangkatjungka/Walmajarri. Nevertheless meetings were generally conducted in English or kriol, although often with haphazard attempts at translation by certain Kurungal people for the benefit of older people present. People in both organisations were also acutely aware that the language and manner adopted by whitefellas in meetings was different to that of the ‘everyday’, and this contributed to people’s sense of unease. The accusation that whitefellas were using ‘high english’ was a common one, and pointed to people’s sense of being tricked. On occasion, councillors would also get accused of using ‘high english’ and hence of trying to hide things from others present in the meeting. While English language fluency is important then for councillors and others to be able to comprehend the mechanics of these organisations, and the government processes behind them, it is not sufficient alone. It requires some familiarity with the world in which whitefellas live, and also crucially, how they think! Such knowledge cannot be gained merely from a ‘governance’ course, but is acquired through travelling to cities, going to boarding school, spending time in whitefella’s domestic spaces and so forth. That Bunuba people in general have had a longer period of contact means that their level of familiarity with *kartiyas* is greater than for the

---

227 This is an example of the Western binary between the public and private that is very culturally specific, yet pivotal to Western governance ethics and practice.
Kurungal mob. For the latter, being offended by *kartiyas* was a regular occurrence and undermined the functionality of the organisation.

It is worth observing that Aboriginal people *also* have distinct protocols around speaking at meetings, and the process by which consensus might be achieved. These protocols are generally not well understood by organisational employees or other whitefellas. Myers (1986a) observed that

…(m)uch public life, especially ceremonies and public meetings, conforms to a fundamental image of sociality. One avoids the appearance of egotism, self-assertion, or private willfulness (all considered shameful) and accepts identity with others as part of the self (Myers 1986a: 163).

While a range of views may exist amongst the individuals present at a meeting, those views may remain invisible. This was especially so for Kurungal Inc, and far less so for Bunuba Inc where there was a greater readiness to express dissenting viewpoints. The practice of subsuming individual wills to form a consensus during Kurungal meetings proved to be both extremely frustrating and confusing for whitefellas, who had often in private discussions with Kurungal individuals, been strongly presented with particular viewpoints. So that while the whitefella waits for the views to be presented ‘in public’ and therefore to enable him to judge the broader support, in fact the opposite happens.

This is just one example of how ‘offence’ occurs, when the whitefella may feel ‘deceived’ by people who privately express one view, but then fail to defend it publicly. The meeting space is just one context in which the gap between Aboriginal and non-Aboriginal people’s understandings of each other becomes painfully apparent. How these misunderstandings play out in practice, and what this means for the potential of Aboriginal organisations to exhibit characteristics of ‘good governance, are explored more in the following two Chapters.

*Categories of ‘colour’ and authenticity*

One’s degree of ‘blackness’ remains a powerful distinction and marker of identity for people in both organisations. Many ‘blackfellas’ questioned the capacity of ‘halfe-
castes\textsuperscript{228} to \textit{really} be legitimate leaders; nevertheless in both organisations there were many such people on the Councils, in part because of their skill in operating in this intra-cultural zone. A number of Bunuba people commented on the makeup of the Council, stating that ‘they all got Bunuba mothers’, the implication being that this group is only halfway legitimate because their fathers are \textit{not} Bunuba.\textsuperscript{229} For Bunuba, it was not only internal members who commented on the younger and ‘half-caste’ character of the Council. Others, including government officials and some Kimberley Land Council staff, also commented on the lack of old people in formal meetings, and questioned the degree to which their cultural authority was respected. The quest then to identify the ‘authentic voice’ is taken up both by those who seek to engage with these organisations, and by the organisational constituents themselves.

This kind of dilemma is characteristic of all political domains: who (or what entity) has legitimate power to make decisions and act on behalf of the wider polity? ‘Charisma’ is a personal quality identified by political scientists as one of the grounds upon which authority may be granted and exercised. I raise it here as this personal quality was especially important, and yet has been largely overlooked in much of the literature around the qualities of Indigenous authority figures who operate in the intercultural field. This kind of quality, a certain political savviness and personal persuasiveness, is highly advantageous in these organisational environments.\textsuperscript{230} There were a number of very skilful individuals in both organisations who had a lot of experience in non-Indigenous contexts, and who also had substantial tradition-derived authority. The interesting difference with these kinds of political leaders is that they have two concurrent audiences or sources from which they draw their legitimacy. Such a person must be able to engage productively and meaningfully with both an Aboriginal organisational constituency (by and large extended family) and a non-Aboriginal constituency (government officers). They must also be able to do this in the purview of the other audience – so the non-Indigenous players must believe the ‘leader’ is properly

\textsuperscript{228} These terms, which are considered derogatory in mainstream Australia, are in common usage in Fitzroy Crossing by Aboriginal people. In other contexts, ‘blackfella’ can simply mean a person of Aboriginal-descent in contradistinction to non-Aboriginal people.

\textsuperscript{229} Sullivan (1996a) noted similar tensions in his work at Halls Creek.

\textsuperscript{230} Sansom (1980) has also written about this quality.
engaging with his or her mob, and the Indigenous players must believe the ‘leader’ is properly engaging with, and representing their viewpoints to, the government. It is not enough to do these things. The political reality is that it is beneficial to be seen to be doing them. Both organisations could be characterised by the intermittent failure of their councillor groups to manage these demands, and by the consequent instability that resulted.

It is worth noting that the qualities now being associated with ‘Indigenous leaders’ are not the same as they were in the 1970s. Most notably, the term ‘Aboriginal activist’ – which was the common label for such people then – is no longer in use in Australia. If it is used, then it has acquired a derogatory tint, or is used nostalgically, as in obituaries. The more commonly used language has now shifted to ‘leadership’ with all of its conservative, responsible undertones. In his case study communities on Cape York, Moran’s 2005 thesis identifies ‘political activist’ as one of three types of ‘leaders’, the others being informal leaders and elected representatives (Moran 2005: 253). Arguably the qualities associated with ‘activism’ – such as ‘speaking up’, being ‘proud’ rather than polite, even being aggressive or very assertive are still very much valued, indeed considered essential, by constituents or those who for whatever reason are not in the ‘leadership’ strata.

Age and generational change
The majority of the councillors in both organisations were in their mid 40s or older, and so had grown up on pastoral stations. The population cohort only 10 years younger grew up in the mayhem of the early 70s in Fitzroy Crossing, which coincided with large numbers of people moving onto welfare, and the beginnings of alcohol consumption, particularly amongst men.231 The point to be made is that there are significant generational differences in both access to education, and engagement with a workforce and an industry in which non-Indigenous people were bosses, but also providers of material goods – rations, blankets, medical services and so forth. Aboriginal people

---

231 I was told that women drinking did not become commonplace until at least the mid-1980s.
exchanged their labour for the patronage of their white bosses, and the good bosses ‘looked after’ them properly. As one old man, and Kurungal Inc representative for Ngumpan observed:

Country we bin grow up, la station, I bin grow up and this business been come not long, white people, 60s and 50s, when I was a young man. From that time, we never liked to stop, even in the 60s we just go on for ages, and come back, (from town) more better here, we just like that life, we never bin worry for what money we get….Young people got a different mind, different way of living, too many good things they got (Fieldnotes 2005: Book 4).

There is a sense amongst some of the older people that the understandings underlying the station relationship continue, although the work that is being exchanged is in meeting attendance, ‘performing’ community development employment projects and going through the constant rigmarole of ‘being administered’. This was acutely so at Kurungal Inc, where a common understanding between white staff and Aboriginal polity as to the nature of their relationship was palpably absent. Frustration, confusion and anger were the result:

You know we’re not just talking and living for nothing! We want to try to get something out! Talking about before [station times], the store, we had a homemaker, we do that fence paddock there. All those rails there, we got a lotta thing to do, hardly no money. No help. They don’t know how hard we bin livin here, and still live (Fieldnotes 2005: Book 4).

These understandings, that whitefellas ought to ‘help’ or ‘look after’ people, can also be traced to the 1970s, when organisations such as Marra Worra Worra were first established. These early entities, as well as the efforts of government agents such as Department of Community Welfare officers, were very much driven by Aboriginal groups and in particular, their desire to return to country. There was some sense of continuity then for people from the patronising relationship with station managers to a similar (if somewhat more liberating) one with the agents of the government.

---

232 There are clear parallels with the Pintupi notion of *kanyininpa*, or holding/nurturance, as discussed in Myers (1986a: 221) and Folds (2001: 40)
**Elders’ involvement**

As mentioned previously, the attendance of old people was greater at Kurungal Inc meetings than Bunuba Inc. The degree of their involvement at Kurungal meetings however depended on the subject matter, and where it was about government policy, for example changes to CDEP, the older people would sit well back and leave the discussion to their younger relatives. There certainly were occasions when a lot of old people attended Bunuba Inc meetings, most notably when a significant dispute was expected. The dispute would still take place amongst the younger ‘leadership’ group, that is, those in their 40s and 50s, but their behaviour would be constrained somewhat by the presence of the elders. In addition, once a dispute had been resolved in front of ‘everyone’ in this way, it could not be reinvigorated, without offending those present at its first resolution.

**Conclusion**

This chapter has mapped out a suite of subjectivities, or ways of forming the self, that can be inclusive or exclusive. That is, at any moment and in any context there are a range of factors, which determine who are ‘selves’, and who are ‘others’. While some of these elements could be described as ‘cultural’ or ‘traditional’, others are clearly derived from the post-settlement context, or from a coalescing of the two. The meanings now associated with both organisational titles ‘Bunuba’ and ‘Kurungal’ are examples of the latter. These meanings then represent a crucial background to understanding organisational practice, and the playing out of tensions, which is described in the following two chapters. I argue that in the language of governance, there is insufficient attention paid to these dynamics, which generate their own momentum, and derive from a particular rationality or set of ethics.

The micro-politics that are described at length in the following two chapters, in which minorities within the (Aboriginal) minority may lose rights or access to resources, can be difficult for a Westerner to witness. But my goal here is not to consider the

---

233 BAC (Bunuba Aboriginal Corporation) meetings were always well attended by older people, but as the focus of this organisation was solely on issues relating to land, this was not surprising.
‘rightness’ of what occurs, but rather to give a frank account of political practice in these contexts. This account engages little with the language of governance because, as I argue at length in Chapter Seven, the language is fundamentally normative. It has created its own recognition space, in which well-governed indigenous people have a dichotomous set of good/bad behaviours and avenues for political expression. Instead, through viewing the practice discussed in the following two chapters, it becomes apparent that these organisations are not especially ‘dysfunctional’, but rather that they may in fact be working as best they can, given the dualistic domains that they straddle, and the complex micro-politics they contain.
Chapter five: Causes and effects of local political practice

Introduction
This chapter takes the scene setting of Chapters 2 and 3, and the intricate layering and shifting of identities detailed in Chapter 4, and places all of this in practice. Much of the action described here could be deemed ‘political’, that is, concerned with struggles over power, over influence, ideas and approaches to social change and resources. It is only by observing ‘governance’ in practice, what actually happens, that one can begin to see the interaction between more and less formal aspects of each organisation, elements of resistance and compliance being expressed, the unintended consequences of policy and the actions of bureaucratic officers and how group histories continue to be negotiated in the reformation of identities. This examination of practice, of power in process, is taking place very much in the intercultural domain, where elements of local Aboriginal culture, and those of settler society, are negotiated, coincide and coexist. It is also in this space that the loose and imprecise science of cultural translation occurs, along with varying degrees of the process that Merlan, after Taussig, describes as ‘mimesis’ (Merlan 1998: vii). The aim here is to impress upon the reader a narrative ‘logic’ which is discernible via a complex webbing of cause and effect which results in particular decisions being taken, often in idiosyncratic ways, setting in train a new ripple of effects. The language of governance, as will be discussed at more length in Chapter 7, underplays the historic compulsions and personal relationships at play in these contexts, describing organisational environments instead as though it is possible, and desirable, for them to exist as a detached laboratory of western style rational deliberation and ethical certainty.

234 While the events described herein occurred some years ago, I will be writing about them in the present tense so as to convey to the reader a sense of action in the moment.
235 ‘(M)any aspects of the relationship between Aborigines and the Australian nation state can best be described as mimetic, or imitative rather than coercive in character. In the imitative relationship, questions of representation are important. Aborigines…are highly susceptible to others’ representations of who and what they are…’ (Merlan 1998: vii-ix). I take some issue with Merlan’s proposition here in Chapter 7, and argue that, certainly in the case of the language of governance, ‘questions of representation’ are extremely political and potentially, if not consistently, coercive. The discussion of ‘governmentality’ on p. 213-215 is particularly relevant.
What the chapter will describe instead is a kind of *predictable uncertainty*, which is interpretable as both desirable and positive, indicative of an ongoing process of negotiation, translation and compromise, all of which could be described as necessary attributes of open cross-cultural dialogue. In some of the instances considered below, this uncertainty can sometimes be characterised as resistance, sometimes as misfortune or poor translation or misunderstanding and sometimes as deception. Increasingly, community and government are reluctant to reveal an entire hand to the other; the way in which changes to CDEP have been rolled out by the Commonwealth government is an example of this.\(^{236}\) This state of affairs can be juxtaposed with the openness and flexibility in the relationship between ‘community’ and ‘government’ described in Chapter 3 that characterised the beginnings of the self-determination policy, and its intersection with people’s aspirations to return to country. While the organisations of both Bunuba Inc and Kurungal Inc hold on to notions of self-determination, and seek to articulate with governments on that basis, the effect of current policies is increasingly to limit the autonomy of such organisations. A growing cynicism is apparent in both organisations as to the ‘real’ intent of government policy, and as governments seek ‘compliance’ and a general orderliness in organisational practice, Aboriginal constituents and councillors in both organisations are engaging less and less.

This Chapter will focus primarily on the impact of changes to CDEP on the organisation of Bunuba Inc, and will also describe ‘internal’ schisms which were occurring at the same time. The split in Bunuba, or the ‘organisational restructure’, which was to occur in 2006, post-fieldwork, can be traced in large part to the events described here.

---

\(^{236}\) Whether such a non-transparent process of policy change is intentional or simply a result of poor bureaucratic process is largely irrelevant. From the perspective of those whose livelihoods are so closely tied to CDEP, the effect has been to further erode their trust of governments.
The formal and informal business of organisations

**Community Development Employment Project**

The significance of the CDEP program for organisations such as these has been discussed in Chapter Three. Suffice to say that this particular program has historically represented a crucial, foundational and reliable source of funding for both of these organisations, and for many like them across Indigenous Australia. In 2005, CDEP was the focus of considerable changes. Some of these changes related to an increasing focus on accountability from organisations who managed CDEP, in particular for fiscal expenditure, but also for demonstrating ‘productive outcomes’ in terms of numbers of participants that were moving off CDEP and into either mainstream employment or enterprise development. According to the accountants of both organisations, these demands had definitely entered the realm of ‘irrational rationality’ referred to by Sullivan (2006b), wherein the accountability measures become ends in themselves. Changes to CDEP then had significant impacts in each organisation, and applied new pressures to the relationships of the subsidiary member organisations. It is worth reiterating the observation that certainly in the case of Bunuba Inc, the structure itself was in part designed to effectively articulate with a government policy environment in a way that ensured resources on offer might be shared across authority figures. Not surprisingly, the changes to CDEP were to contribute to a changed organisational landscape for Bunuba, although as is explored below, the nature of these changes can only be comprehended by placing them in context of pre-existing tensions.

Part of the Bunuba case study demonstrates how externally imposed policy changes are resisted and re-interpreted, and how government officers and other non-Indigenous actors can have an impact. O’Malley made the observation that ‘...the dark side of liberalism reconstitutes Aboriginal governance in ways that render it compatible with the program at hand’ (O’Malley 1998: 167). This case study shows an opposite effect:

---

237 In a seminar given at the Centre for Aboriginal Economic Policy Research, Sullivan (2006b) began to unpack the ways in which the emerging ‘audit culture’ in Indigenous affairs, with its peculiar emphasis on ‘...counting, collating, representing and presenting our activities...’ has mythical and ritualistic elements, which he presented as *irrationally* rational. See also Sullivan (1996a: 44-8).

238 This is *not* to suggest that it was designed to ensure the even distribution of resources across the Bunuba Inc *constituency*. 

---
that in attempting to very clumsily enforce change, government policy rendered this particular organisation so completely incompatible with ‘the program at hand’ that an alternative organisational host had to be identified. In doing so, it completely undermined the legitimacy of Bunuba Inc in the eyes of its wider constituency, and contributed very significantly to its demise as the main organisational umbrella for Bunuba people.

**Informal ‘services’**

Such a focus on governance practice as is being adopted in this thesis deliberately overlooks much of the grassroots activity beyond formal meetings that takes place around organisations like Bunuba Inc and Kurungal Inc. Many of these activities take the form of services that are vitally important to the ongoing functioning of many community people’s lives, if not necessarily ‘the organisation’ or the programs for which the organisation is funded. Perhaps these kinds of services are not even part of what ‘governance’ is concerned with, since they generally are not funded by governments, and therefore are beyond the reach of the non-Indigenous need for account-giving. However they are clearly a critical aspect of what the majority of people miss the most when small community-based organisations like these two are defunded, and they are what most people demand of their organisations in an immediate day-to-day sense. For most, a very crucial service provided by organisations such as these is as an avenue to get help with all kinds of *kartiya* business. It is noteworthy however that Councillors in both organisations did not rely as much on the organisations to provide them with these kinds of help, since they were generally better equipped to do these things themselves.

---

239 This has implications for how staff prioritise ‘accountability’ on a day-to-day basis: ‘The contradiction here is that, in terms of “accountability”, because there is no specific funding allocated to the provision of these services, there is no formal requirement for these services to be provided. People nevertheless expect, and demand, these kinds of “help” from staff’ (Thorburn 2007a: 21).
The informal services I am referring to here include

- banking issues (lost keycards, pin numbers etc);
- storing bank account numbers and tax file numbers for members;
- collecting, sorting, storing mail for all community members;
- bookdown\textsuperscript{240},
- collecting and handing out pension cheques to the right people;
- community chuck-ins\textsuperscript{241} and purchase orders for fuel;
- helping people with bills/fines;
- helping people with tax returns;
- phone calls etc to follow up or find family in prison or hospital;
- directing the various outsiders who seek to engage with the community i.e. health professionals, police, researchers, government field officers, Shire council, other NGOs in town, training groups etc; and
- organising travel to and from funerals, writing obituaries.\textsuperscript{242}

They represent another, sometimes very weighty, layer of expectation on non-Indigenous staff, which the latter sometimes refer to as ‘humbug’.\textsuperscript{243} As the requirement for account-giving in these contexts grows, there is less and less latitude

\textsuperscript{240} Bookdown is the process by which credit is available from the local store in advance of the following pay period’s income. Because this scheme was limited to the store, it quarantined people’s income from being spent entirely at the pub, or on gambling, because by the time the pay went into the bank account, a portion of it had already been spent on food. It acted as a form of community-sanctioned income quarantining, ensuring that, especially in slack week, people would have something to eat. ‘Slack week’ is the week in between pay periods.

\textsuperscript{241} ‘Chuck-in’s are a communal bank account to which all members of a given community, or subsidiary body, must contribute. They were the subject of much discussion and suspicion in both organisations, in part because it was never entirely clear who was contributing to them and who wasn’t. It also was generally the case that a limited number of families benefited from them.

\textsuperscript{242} This list was first published in Thorburn (2007a).

\textsuperscript{243} The line between what one non-Indigenous staffer considers as unacceptable humbug, and another thinks is a legitimate request, can be extremely variable. These kinds of demands can take up significant amounts of time for staff, outside of their formal job tasks. This problem is very much reflective of the wider services vacuum that exists for Aboriginal people in communities like Wangkatjungka and Junjuwa.
for these informal services, or ‘help’ to be provided. This truism can act to further undermine the legitimacy of such organisations in the eyes of the majority.

Performance and translation: The ‘problem’ of the meeting

The theatrical metaphor is useful in considering how actors in the more formal, observable domain of governance *perform* their roles. By using the term ‘perform’, I am not suggesting that this activity is somehow inauthentic, although there is the sense in which it is a demonstration of something for an audience, even when that audience is absent, or hypothetical. Such performance occurs on both sides of the intercultural equation, indeed, the equation is characterised by it.

The Indigenous governance ‘script’ is supposedly derived from both sides of the intercultural divide, and is therefore required to be responsive to the expectations of each audience. Translatability across and between domains however is often problematic. This is also a context where Merlan’s notion of mimesis becomes evident: Indigenous actors are performing a script that has been penned by others, but translated in cultural terms so as to make some sense. In observing governance performances underway however, it is obvious at times that there are worlds of meaning that remain untranslated for both sides: Western political traditions versus the centrality of maintaining relationships, for example. This process of translation not often only fails, but is at times actively resisted on both sides.244 The performance of elections for example, wherein the principle of representation is revealed to be a thoroughly non-Indigenous one, was for both organisations a kind of farce.

For the constituencies of both organisations, the organisational entities are signified by two things: the ‘office’, which performs a range of roles, and the ‘meeting’. The understandings around the latter however, and what was considered legitimate practice, were extraordinarily different between the two. I have already mentioned the sense of

---

244 See O’Malley who also notes the limited translation from the Indigenous side into the ‘dominant discourse’ (O’Malley 1998: 162).
commonality that characterised the Kurungal meetings. Bunuba Inc meetings, in stark contrast, were considered the legitimate space for expression of, and resolution of, conflicts and disputes. For Bunuba, alliances across ‘clan’ groups would be shored up in the lead up to a big meeting, with much driving around, drinking and ‘yarning’ of key councillors in the days and nights preceding the meeting. The talk on these occasions would not be limited to the meeting agenda *per se* (for example, about CDEP or housing) but would focus rather on relationships, and on the validity or otherwise of certain individuals or groups’ claims to certain rights or entitlements to particular resources. For *kartiyas* such as myself, Bunuba meetings could appear as bitter and acrimonious and the nature of the exchanges extremely personal and hurtful. However, such an observation suggests more about my *own* understandings of what is appropriate behaviour in a meeting, that is, that the tone of exchanges should be ‘impersonal’. Clearly these meeting events for Bunuba served a crucial purpose in containing such disputes, and limiting their potential impacts on people’s relationships outside of the meeting context.²⁴⁵ Once a meeting was ‘finished’,²⁴⁶ there was an immediate sense of buoyancy amongst participants and a return to respectful, normal engagement with one another.²⁴⁷

It was noteworthy that in both organisational contexts, meetings were problematic for non-Indigenous players, although for completely different reasons. Raising a matter in a meeting environment rarely satisfied the non-Indigenous need for clear and unanimous directives. In both cases, organisational staff had little choice but to either engage directly with individuals, or to hold much smaller informal meetings amongst key

²⁴⁵ As an aside, except in the case where large amounts of alcohol had been consumed, I never heard exchanges between Bunuba people that were as direct and hurtful as those I witnessed within the meeting domain.

²⁴⁶ In using the term ‘finished’ here, I don’t just mean that the meeting came to an end, but that the matters of dispute were properly resolved. A matter could take a number of meetings to be properly ‘finished’, requiring, for example, that all the necessary parties were present to witness its resolution. When a matter is ‘finished’, it is considered ill-mannered to raise it again.

²⁴⁷ Liberman (1985) has also recorded how ‘public proclamations’ of anger are socially acceptable, but that relations should quickly return to normal between antagonists. He also records however that direct criticisms are rare and that people strive to not embarrass each other in public, a situation contrary to those I am describing in Bunuba Inc meetings, but more in line with those observed at Kurungal Inc (Liberman 1985: 101). Note that Liberman’s observations were of people in the Western desert cultural bloc.
players who could give them the direction they needed within the timeframes required by government funding bodies and others. Such practice is clearly outside of that deemed to be ‘good governance’, but is entirely pragmatic and allowed both organisations to continue to balance the social demands of a constituency and the external demands of non-Indigenous institutions.

Micro-economies: Changes to CDEP in the Fitzroy Valley in 2005
For the majority of indigenous people in the Fitzroy Valley, the main avenue of ‘work’, or of earning income above basic welfare consisted of signing up to the local CDEP (Taylor 2006b). For community organisations such as the two I am examining here, CDEP provided crucial funding to implement forms of ‘community development’ that had been identified as a priority by the organisation itself. In this sense, CDEP also encouraged family groups, outstations and larger coalitions to develop aspirations on the basis of some, albeit limited, financial autonomy as the scheme offered. This was clearly the case with both Kurungal Inc and Bunuba Inc who were CDEP grantee organisations, and whose organisational structures encouraged a degree of competition amongst subsidiaries over allocations of CDEP budgets and resources. Crucially, CDEP funding included significant resources for ‘administration’, which generally translated into the employment of a non-Indigenous co-ordinator or administrator, as well as funding for the running of a community office. As related above, these CDEP-derived resources then supported the provision of a range of services that both organisational constituencies came to rely on.

Policy changes
Early in 2005, the Department of Employment and Workplace Relations (DEWR) announced changes to CDEP via a discussion paper, ‘Building on success’. The discussion paper signified the beginning of a major shift in direction of the program, in

248 According to Taylor (2006b) there were 919 CDEP participants in the Fitzroy Valley in 2006, across three organisations: Marra Worr Worr, Kurungal and Yungngora. In 2000 however, Taylor recorded 884 participants across twelve organisations in the same region. As he notes, ‘there has been a substantial rationalisation of the administration of CDEP in the West Kimberley…’ (Taylor 2006b: 56-7).
particular, reflecting an increased focus on moving CDEP participants off the program. More substantive CDEP policy changes have since been implemented in 2006\textsuperscript{249}, but will not be discussed here. The initial shift in the program was to suggest that CDEP ought to be a ‘stepping stone rather than a destination’, that is, it should contribute to people getting mainstream jobs. There was to be a greater engagement between the program and external businesses. Another goal stated in the discussion paper was ‘…to establish successful businesses that can generate their own income independent of CDEP’ (Department of Employment and Workplace Relations 2005). More generally, the program was to develop a ‘stronger emphasis on results’. Three ‘key areas’ were to be the focus: employment (outside of CDEP), community activities and business development.

While the Discussion Paper contained mention of the enforcement of the ‘no work, no pay’ principle, such pronouncements relating to strict monitoring of individual performance had been made in the past, but to little effect. Indeed in my observation it had not been an uncommon practice for CDEP workers to get paid ‘top up’ for completing their baseline sixteen hours.\textsuperscript{250} ‘Top up’ had previously required the filling in of timesheets, whereas receiving the baseline CDEP pay had not. In any case, there can be little argument that in these contexts at least, there had historically been a significant gap between how organisations had formally agreed to run their CDEP, and the work activities of participants in practice. One significant shift then was that DEWR was to require written evidence, via the submission of timesheets to be signed by the co-ordinator, that workers had completed their required baseline 16 hours per

\textsuperscript{249} See Sanders (2007a) and, for impacts of these changes in the West Kimberley see Taylor (2006b): ‘Given the new eligibility criteria and administrative arrangements for CDEP introduced by DEWR during 2006, there is every reason to expect that the rate of CDEP program participation will continue to fall…’ (Taylor 2006b: 58)

\textsuperscript{250} CDEP workers were to be paid for 16 hours work per week, generally 4 hours in the cooler hours of the morning, 4 mornings per week. ‘Top up’ refers to extra income that could be earned by those willing to work more than the requisite 16 hours per week, with the possibility of earning double the income. According to Sanders and Morphy (2001) ‘…(u)ntil July 2000, it was possible to generate top-up wages partly within CDEP itself, from the wage savings of not having as many participants on CDEP during a funding quarter as allowed for at the outset. However now that CDEP wages funding is adjusted to actual daily numbers of participants, this is no longer possible. Two other sources of top-up wages are grant funding for community councils in the substantive program areas in which CDEP participants work, such as waste management and aged or child care, and income generated from contracts won and completed or enterprises undertaken using CDEP’
week. Failure to provide these timesheets meant that workers would get ‘no pay’. An example of the difficulties this set in train is provided in Chapter 6.

Other particularly controversial areas of change included that attending meetings was no longer payable as ‘work’ under CDEP – a decision that affected the most influential members of the community. This was particularly the case for Kurungal, where a number of senior people also sat on the Kimberley Aboriginal Law and Culture Centre (KALACC) and/or the Kimberley Land Council executives. Attendance at such meetings might also require significant travel to Fitzroy Crossing, Broome or further afield. ‘Meetings’ also included people’s attendance at, for example, Native Title meetings, or a whole range of other forums to which people were expected to attend. In other words, people would get their pay docked on occasions when they attended such meetings.\textsuperscript{251} Quite validly, these individuals argued strongly that such activities ought to be considered ‘community work’. It is worth making the observation that there are an extraordinary number of meetings that take place in these contexts. On any given day in Fitzroy Crossing for example, there will be a number of meetings taking place, whether within NGOs, or with government agents, or relating to the Boards of various companies (for example, Leedal, or Ngiyali, or the Bunuba Cattle Company) or other sporadic events such as visiting researchers, community projects and so forth. It is clear that there is a core of individuals in any given language group, or relating to particular issues, that are expected to attend meetings and to ‘talk up’ for the mob.

Another new aspect of CDEP was to proclaim that participating in ceremony or attending funerals was no longer an excuse for not doing the requisite sixteen hours per week. ‘Cultural activities’, including funerals and ceremonies, had historically been exempt, but no longer. The only people to be exempt here were those who were ‘organising’ the event. For both Bunuba Inc and Kurungal Inc members, funeral

\textsuperscript{251} It is worth noting as an aside that the entire notion of paying, or penalising as is the case here, ‘individuals’ misses the dynamics around ‘demand sharing’ that characterises these micro-economies. See Peterson (1993).
attendance is a regular event, and often requires significant travel across the Kimberley, and sometimes to communities far to the south such as Jigalong.

**Flow-on effects of the policy changes**

For large and multi-faceted organisations like Bunuba, CDEP had represented a crucial source of income and of influence. After the changes however the fulcrum between the amount of influence it allowed Bunuba Inc to exercise over community affairs versus the amount of influence it enabled the government to exercise was shifting significantly towards the latter. Some were of the view that such a shift represented too great a loss of control, and that there was inevitability about the demise of the CDEP; indeed the desirability of the demise of the program was to become a clearly stated policy objective in 2006. Others, particularly those who relied on the program for income, and for resources in their communities, including those who were employed as ‘coordinators’, ‘talked up’ for the program. There was also clearly a certain sentimentality associated with the CDEP, which had existed in Junjuwa since 1988, that is, for nearly 20 years.

In both organisations, the changes to CDEP placed non-Indigenous staff employed to run CDEPs in an unenviable position, having to spend more time accounting for funds received, carrying out surveillance of CDEP workers via timesheets and regularly reporting on progress against ‘key performance indicators’ spelled out in service agreements. They were therefore less and less available to perform the vital ‘helping’ tasks mentioned above (p. 161-162), and instead were preoccupied with accountabilities which were invisible and irrelevant to the immediate concerns of the organisations’ members.

In terms of actual income participants received, and the organisation received in terms of on-costs and so forth, there was little change.\(^252\) A worker on CDEP was receiving

\(^{252}\) Sanders (2001) noted that there was $3100 available as on-cost for each additional participant on a CDEP scheme. ‘…(O)ne way to effectively increase the figure is for community councils to take on more CDEP participants than can realistically be kept occupied and then to let some of those
$54 per day for working four hours, so earned on average $216 per week. CDEP organisations are funded on the basis of the number of participants, so the only way for the organisation to earn more money (via an oncosts budget) is by increasing the number of people on CDEP. And yet, the changes being introduced were very much designed to ensure that numbers of participants fell. Indeed, the number of participants, particularly in Kurungal, had been falling. Anecdotally at the communities of Kurungal, the number of young adult residents especially had been falling. According to the ICC, the number of CDEP participants had halved since the inception of Kurungal Inc in 2001, that is, in only four years. It is difficult to know why this had been occurring in retrospect, although it is possible that the original numbers of participants were somewhat bolstered with people who may have been more mobile than the program could tolerate.253

While changes to CDEP were announced in April 2005, it took some months for their impacts to be felt. There was a process established in Fitzroy Crossing to develop a ‘Fitzroy Valley Regional Plan’. This process involved a number of meetings of the five remaining CDEP organisations in the Valley, Bunuba Inc, Marra Worra Worra, Kurungal Inc, Yungngora Inc and Yakanarra Inc, represented by their Chairs and CDEP co-ordinators. The intent was to workshop, with the assistance of staff from the ICC, how the changes being introduced might be harnessed in a beneficial way. The forum considered therefore opportunities to co-ordinate across the five organisations in order to win, for example, contracts from the Derby West Kimberley Shire Council. It very quickly became apparent that while all five organisations were keen to work together, they were also determined to maintain their own autonomy. The forum discussed many apparently sensible ideas for how to make the CDEP program more effective regionally and more work-focused. Despite the rhetoric from DEWR that such a focus was desirable, this forum very quickly lost momentum once it reported back to the ICC. There is a suite of possible reasons for this, although certainly the fact

participants become non-workers. On-cost funding can then be concentrated on the lesser number of CDEP workers in larger amounts’ (Sanders 2001: 18).

253 See Morphy (2010: 52-5) on mobility of people in the Fitzroy Valley.
that all five grantee organisations were determined to maintain their own autonomy may have run contrary to the centralising direction of policy implementation.

As the changes began to take effect, it was becoming clear that the issue was causing major internal disquiet in Bunuba Inc. It subsequently began gearing up for a full-scale battle over CDEP, which in time spilled out to encompass the ICC and MWW. For Kurungal, maintaining the CDEP program became an exercise akin to paddling a leaky boat, requiring more and more effort to keep it afloat. The sense of the inevitability of its sinking altogether gave an added futility to the exercise.

Background Bunuba events of 2005
2005 was by many accounts a tumultuous year for Bunuba Inc, even if we leave aside the impact of changes to CDEP. Table 3 (overleaf) is a simple typology of the three main players in the series of events I will describe, including their official positions, and their relationships. To comprehend the playing out of tensions in early 2005, and then how these combined with the impact of the changes to CDEP in late 2005, we must return to 2002, the year in which the Board of the Bunuba Cattle Company had removed C1 as manager of Leopold and Fairfield Downs. The Board at that time consisted of only two individuals, C1’s sister and his uncle (C2). Note for the purposes of this account that C1 was voted in as Chair of Bunuba Inc at the AGM in late 2004. He has remained Chair throughout 2005, 2006 and 2007. In this section I wish to explore the impacts of this decision on ‘family’ relationships, on the tensions between station traditional owners and town traditional owners, and on the dynamics between outstations and Fitzroy Crossing-based main community of Junjuwa. I will then turn to how the changes to CDEP combined with all of these dynamics to precipitate the demise of Bunuba Inc, as it had been structured in 1999.
Table 3 Three crucial relationships in 2002 and 2005

<table>
<thead>
<tr>
<th></th>
<th>2002</th>
<th>2005</th>
<th>Relationships</th>
</tr>
</thead>
<tbody>
<tr>
<td>C1 (Warrangari, Leopold station T/O)</td>
<td>Manager of stations</td>
<td>Chair of Bunuba Inc</td>
<td></td>
</tr>
<tr>
<td>C2 (Darlingunaya, town T/O)</td>
<td>Chair of Bunuba Cattle Company</td>
<td>Councillor of Bunuba Inc</td>
<td>Relationship to C1: Uncle (classificatory)</td>
</tr>
<tr>
<td></td>
<td>Councillor of Bunuba Inc</td>
<td></td>
<td>Relationship to C3: Cousin (consanguineal)</td>
</tr>
<tr>
<td>C3 (Milliwindi, station T/O)</td>
<td>Chair of Leedal</td>
<td>Chair of Leedal</td>
<td>Relationship to C1: Uncle (classificatory&lt;sup&gt;254&lt;/sup&gt;)</td>
</tr>
<tr>
<td></td>
<td>Chair of Bunuba Inc</td>
<td>Councillor of Bunuba Inc</td>
<td></td>
</tr>
</tbody>
</table>

In other words, C1 was the classificatory nephew of both C2 and C3. C2 and C3 had a more equivalent classificatory relationship as ‘brothers’.

*Mapping cause and effect: A story of community politics*

In 1991 ATSIC purchased Leopold Downs station following the collapse of the West Australian Cattle Company, and vested it in the newly established Bunuba Aboriginal Corporation. Fairfield station was acquired soon after, with WA government assistance, and the two stations have been run since that time jointly. While Bunuba Aboriginal Corporation (BAC) held the pastoral leases, it was also necessary to establish a company – Yarrangi Cattle Company – to receive the $600 000 loan from ATSIC required to make the necessary improvements to the properties. The stations were managed from that time by C1, the same man who became chairman of Bunuba Inc in 2005. C1 is a very experienced cattleman, licensed helicopter pilot and had been for some years Chairman of the Kimberley Aboriginal Pastoralists Association. He was, presumably, accountable to the Board of the Yarrangi Cattle Company (YCC).

<sup>254</sup> A classificatory relationship is more distant than consanguineal (blood).
In late 1999, Bunuba Inc was formed. Some time in 2000, it came to light that the YCC was in serious financial trouble in terms of its loan from ATSIC. The YCC resolved to change its name to the Bunuba Cattle Company in late 2001. Now, the exact processes here are not entirely clear. What is clear however is that the Directors on the Board also changed. The manager, C1, was ‘fired’ by the new directors, largely because they had come to the conclusion that C1 was not able to manage the financial side of such an significant enterprise.\(^{255}\) C1 as a result lost his very esteemed position as manager of the cattle stations that he had grown up working on, but was also required to leave the station homestead, and the considerable resources available to a station manager. The ‘hurt’ inflicted in such a decision was born not only by this man and his direct family, but felt by Bunuba more generally. Regaining these stations, which had been run for so long by white masters on Bunuba country, had been a moment of enormous triumph. However, as was no doubt evident to the two new Board members of Bunuba Cattle Company, the decision to remove the manager would cost the Bunuba people less in the long run than would have losing the stations altogether. Had the second possibility occurred, it would also have destabilized relationships, but in very different ways.

There is no doubt that the decision by this BCC Board to remove C1 was an extremely difficult one, given the very close relatedness of the three individuals involved. It is arguable that it was in fact the nature of their relationship that allowed the Board members to remove him – a combination of their rights and obligations as kin, with their understanding of corporate matters and responsibilities as Directors of the Company. Another factor in the timing of the new Director’s decision to act against C1 had been the death of a senior man who was a traditional owner for part of the station country, and uncle of C2. The actions taken by the new Directors could never have occurred while this old man had been alive. He would certainly not have supported the removal of C1.

---

\(^{255}\) There were only 2 individuals on the new BCC Board, as there had been on the previous YCC Board.
After considering the idea of leasing out the stations for a ten-year period, so as to pay off the loan with no operational overheads, the BCC Board decided instead to employ a non-Indigenous ‘manager’ from August 2003 on a five year contract. This was also a painful event for many – seeing a **kartiya** return to managing the station, and living once again in the homestead, after a Bunuba person had been in there for 10 years.256 His agreement to take on the job, and to take up a position on the Board, enabled the company to refinance, paying off the ATSIC loan, and instead borrowing from a conventional agriculture financier. The Board then consisted of the new manager and C2 (See Table 3, p. 179). The other original Board member of BCC, C1’s sister, retired from the Board in order to begin to rebuild her relationship with her brother and to ease the strain that was evident in their wider family as a result of her brother’s removal as manager.

At the time I arrived in Fitzroy Crossing in early 2005, a confrontation was building between C1, new Chairman of Bunuba Inc and Bunuba Inc Councillor C2, in part as revenge for the events of 2001. It is very significant to note here that C1 made no attempts to attack, shame or disgrace C2 outside of a Council-type environment. That was where the offence against C1 had been committed, and where the retaliation would take place. It was understood that that was the proper way to resolve such conflicts, that the environment of the Council could somehow ‘contain’ such offences from spilling out too broadly. Keeping in mind the relationship of the two men involved – nephew/uncle across clan groups and families – C1 ‘attacking’ C2 outside of this space would have offended a great many people. The discipline I am describing here suggests a degree of sophistication amongst Bunuba Councillors as to the best way to manage conflict, and ensure that it did not spill out of the Council room and into families and daily life. It is also worth noting that the accusations levelled against C2 by C1 were not only about offending relationships; there were suggestions of financial impropriety also, as there had been against C1 when he was removed from his position as manager of

256 Many Bunuba people continue to voice their discontent that there is a **kartiya** managing their stations – regardless of the success he has had in doing so. In 2005, the stations were turning over a half million dollar profit, and having paid off the refinanced loan, the new Board was considering taking out another one to keep building improvements.
Leopold and Fairfield. While threats may have been made, there was never any serious suggestion of taking either matter to the non-Indigenous authorities, or making recourse to whitefella law to sort out these disputes.257 Allegations of impropriety did however spill out of the Council room, and into the general administration; the long-standing working relationship between C2 and Bunuba Inc’s administrator made the latter a target of the Chairman, and the suggestion was made that the administrator had been acting favourably towards certain mobs at the expense of others.

A Special General Meeting was called in early March to attempt to resolve the growing tensions, and for the Chairman to publicly (in a meeting) air his grievances. He had been calling for C2 to be ‘kicked out of Bunuba’.258 Also, by this stage, the Chairman had attempted to ‘fire’ the administrator, and the administrator, despite believing himself innocent of all charges, was growing weary of getting caught in the cross-fire. C1 was being advised by C3, who had previously been Chair of Bunuba Inc, and who had his own ongoing history of conflict with C2. C2 was out of town on the day of the meeting however, so no decisions were made, because the Councillors did not want to be seen to be making decisions behind C2’s back – although there were more than enough attendees to form a quorum to do so. Again, we see here the importance of maintaining relationships and how this can overshadow formal legal processes set up in the organisation’s constitution. The very rigid notion of a quorum does not account for the great variety of contexts in which decisions get made, and for which different groups of people are required to be present.

A second Special General Meeting of Bunuba Inc was convened, with all the necessary parties in attendance, including other senior Bunuba individuals who were not on the Council. Rather than continue with suggestions of financial impropriety, the argument

257 Such allegations are the norm, rather than the exception, in organisations such as these. Part of the reason for this is the varied limited financial literacy of constituents. There is also a very fine line between incompetent financial management, and deliberate financial misappropriation.

258 The timing of this retaliation – some years after C1 was removed as manager - may have also related to the death of an elder whose presence sufficed to quell disputes. There was a sense in which the presence of old people kept the Bunuba ship steady, and when any one of them passed away, some turmoil was likely to follow.
was made that C2 should be removed from the Bunuba Cattle Company, as he was not a traditional owner for that country. Nominations were made for new Directors to take up seats on the BCC Board, including a new Chairperson and C2 was to be removed altogether. It is interesting to note the way in which traditional owner status was made use of, even in the context of the corporate boards of two companies, the Bunuba Cattle Company and as we shall see below, Leedal Pty Ltd, each worth well over 5 million dollars.

In response to being removed from the BCC board, C2 returned the riposte that as a traditional owner for the town of Fitzroy Crossing itself, he – or at least delegates of his clan group – had a right to the seats on the board of Leedal Pty Ltd. As a result, it was agreed at that meeting that those seats on the Leedal currently held by Bunuba people should be given over to the town traditional owners. This was a direct assault on the tenure of C3, Chairman of Leedal and not a town-based traditional owner. There were also new nominees made to the Board of Bunuba Pty Ltd, the corporate arm of the organisation, and to the Board of Bandaral Ngardu, which operates the Ngiyali roadhouse, of which Bunuba Pty Ltd owns a 50 per cent share.

A complicating factor in all of this is that Leedal Pty Ltd has six Fitzroy Valley ‘communities’ which are beneficiaries of the Leedal Trust:

- Junjuwa Community 40%
- Marra Worra Worra 12%
- Kurnangki Community 12%
- Bayulu Community 12%

259 I suspect that the use of the lack of ‘traditional owner’ status was the least disputable way to remove the influence of C2, and that that was why it was raised on the day.
260 Interestingly, the new Chairperson was to be C1’s sister, the very same sister who had assisted in his removal as manager in 2000. In the intervening years, she had managed to repair their relationship to the extent that he was prepared to support her in her bid to be the new Chair of Bunuba Cattle Company.
261 See Chapter 3 for discussion of Leedal Pty Ltd and its assets.
- Yiyili Community 12%
- Kadjina community 12%

In addition, Junjuwa Community Inc acquired\textsuperscript{262} one of the two shares that make up Leedal Pty Ltd in the year 2000 – soon after the creation of Bunuba Inc. This put the three representatives of Junjuwa on the board of Leedal, including C3, in an extremely powerful position to influence the decisions made by the company.

As Leedal was formed long before Junjuwa Community Inc was subsumed beneath the Bunuba Inc umbrella, it remained in the constitution of Leedal that its Bunuba shareholder was Junjuwa Community Inc, only one of 11 ‘clan groups’ that made up Bunuba Inc in 2005. So while the machinations over rights to sit on the Leedal Board had occurred within a Bunuba Inc meeting, according to the Leedal corporate structure\textsuperscript{263} it required a resolution of Junjuwa Community Inc to terminate the two standing Leedal Directors, and nominate three new ones. A Junjuwa meeting was duly called, and resolutions were made to change the Bunuba Directors of Leedal. None of the new Directors nominated however were either resident in Junjuwa, or members of Junjuwa Community Inc, at least as it is conceived of in the Bunuba Inc structure.\textsuperscript{264}

This difficulty arose therefore because in the design of the new Bunuba Inc structure, no one considered how it might articulate with other corporate entities in the town of Fitzroy Crossing, under whose constitutions the entity of ‘Junjuwa Community Inc’ retained significant power. It retained this power because historically Junjuwa Community Inc had been the main community-based organisation for Bunuba people.

\textsuperscript{262} The process by which this ‘acquisition’ occurred is not at all clear.
\textsuperscript{263} Note that at the time Leedal was established, Junjuwa (the place and the organisational entity) was where the most influential Bunuba people resided. At the time of events described above however, one could argue that Junjuwa had lost many of these people to outstations.
\textsuperscript{264} Note that in the Bunuba Inc structure, as outlined in Chapter 3, membership of the Junjuwa ‘clan’ was limited to non-Bunuba (ie. Historical or married in) people.
The nominees to the Leedal Board were not who one might expect: one was a very experienced non-Indigenous businessman who resided in Sydney and was a friend of C2, one was a traditional owner for Galamunda (that is, an outstation on Leopold Downs) who nevertheless had strong kinship ties to C2, the other a young Darngku woman (and therefore town traditional owner) and niece of C2. This process of electing these new board members had taken six months, by which time the conflict between C1 and C2 had resolved to the extent that C1 agreed to mentor the Sydney man in his role on the Board of Leedal.

However, the decision taken by Junjuwa Community Inc members to replace Leedal Board members was overturned at a later date. It seems likely that those who took the decision may not have fully realised the ramifications of it, certainly that it would have meant the removal from the Leedal Board of C3, a man who had had an association with Leedal since its inception in 1990. The Bunuba people sitting on the board of Leedal therefore did not change. In any case, within a few months of second Special General Meeting described above, C1 and C2 had become considerably distracted by issues around CDEP and Bunuba Inc.

As a result of the dispute I have just described, wider relationships had been severely strained, particularly amongst Councillors, as people had tried to position themselves strategically to protect their relationships across families. The working relationship between C2 and the non-Indigenous administrator of Bunuba Inc had also been strained. The administrator had had to distance himself from C2, in part to convince the Chairman (C1) that he was loyal to him. One of the noticeable outcomes of the entire episode was that a simmering distrust of the administrator amongst many community people began to find expression in direct confrontations. It seems likely that C2 had previously buffered the administrator to a degree from the community’s ire. Once his protection was removed, the rumours around impropriety of the administrator and his wife start to build. It is worth making the observation that
Bunuba people were seemingly at their most united when confronted with a perceived adversary.\textsuperscript{265}

**CDEP changes impact on Bunuba Inc**

At the same time as the events just described were occurring, the Bunuba Inc administrator was attempting to implement the new CDEP rules requiring increased micro-management of individual participants via timesheets, employment plans and so forth.\textsuperscript{266} This was part of his problem. The organisational membership, in Bunuba Inc as elsewhere, considered that a crucial role of such a person was to protect them from the hard edges of government policy. But the changes were such that the administrator had very little latitude to do so. It is not surprising that talk started to build that perhaps it was time for a new *kartiya*, one with fresh energy to ‘talk up’ for Bunuba people. It is also understandable that after the argument just outlined, which the administrator described as the most stressful period of his five year stint with Bunuba Inc, he may well have been a little burnt out. As I have noted elsewhere, ‘[I]n the delicate social architecture of such organisations, outsiders can represent a vital stress point or shock absorber’ (Thorburn 2007a: 18).\textsuperscript{267}

A crucial element of the changes being implemented by the Bunuba Inc administrator, in addition to the ‘no work, no pay’ rule, was a shift in how the program funds were managed. Previously, each of the clan groups represented in the Bunuba Inc structure had been allocated their own CDEP budget, and had a certain amount of autonomy around developing their own workplan of community development priorities. Bunuba Inc managed the funds, but the clan groups were largely left to manage the CDEP in practice. This however had to change, as Bunuba Inc was required to more tightly monitor these outcomes, and report on them. The changes to CDEP then were creating a forced centralisation within Bunuba Inc, which in itself contributed to the

\textsuperscript{265} Moizo made similar observations of Junjuwa in the mid-1980s: ‘(B)laming outsiders...was a strategy used by Junjuwa leaders to reaffirm Junjuwa's cohesion as a group whenever it had been challenged’ (Moizo 1991: 231).

\textsuperscript{266} See Batty (2005) for discussion on role of white advisors in the process of self-determination.

\textsuperscript{267} Both Holcombe (2005) and Sullivan (1996a) have made similar observations.
instability of the organisation and the feelings of suspicion amongst members. A strength of Bunuba Inc had been the way in which the ‘clan’ structure allowed both the co-existence of autonomous units, and an economy of scale around Bunuba Inc and its investments which made membership of the larger entity attractive. It had therefore succeeded in balancing in an organisational context the contradictory compulsions of atomism and communitarianism which characterise Indigenous polities.268

There were a number of impacts of the changes to CDEP on Bunuba Inc, both in the short and the long term. The first is a decrease in the autonomy of the outstations and smaller communities, and a concurrent centralisation of power in Bunuba Inc. One could also discern that there was a trend away from servicing of outstations more broadly – the West Australian Department of Housing and Works for example had decided not to build houses in communities of less than 50 people. So that while the structure of Bunuba Inc was intended to encourage the reformation of kin groups’ connections to certain outstations, and to reinvigorate traditional obligations and authority systems, the shifting policy environment of 2005 was pulling it in the opposite direction, focussing again on Junjuwa and the town-based communities. In the longer term, one could see that this would lead to a concentrating of power in the hands of the town traditional owners, and a refocus of energy on the infrastructure of Junjuwa, which had been deprioritised during the previous focus on outstation establishment.

Bunuba Inc tried to resist these trends, but with little success. In late 2005, it released a CDEP reform ‘Discussion Paper’, which stated that ‘Bunuba Inc Council is now considering the rationalisation of administrative aspects of the Bunuba CDEP to another Host.’ In other words, the Council was considering handing over their CDEP program to another organisation, an extraordinary notion given that well over two thirds of the Bunuba Inc budget was derived from CDEP. The Discussion Paper suggested that such a move would free up the organisation administratively, to focus on

268 I am not referring here to the anthropological writings alone, which characterise traditional Indigenous politics in terms of atomism, but of that tendency in combination with a more contemporary reality in which there are numerous imperatives for forming larger collectives, even if these are inherently more unstable.
its Housing Construction program, and on its other investment interests. According to the administrator, the reporting requirements associated with CDEP since the demise of ATSIC had increased fourfold, and now required a majority of his time. The notion then that the hosting of the CDEP was in certain ways costing the organisation more than it was benefiting does have some basis. It is worth noting here that the ICC had previously, and privately, approached Marra Worra Worra (MWW) to see if it was willing to take on the Bunuba CDEP program, but MWW had strongly declined. Maintaining a good working relationship with Bunuba Inc, and with Bunuba people in Fitzroy Crossing, was far too important for MWW to jeopardise by taking over Bunuba’s CDEP against their will.\(^{269}\)

Such a relinquishment of the CDEP however was far from unanimously supported amongst Bunuba Inc membership. There were a number of reasons for this. Firstly, that the growing administrative burden on the administrator was not visible, and therefore not of immediate concern, to the majority of membership. Also, there was a definite sentimental attachment to CDEP. In addition, there was much uncertainty around how MWW (which was the only other possible grantee for Bunuba’s CDEP) would manage the Bunuba projects, and how much autonomy would be granted. Minutiae such as who would look after community chuck-ins, what would happen to rents collected, how outstations would get purchase orders for fuel and so forth also all were raised as concerns. The uncertainty around this possible decision, then, went far beyond the simple matter of which organisation managed the CDEP, to encompass all of the ‘invisible’ support which the membership of these organisations expected, and needed, in managing the day-to-day administration of their own lives. It also demonstrated that a constituency had built up a real loyalty to an organisation over time, even when that organisation might seem to be caught up in constant disputes. There was a divide between the majority of constituents, who were threatened by the

\(^{269}\) Note that MWW was required constitutionally to have Bunuba people on its Board, despite the fact that prior to the events described here, it did not provide any services to them.
idea of MWW taking over their CDEP, and the Council, which was concerned with the longer term focus of Bunuba Inc. Certain Councillors were certainly very fed up with the intrusive requirements of the new CDEP rules, and considered that the future of CDEP grantees was forcibly being narrowed to mimic mainstream ‘job providers’. The space for compromise and negotiation between the government agency and the community organisation in this case had become practically non-existent.

**The ICC calls a community meeting**

In the last week of November 2005, the ICC called a ‘community meeting’ for Bunuba to talk about CDEP. The ICC had been approached by Bunuba Inc members who complained that decisions were being made relating to CDEP that were not reflective of the majority of Bunuba people’s wishes. While the ICC’s unofficial policy is to not interfere in community politics, responding to such a call was undeniably placing them rather close to the political action. By intervening in this way, the ICC was actively undermining the legitimacy of the Bunuba Inc Council. Such an intervention was very unusual for the ICC, but particularly with Bunuba Inc, an organisation that was held in high esteem by the ICC for its ability to manage disputes internally.

On the day of the meeting, around 40 CDEP participants turned up, as well as a number of Councillors, staff from the ICC and other influential Bunuba people who normally avoided ‘community politics’. The Chairman from MWW, and the CEO also attended. Interestingly, the ICC was told to ‘wait outside’ until the meeting had formed a consensus. This request was probably more symbolic than substantial, a small act of defiance by Councillors demanding a show of respect at a meeting taking place on their country, but it nevertheless raised the ire of the ICC staffers, who had travelled some 250km to attend the meeting. In any case, the decision that the CDEP should be handed over to MWW to administer was not overturned. The ICC entered the meeting, and there was much discussion around the minutiae mentioned above which had

---

270 Given the history of the distinction between MWW and Bunuba Inc in the town of Fitzroy Crossing outlined in Chapter 3, it is understandable that many people were threatened by the notion of MWW taking over their CDEP.
caused people so much worry. Having many of these concerns properly dealt with seemed to settle the issue somewhat, as people realised that not a whole lot would change, especially given the ICC had agreed to employing Bunuba project officers to manage the CDEP through MWW. One of the issues raised in the meeting was the possibility that Junjuwa Community Inc might be reinvigorated, and that it might become the CDEP grantee. At least one Bunuba elder was happy to have the CDEP managed through MWW because, in his words, ‘…they don’t argue as much as Bunuba’ (Fieldnotes 2005: Book 2) Other Bunuba people, including some Councillors, remained dissatisfied with the decision.

The administrator and his wife, who had been the core staff members of Bunuba Inc almost from its inception, continued to be subject to heightened levels of suspicion, and were blamed by some for Bunuba Inc losing its CDEP. Despite the fact that some Councillors expressed privately their discontent with the personal attacks the administrator was suffering, none seemed willing to endanger their own relationships with the accusers and attempt to defend or protect him. In late February 2006 these two staff tendered their resignations. It seems that the push around reinvigorating Junjuwa Community Inc was also gaining momentum at this time amongst some key people, although not the three discussed in the dispute above (C1, C2 and C3). As Bunuba Inc still managed the housing program for the West Australian Department of Housing and Works (DHW), it was required to employ a new housing officer who replaced the administrator’s wife. However, the position of administrator, which would have had to be funded from Bunuba Inc’s own income, was not refilled. The new housing officer’s job then was almost impossible. As the only staff member at the Junjuwa office, he had to manage not only the housing, but also the inevitable other issues that arise in a community of that size (around 350 people), and some of Bunuba Inc’s broader business concerns. This individual lasted only until December 2006, and was not replaced by the DHW.
Post-script – Bunuba ‘restructure’

On 17 November 2006, after a series of very large community meetings, Junjuwa Community Inc withdrew its membership from Bunuba Inc. This action reflected the belief that Bunuba Inc had ‘lost’ the CDEP to Marra Worra Worra. I am unsure what such a withdrawal has meant for the membership, in terms of numbers and services, for either organisation. However as a result of the events of late 2005 and early 2006, Bunuba people no longer have any kind of administrative support, outside of a CDEP project officer who works out of the Marra Worra Worra office. The Junjuwa office has gone from being a dynamic and active place, with around half a dozen non-Indigenous staff and numerous CDEP-employed locals to being largely empty most of the time, apart from occasional ‘art therapy’ sessions run by the Fitzroy Crossing women’s resource centre, Marninwarntikura. One could only describe such a transformation as deeply sad, and its emotional effect on people as one of humiliation.

Conclusion

It is arguable that the Bunuba Inc structure represented a reified, concretised and idealised version of Bunuba society. As Merlan has observed, terms such as the ‘clan group’ categories of Bunuba Inc can be ‘…used as though they constitute non-overlapping and therefore manageable segmentations of the Aboriginal social field and of country’ (Merlan 1998:164). And yet what such categories represent is extremely socio-historically complex, and inherently unstable. The new Bunuba Inc structure sought to ignore the reality that the corporation of Junjuwa Community Inc continued to hold significant assets and this contributed to the instability. The new structure sought to raise the profile of smaller communities and outstations in a way that would articulate with government policy and encourage these to be better resourced. However, by 2005, government policy was shifting in such a way that resources were being withdrawn from smaller communities, and redirected to larger ones such as Junjuwa. This reality also contributed to the destabilisation of the larger umbrella of Bunuba Inc. That the organisation managed to contain a dispute of such magnitude as

271 This restructure officially took place in 2006, after I had left Fitzroy Crossing and returned to Canberra to write the thesis.
described above, and in time to resolve it, is testimony to the skill of its Councillors. However, the policy changes removed the financial and administrative heart of the organisation, and thus destabilised it in ways that no amount of ‘leadership’ could mitigate.

In the context of this thesis, my contention is that it would be impossible to make sense of the events described using only the language and concepts of ‘good Indigenous governance’. In hindsight, one can identify certain structural weaknesses in Bunuba Inc, particularly the way in which it attempted to undermine the meaningfulness and value of Junjuwa Community Inc. This original organisation not only continued to legally hold assets of Bunuba people, but clearly had a become a seat of sentimental attachment for many. This is not to suggest, as Moizo (1991) did, that people living in Junjuwa had lost their more traditional attachments to country (or to their muway) and replaced them with an attachment to Junjuwa, but rather to propose that older attachments and ways of identifying in a socio-territorial sense can and do co-exist with newer ones derived from post-settlement ‘community’ based life. Organisations such as Bunuba Inc need to manage these kinds of complex identity layering. They also need to manage, in the same way that any political entity does, a range of deeply held views. An example of such a spectrum was concerned with the extent to which it was acceptable to compromise ‘tradition’ in order to embrace ‘modernity’. Some Bunuba people were of the view that their organisation had compromised too much in terms of how it went about its business, not consulting widely and with sufficient time over important matters. Others believed that to be a modern organisation, Bunuba Inc had to be able to process decisions quickly. Characterising such organisations as merely balancing demands of ‘black’ and ‘white’ domains is overly simplistic. Such a characterisation ignores the reality that the ‘black’ side of the equation is rarely of a homogenous view, and, as will be explored further in the following Chapter, the ‘white’ side is also neither stable nor unitary.
Chapter 6: Agency on the margins

Introduction

In Chapter 5, I explored a continuum of cause and effect on the internal, high level politics of Bunuba Inc and related entities. In this Chapter, a series of vignettes focuses on the way in which those associated with Kurungal Inc attempted to manage its limited legitimacy by creating other, more informal mechanisms of greater authority. They also highlight just how difficult the role is of the non-Indigenous staff in these contexts, and how they are required act as a pressure point in the delicate architecture of community and government interaction.

Kurungal Inc was not characterised by anything like the high level of political strategising and manoeuvring evident at Bunuba Inc, in part because it did not have the assets, or the organisational complexity around which various interests could manoeuvre. Indeed, it could be characterised, in an inverse sense, as being a vacuum of such intense interest and activity. The tensions in this organisation were very much focused on kartiya and administrative-related matters: the CDEP co-ordinator and his wife, the shopkeeper at Wangkatjungka, requirements relating to funding and so forth. This might seem obvious, given that the vast majority of its budget – around 85 per cent in the 2005-06 budget - was for CDEP-related matters.\(^{272}\) The organisation had not managed, in its relatively short existence, to use CDEP as a platform on which to build other programs, or to attract other sources of funding, or to broaden its scope more generally. In fact, the reverse had happened, and since the 2001 restructure the provision by Kurungal Inc of various informal services had become more limited. These factors arguably contributed to its lack of legitimacy for community members.

The historical reasons behind the limited legitimacy of Kurungal Inc have been described in Chapter 3. In summary, these include:

---

\(^{272}\) Kurungal also received funding from the Department of Family, Housing, Community Services and Indigenous Affairs (FaHCSIA) for municipal services, and from the WA Department of Housing and Works for the maintenance of housing stock. Both of these were around $150 000 in 2005/06 as compared to the CDEP-related budget which was over 1.8 million dollars.
- inter-community tensions and jealousies relating to the relocation of the office and its associated resources from Wangkatjungka to Kupartiya in 2001;
- income limited to government funding, so that the formal organisational agenda was very much delimited by government programs, priorities, and arguably a lack of imagination;
- that the CDEP coordinator was the only kartiya working for the organisation for the most part, so was the focus of a lot of demands.

As with its predecessor Wangkatjunkga Community Inc, there were also accusations that the organisation was not ‘representative’ in the way that it distributed resources. Because of this limited sense of ownership, those elected to sit on the Kurungal Inc Council were not people of significant authority. There was a sense in which the organisation, which represented such a vacuum of potency, simply could not engage more powerful and effective individuals. Instead a lower stratum of people were ‘pushed’ forward to act as community representatives on the Council, which left the real powerbrokers free to engage with the organisation in ways of their own making.

The limited sense of ownership that the Indigenous constituency felt for Kurungal Inc translated into some curious practices which enabled people to get on with the business of making decisions and forming corporate views, outside of this government-sanction forum. Kurungal Inc for example was not considered the forum in which matters of importance to the constituency, such as young people smoking ‘gunja’, or the ‘Ngumpan proposal’ were to be aired. In the case of Bunuba Inc, where the agenda related to issues which were of broad interest, such as changes around CDEP, or the meetings in late 2006 around BAC and proposed sub-leases of the stations, the meetings were opened right up. However these large ‘community’ (as opposed to ‘council’) meetings were very much the exception for Bunuba Inc, and the norm was

273 An air of suspicion over how finances are being managed is the norm rather than the exception in these organisational contexts. This is partly explained however by the increased push for organisational accountability back to government, and limited time and financial scope to invest in processes of accountability between an organisation and its constituency. See Thorburn (2007a)
274 Marijuana
275 See p. 193 below
small meetings of less than a dozen people. By contrast, in the Kurungal case, the only kinds of meeting that had any legitimacy for the constituents were very open, large meetings where any member of the community could raise an issue, and there was plenty of opportunity for spectatorship.\textsuperscript{276} In terms of formal decision-making however, as often required by government funding agencies, these meetings were not especially efficient or effective.\textsuperscript{277}

Another core difference between the two organisations was that the Kurungal CDEP was already ‘centralised’ around the office at Kupartiya, and indeed this was one of the outcomes of the 2001 amalgamation. In this context, we can see that Kurungal Inc served no meaningful role for the majority of people apart from enforcing CDEP rules, or holding people to account for activities signed up to under Shared Responsibility Agreements\textsuperscript{278} (SRAs), or providing administrative and logistical support for meetings. The continuity between the previously existing Junjuwa Community Inc and the newer Bunuba Inc in terms of the functioning of the office was crucial I would argue to the latter’s legitimacy. The lack of such continuity between when the Kurungal office was at Wangkatjungka as opposed to when it had been relocated to Kupartiya can be similarly understood as undermining Kurungal’s legitimacy.

\textsuperscript{276} The Bunuba Inc administrator stated that he despised this meeting style, because it opened up the process to any person with any kind of gripe, big or small. These peripheral matters could easily hijack the agenda, and result in far fewer decisions being made in the limited time window allocated to the meeting.

\textsuperscript{277} See Thorburn (2007a) for reflection on the difficult balancing dilemma between organisational effectiveness, more easily achieved in smaller meetings, and organisational transparency, signified by more open meetings.

\textsuperscript{278} SRAs were developed as part of an approach to managing Indigenous communities under the Howard government Two of the three related to the construction of two basketball courts – one in Ngumpan, one in one in Kupartiya. The third related to the renovation of the Wangkatjungka community hall, and the provision of lights for the existing basketball court. All SRAs were therefore focused on activities for young people. The tone of the template, drawn up prior to the SRA being signed, is worth noting: ‘The Community is aware that they need to show that they can improve Community stability. A show of good faith on their part will be to commit to a clean up day at Wangkatjungka. This will include collection and disposal of all rubbish, removal of car bodies. Should funding for the SRA be approved, Wangkatjungka is prepared to conduct their clean up day prior to funds being released for approved activities’.
What’s missing? Organisational ‘ownership’ and relationships

The limited sense of ownership that people had for Kurungal contributed to a lack of feelings of responsibility for the organisation. There was a sense in which Kurungal Inc was the subject of a reverse ‘tug-o-war’ between the community and the coordinator, as both tried to push responsibility for the organisation onto the other. As I have observed elsewhere of this organisation,

While the co-ordinator couldn’t understand why people had limited interest in Kurungal Inc since it was their organisation, the ‘community’ considered that it was really more of a kariya thing, something that was his responsibility to tend to. From the community perspective, its function was fundamentally as a conduit to resources, and the job of the co-ordinator was to keep the money story looking good for government so that this would continue (Thorburn 2008).

In many discussions I had with people during my fieldwork, it was noteworthy that the conversations were often focussed on the coordinator, and his partner to a lesser extent. Unless I raised it, and pushed a little, there was limited interest amongst constituents in discussing any councillors, or the Chair, a trend that was diametrically opposed to Bunuba Inc where people were very focussed on such people, in addition to the administrator. This also reflects the reality that the individuals on the Kurungal Inc Council had little authority.

The conundrum of ‘Council’ versus ‘community’ meetings

The Kurungal Inc coordinator expressed great frustration at his inability to get regular ‘Council’ meetings to occur. However what became obvious to me is that there was no prior convention of holding meetings to which only Councillors attended, and yet this is what the coordinator was repeatedly attempting to convene. What the coordinator failed to grasp is that any decisions made by such a gathering would carry absolutely no weight, not only because the Councillors themselves lacked legitimacy amongst constituents, but also because abstracting the decision-making process in this way beyond the purview of the majority would have been an incomprehensibly strange practice. In contradistinction, there were a number of ‘community’ meetings called during the six months I was observing, which were very well attended. Though the coordinator did not ‘call’ these meetings, he was nevertheless often asked to come, and
sometimes expected to attend to the administrative side of the meeting by taking notes, or to encourage attendance by driving around and picking people up, or to organise a bar-b-que. He was extremely frustrated by the position of limited control he was placed in, and at times refused to help organise these meetings, arguing that the community was capable of ‘doing it themselves’. In taking such a stance however, he was unaware of the precedents that had been set, in terms of whose role it was to call such meetings, and the subordinate role of kartiyas in managing the logistics around them.

The holding of regular meetings then was not a problem for Kurungal people, and indeed meetings of various types did occur regularly. The problem was for the coordinator who had great difficulty engaging the organisation’s Councillors and in getting decisions made. While he did manage to include Council business on the agendas of these larger meetings, these would often slip down the agenda and then off altogether as other more pressing, and more interesting, concerns of the community were prioritised.

To a much greater extent than for Bunuba Inc, the ‘non-Council’ meetings at Kurungal Inc had retained cultural significance for the community. People confirmed their ‘one-countrymen’ status on these occasions, particularly where disputes with kartiya were concerned, including the coordinator. They were also entertained for a number of hours with some very impressive oratory expositions, near fistfights, accusations and counter claims, walkouts, backdowns and apologies. If there was a dispute to be resolved, or at least aired, the talk around the positions to be taken in the meeting would build over preceding days, sometimes reaching a fever pitch on the day of the meeting. In addition to the sense of drama that often characterised these occasions, it is also true that they represented important domains for the occasional allocation of resources. In a sense then, they could be a rich, if unpredictable, hunting ground, not only in terms of direct resource allocation, but of confirming relatedness, two closely related endeavours in these environments. That is, for the Kurungal Inc constituency, such large gatherings were attractive for all kinds of reasons, most of which bore little

---

279 See Austin-Broos (2003) for similar observations.
relation to the items on a meeting’s agenda. Meeting attendance was able to satisfy a range of social obligations, and also provided an open space for beneficial reconfirmation of relatedness amongst a large group of people.

**Crucial relationships**
Further contributing to the Coordinator’s difficulty was the absence of any professional relationship between himself and the Chairperson. The Chairperson was a well-educated middle-aged woman, and daughter of a significant female elder in Wangkatjungka. In my interactions with her, she was very sharp and articulate, and potentially a very good Chair. Unfortunately however the coordinator, who had a rather overbearing personality, intimidated her. She felt that he spoke down to her and did not engage with her in a manner befitting her position as Chair. Her quiet manner led him to conclude that she simply lacked the ability to grasp Council business, and that she was in some regard ‘simple’. He also considered that she was lacking in any real authority, and so would take papers to her to sign which contained decisions made to which she had made no contribution. This further contributed to her sense of shame. That the coordinator failed to engage in this most fundamental of intercultural relationships arguably represented a crucial example of poor judgement on his part. Not only did it further undermine the legitimacy of the organisation, it greatly diminished people’s perceptions of him, particularly within the Chair’s extended family, which contained the most powerful and ‘functional’ women in Wangkatjungka.

**Observations about the ‘speech event’**
Others have written at some length about the meanings associated with public speech in the context of Indigenous community meetings (Myers and Brenneis 1984; Myers 1986b; Liberman 1980). Liberman (1980) in particular has explored the dynamics

---

280 This individual also suffered from the misconception that all of the real authority figures in Indigenous communities are men. Such a notion is foolish at best, but in a community such as Wangkatjungka where the women really do have significant authority (outside of a ritual context), it is could be considered dangerous and destructive.
around public speech events in Indigenous decision-making. These events signify important opportunities, laden with protocols, for the performing and re-performing of relatedness via the formation and expression of consensus. For Kurungal people in particular, and certainly by comparison to the majority of meetings of Bunuba Inc, these occasions were primarily distinguished by a lack of disharmony, and the affirmation of a common viewpoint, often in contradistinction to the non-Indigenous or government position. This is in marked contrast to the conduct of participants in a western style meeting, where open and ongoing contradiction and debate regarding a particularly narrow set of matters is the normal course. A consensus may be reached via this process, and if not, in theory the meeting participants might be called to a vote. However, such a situation, where a decision required a vote, occurred on only one occasion in the entire life of Bunuba Inc, according to the administrator, and had never been known to occur at Kurungal Inc according to a senior woman.

Indeed, the entire notion of individuals ‘voting’, whether for a Chairperson or for or against a motion, sits contrary to this very strong compulsion of a public gathering to move with one voice. The notion that individuals have an abstract moral code beyond their relationships with kin simply is not the case. This notion is foundational for western democratic process, and the exercise of an individual’s expression of their own, abstracted, ethical position underpins processes such as a call for the vote. In the context of organisations like these however, it is a strangely exotic ritual that causes much amusement amongst those present.

281 Sutton has observed that the Western Desert Aboriginal society, described by Myers, ‘…has become the preferred source for generalisations about Aborigines anywhere’ (Sutton 2003: 140). I believe Liberman (1980) is taking such a liberty in his study here by not containing his observations to the particular group of people he was observing. Having said that, the people he was observing have strong cultural continuities with Wangkatjungka people who could be placed within the ‘western desert’ category to which Sutton refers, and so has particular relevance here.

282 Kral, in writing about the Ngaanyatjarra, records that in the ‘old days’, it was preferable to speak ‘indirectly’, as direct speech could be interpreted as a challenge. She suggests, after Brooks (Pers. comm. 2004), that ‘…new speech events such as public meetings have ushered in a new rhetorical context where yarnangg have learnt to employ ‘straight talking’ strategies that at first may have been a ‘shock’ or a linguistic transgression’ (Kral 2007: Footnote 890).

283 Morphy (2007) has made some similar observations of Yolngu.
Liberman has noted that the presentation of such a consensus

…does not mean that strong personal beliefs do not exist. Frequently, the unanimity achieved is predicated upon voluntary silence on the part of some participants…Aboriginal etiquette demands that individuals do not go ‘against the grain’ of public opinion and that propositional content be sacrificed in favour preserving congenial relations (Liberman 1980: 48).

He concludes by noting that the Indigenous way of deliberation ‘…involves an interactional praxis which differs greatly from that of Europeans,’ and which is highly passive, as though the decisions are received, rather than being generated actively by the forum (Liberman 1980: 50). Such a characterisation is certainly apt in the case of Kurungal Inc, but definitely is not for Bunuba Inc. For the coordinator, these processes of iteration and reiteration were frustratingly slow and opaque.

This process of allowing a decision to be confirmed in a meeting context also reflected the talk generated prior to a meeting on its anticipated content. This is to say that the process of working up a consensual position had often been underway well before the meeting where that consensus was presented. Allowing appropriate opportunity for this discussion to occur prior to the meeting is a crucial process for an organisation like Kurungal. It is also signifies another informal responsibility of the co-ordinator, to encourage this talk by ‘going round’ in the lead up to the meeting, and ensuring that the appropriate people have been informed. This was certainly how meetings had been prepared for in the past, and was a crucial role undertaken by those in the co-ordinator’s position. Contemporary pressures on these staff however mean such time consuming work often gets overlooked. The administrator of Bunuba Inc was also criticised for not personally driving around to all the outstations and informing people of the agenda of upcoming meetings, even though he did endeavour to inform them by other means.285

284 A similar observation was made by a previous Junjuwa Community Inc administrator from the mid-90s, who suggested that everyone had to know the content of a meeting before hand, otherwise decisions would simply not get made on the day.

285 Ironically the administrator of Kurungal Inc was criticised for precisely the opposite, that is, not spending enough time in the office. See p. 201.
The purpose then of much of this meeting talk was for Kurungal Inc fundamentally different to that which occurs in a non-Indigenous meeting domain. There is a sense in which, while the decision-making process can indeed be described as ‘passive’, the speech events themselves are somehow active, in that they are more than simply being a describing, reflecting mechanism as in a European context. This kind of talk then is a kind of action, and is therefore considered an end in itself by those engaging in it, rather than a referencing sign to past events or future plans. This is in contrast to how Europeans use language in these public meeting contexts. The notion that a meeting is connected through time to future and past meetings, as a link in the progress or development of an institution, does not have traction. The meeting is an entity in its own right, and pronouncements made there are self-contained. These speech events then are ‘constitutive social activities’, referencing a pre-existing sociality and reconfirming it (Myers and Brenneis 1984). Pronouncements made in such contexts therefore do not need action outside of the meeting domain. The idea that abstract commitments, such as for agreeing to a set of CDEP rules, should take precedence outside of the meeting context over and above ongoing and everyday commitments relating to kin is inconceivable. Yet this is precisely where communities such as those associated with Kurungal Inc are deemed to be so problematic by the ICC for example, which does not see sufficient progress on agreed-to CDEP project priorities.

Two other mechanisms for agency: The elders group, and ‘Purlka Wangki’

Elders group
A crucial measure in meeting Kurungal Inc’s need for some kind of decision-making legitimacy was the development of an ‘elders group’, or what the co-ordinator termed the ‘elder consultants’. Although there was a sense in which the original purpose of this group, which consisted of each boss from Kupartiya, Ngumpan and Gilly Sharp and

---

---
one senior woman from Wangkatjungka, was to provide ‘cultural guidance’ to the coordinator, it very quickly proved to be a crucial mechanism in the ongoing functionality of the organisation. The direction it provided went far beyond the ‘cultural’ (whatever that might have meant) to giving legitimacy to a suite of decisions enacted by the coordinator. It also acted as a vital ‘transparency’ mechanism, since as long as all four members had been kept informed, there was a sense in which the coordinator was covered.

Nevertheless, it was a source of some irritation to some people that the coordinator continued to refer to ‘the Council’ as though it was a functional decision-making entity, when everyone knew that he was taking directions, with perhaps some legitimacy in the context, from the ‘elders group’. The title adopted by group was definitely for the benefit of the coordinator. That is, while all three men did have considerable authority, which was reflected in their knowledge of ceremonial matters, in this context the status amongst their fellows was equally derived from their abilities to manage kartiyas, to not be intimidated by them, and their skill in maintaining the conduit to resources they represented (Austin-Broos 2003: 25-30). All four individuals were regular visitors to the office, and all had their own motorcars. \(^{287}\) Three of the four were acknowledged bosses of outstations, or smaller communities, but only one held a position within an organisational context, that is, as a community Chairperson.

---

**The ‘Purlka Wangki’ Working Group**

In late August 2005, the members of Kurungal Inc called a meeting to explore the possibility of the five member communities attempting to develop some commercial interests, with a particular focus on the development potential of the large Ngumpan lease, adjacent to the Great Western Highway. This group, including all from the ‘elders group’ and others, called themselves the Purlka Wangki working group. They emphatically did not want this initiative to be considered the business of Kurungal Inc,

\(^{287}\) As with Holcombe, who wrote about Luritja in Central Australia and noted that decision-makers were ‘..more than Law men; they are also ‘big men’’, that is, actors who derive their power from sources outside the strictly traditional ( Holcombe 2005: 226).
and yet expected the coordinator to help them with correspondence, organising trips and so forth. Part of the reasoning here relates to the overzealous role the coordinator played as a gatekeeper, which was resented by community bosses, including some of those on the elders group, who believed they were better able to productively manage relationships with outsiders than the coordinator.

The Purlka Wangki invited an Indigenous person from Fitzroy Crossing, a Councillor of Bunuba Inc, to attend this first meeting and give advice on how they might begin planning to develop some business interests for the various communities that were members of Kurungal Inc. The discussion was around how initial finance might be raised and the kinds of business interests that might be developed. Ideas included establishing a roadhouse near Ngumpan, on the Great Western Highway, which could incorporate an art centre, and possibly a tourist camping spot from which tourists could access the Mimbi cave system, soon to be developed as a national park. The concept soon developed into a new ‘economic hub’ being proposed on the Ngumpan lease, but separate from the Ngumpan community. A series of meetings were held, including a number in Perth attended by members of the ‘elders group’, and representatives of various state government departments including the Departments of Education, Planning and Infrastructure, and Housing and Works. The Kurungal administrator was not however invited to attend. The proposal then was a major one, and included re-siting the school from Wangkatjungka and relocating the Kurungal office to a more ‘neutral’ and central site, as well as attempting to create employment opportunities. The proposed site did have a number of strengths, including all season access, a reliable water supply in the form of a spring, closeness to the Highway and secure land tenure. In fact, a similar proposal was made back in 1979 by Stan Davey (See p. 89) as a way of addressing the problematic relationship between Christmas Creek Station and the community of Wangkatjungka. Ironically, this first proposal had been waylaid by the fact that the State government had committed to beginning the building of houses at the Wangkatjungka site. In 2005, a similar situation occurred, wherein the Department of Housing and Works had committed to constructing nine

288 These areas of land are not insignificant. They consist of Lot 35, Crown Lease 318/1988, at 1438Ha, and ALT Reserve 39302 at 2634Ha.
new houses per year for three years at Wangkatjungka – the first new houses there since those built in 1980.

Arguably, the Ngumpan proposal coincided nicely with broader discourses at a national level questioning the sustainability of Indigenous communities that were geographically removed from access to the mainstream economy. As stated in the Department of Planning and Infrastructure tender document for the development of a Ngumpan ‘town plan’, \textsuperscript{289} ‘…it is hoped that this will reduce the need for people from the Kurungal lands to relocate (either temporarily or permanently) to Halls Creek, Fitzroy Crossing and other regional centres to access economic opportunities and social services.’ Wangkatjungka representatives at Fitzroy Futures Meetings were still raising the proposal in 2010 (Morphy Pers. comm. 2010).

That the administrator would be excluded from such a process underscores the limited sense of trust and confidence that senior people had in him. It demonstrated that for them, his influence needed to be contained to managing CDEP and associated paperwork. My observation is that this particular individual overstepped the line between supporting community initiatives and directing them.

**Impact of CDEP changes**

Prior to the discussion around CDEP changes, it should be noted that the entire economic context of Kurungal Inc is very different to that of Bunuba Inc. It is a far more marginal and geographically remote site by comparison. Whereas CDEP workers in Fitzroy Crossing had a range of available positions at for example the school, art centre, mechanical workshop, childcare centre and so forth, for Kurungal Inc CDEP workers the options were much more limited to typical remote community activities: collecting rubbish, collecting firewood, childcare, landscaping, ‘homemakers’ and so forth. For the coordinator, there were ongoing reporting requirements to be seen to, but there were also nearly 80 participants across four communities to attempt to keep

\textsuperscript{289} This was released on 29\textsuperscript{th} June 2006 (DPI Tender No 0413/06).
busy for four mornings per week. Ensuring that visible progress was being made was crucial given that government officers had on occasion arrived in a given community with very little notice and requested an inspection. There is little doubt that the coordinator had difficulty keeping this number of people busy, and ensuring that the project outcomes agreed to in the funding agreement were met.

Sanders, in reporting on the advisability of regionalising a CDEP around four communities including Papunya in the Northern Territory, similarly observed that the program at Papunya was having difficulty finding sufficient activities to keep 50 participants busy (Sanders 2001: 9-10). Papunya however is a much larger community that any of those under Kurungal; it exceeds Kurungal’s entire constituent population. Sanders was writing back in 2001, when the administrative requirements were not as burdensome, so it is likely that the coordinator in his case study would have had more time to devote to organising actual activities. Papunya at the time also had a Council Clerk in addition to their CDEP coordinator, to manage all of the additional pressures put on non-Indigenous staff in these environments. Sanders observed that there are two reasons why obligations to CDEP tend not to be realised, and both seem particularly apposite to the Kurungal Inc example. The first relates to the fact that a ‘western style employment routine’ is not the norm for adult members of such communities, and attempting to make it so would risk placing it even further in conflict with the other important community activities, generally around kin. The second relates to the difficulty of having sufficient administrative and supervisory support for purposeful work activities to be sustained.

Enforcement of the ‘no work, no pay’ rule was a significant issue for Kurungal participants, not least of all because of the distance between the main office and the various communities, with Wangkatjungka being a 120 kilometre round trip from Kupartiya. In addition, there was no functioning ‘office’ in Wangkatjungka,²⁹⁰ so

²⁹⁰ There had been an attempt to rebuild the old office at the back of the community hall. The two rooms had been mended and repainted, but Kurungal Inc would not provide the necessary material to
management of large amounts of ‘paperwork’ required under the new rules, including the filling of timesheets, was initially very problematic. As Kral has noted, in such contexts the ‘artifacts of literacy’ are barely existent (Kral 2007: 155-57). People do not tend to have pens, desks or other surfaces for writing on, or cupboards or cabinets for storing papers or files in their houses. They also are unlikely to have calendars or other technologies useful for ‘keeping time’. Their literacy may not extend much beyond an ability to sign their own name. The strategy of leaving a stack of timesheets for people to collect, fill in themselves and return, was probably naïve at best. This is the approach the co-ordinator initially took, but it quickly became obvious that it was not workable. And for those CDEP participants who did not live in Wangkatjungka where the forms were left it was also problematic, because, as one man from Ngumpan pointed out: ‘…we got no motorcar to get that paper’. Clearly, the running of the CDEP in a way that satisfied funding guidelines was a very difficult task indeed, and one which the co-ordinator struggled with on a daily basis.

The co-ordinator had great difficulty with the dilemma of how much responsibility he ought to accept for ensuring that timesheets were filled in, and how much he ought to ‘push back’ onto the participants. However, he was philosophically of the view that ‘If I’m not part of the solution, I’m part of the problem’. Such a statement could be read in a number of ways, but it was apparent that his understanding of his role was that of ‘enforcer’.291 Clearly he was unaware of the history of CDEP recounted in Chapter 3, and the associated role of his non-Indigenous predecessors in manipulating the program goals to suit the particular goals of Kurungal people. In any case, the tightening up of the way CDEP programs were implemented left him very little latitude to straddle the demands of community and the demands of the CDEP program for strict accountability. As Sanders has observed more generally about senior managers in these contexts,

---

make the office functional. It was equipped with a telephone, but the only line out was a direct one to Centrelink.

291 He even purchased a big cowboy hat to add to the impression that he was the ‘boss’, as station managers were known during the pastoral era.
good senior managers need a clear strategic understanding of the circumstances and interests pushing in on them, and a sense of how to balance and accommodate their differing requirements and demands while still keeping the resources flowing out to Indigenous people (Sanders 2006: 13).

The co-ordinator did enforce the ‘no work, no pay’ rule, applying it for example to the Wangkatjungka Chairperson’s spouse, who had been away from the community for a week, and did not get paid. In doing so, the co-ordinator aligned himself very squarely with the external authority of the government rules. In protest, the Chairperson, her sister and a number of others withdrew from CDEP and went on to ‘Centrelink’, or other pensions. For these people, and for others more generally, the ‘no work, no pay’ rule contravened the basis of the long established relationship between aboriginal people and the ‘government’ since the time of missions, and ration depots: that of ‘looking after’ in which at least a bare minimum for survival was provided. As one elderly man explained, this was what CDEP provided (a minimum only) and that if a real working relationship was required, as after the Pastoral Award, then people ought to be paid properly:

We might go back to the same rules, work from morning time, right through (the whole day), we gotta go back to proper job, how we bin start. But they wanna see how we bin start – crowbar, shovel, cross cut saw, and axe, train ‘em, yard building, that the job we gotta go back now. Go back to proper job, how we bin start. We want proper wages to work in that community, how we bin start, how we bin learn, that station life, and proper wages now (Fieldnotes 2005: Book 4).

To expect people to work for ‘sit down money’, by which he meant such a small amount, was without precedent. That adherence to such an abstract rule could be more important than adherence to a long established relationship between Aboriginal people and ‘the government’ suggested that the relationship might be ‘finished’. The strongly coercive tone of the new rules cemented this impression, and was deeply shaming: ‘You bring these bad words here (‘no work, no pay’), these words they make us feel no good, rubbish people’ (Fieldnotes 2005: Book 3). 292 Much of the hurt around the harsh implementation of the ‘no work no pay’ rule was deflected onto the coordinator. 293

---

292 ‘Word’, or wangki in Walmajarri, as it is commonly used also can mean decision or edict. See Myers for an insightful exploration of the sentiment of ‘shame’ in these contexts (Myers 1986a: 121).

Being clear about the money story, or ‘transparency’

A number of people expressed suspicion that when people were not paid their CDEP, that the money went into the coordinator’s pocket. They also spoke about comparing banking receipts with other people when in Fitzroy Crossing, including those who were on CDEPs of different organisations, and found that they were receiving different amounts of money. More broadly, there was no paperwork around the money that Kurungal Inc took out of people’s pays for bills – electricity, rents, ‘chuck-in’ and ‘bookdown’. While there were regular calls at community meetings for the coordinator to provide payslips, they never materialised. There were both positive and negative arguments as to why the provision of payslips might have been a good idea. On the positive side, they might have limited the degree of suspicion that the co-ordinator was subject to, although that would have necessitated him having to explain individual payslips to people, since there was potential for there to be great variation between them. On the negative side, people in these communities do not have letter boxes, so residents collect mail from a central place. In Kupartiya, the mail was sorted at the office by the coordinator. In Wangkatjungka, however, the mail was left at the shop, generally in a cardboard box out the front. Within a short time, the wind and children had begun distributing it chaotically throughout the community, and individual pieces of correspondence commonly did not arrive at their destination. Payslips, it seems likely, would have reached a similar fate. The privacy of this information, something of concern to kartiyas, would have been impossible to guarantee.

The other unfortunate reality is that such transparency on an individual level might have caused conflict, as people realised the variations between, for example, those who were paying rent and electricity, or contributing to chuck-in, and those who weren’t. There is a certain inevitability that these deductions would not always be accurate, largely because people are so highly mobile. More broadly, matters relating to financial transparency are difficult to resolve, not least of all because the financial literacy of the membership might be inadequate.\(^{294}\) In any case, it is unlikely that the coordinator had

\(^{294}\) See Thorburn (2007a) for hierarchies of accountability
time to prepare such information at an individual level, or that he would have welcomed the inevitable conflicts that would have arisen, or accusations that he was favouring particular groups at the expense of others. It is arguable that greater accountability between the coordinator and the Kurungal constituency at this level ought to have been possible, but such a statement needs to be tempered by the reality of the amount of time this would have taken to be effective.

The fiscal accountability squeeze
As noted in Chapter 1, fiscal accountability is very much a crucial aspect of ‘good Indigenous governance’ as far as many government agencies, and officers, are concerned. The accountability being demanded is not however between an organisation and its constituency, but back to the government agency providing the funding. In organisations supposedly established to give Indigenous people more control over their own affairs, this scenario is ironic, for it is generally over the organisations’ financials that non-local and generally non-Indigenous staff have the most control.295

It was noteworthy that the two individuals who really could lever a space for funds to be directed to more immediate community priorities were the two accountants, both of whom was based in Perth. The position of such outside kartiyas is immeasurably easier than those that live and work in the community. This is in part because the demands that can be made of them are really very limited given the time they tend to visit (a matter of perhaps a week over a number of visits per year), the job they do in keeping the money story looking good for government, and their ability to identify pockets of money in the budget which are unallocated, or in some other sense available. It is desirable that they can at once be able to present a budget as rigid, ‘balanced’ and compliant, while revealing opportunities for flexible accounting to the community-

295 See Thorburn (2007a) for an exploration of some of the internal dilemmas around how accountability is implemented. Martin (2005) has also written considerably on the subject. See also Martin and Finlayson (1996). Nor is it a new issue. See Sanders (1994) for a consideration of how the issue played out when ATSIC was the main funding body, and Rowse (2000) for very thorough investigation of the possibility of ‘culturally appropriate’ accountability.
The senior Kurungal accountant recounted how his workload had increased dramatically since the demise of ATSIC and under ICCs, not because of more clients (aboriginal organisations) but simply because of more work to submit on behalf of each. What this meant in effect however was simply that more of the budget of these organisations was being directed to external experts to manage fiscal accountability demands. According to this same accountant, the view of the big picture had been lost in accounting for outcomes, and a concurrent overemphasis on financial minutiae. At times the demands being made were completely nonsensical to the accountant, and illustrated that key public servants enforcing this new kind of accountability had very limited financial literacy themselves.

**Attempts to resolve conflict**

While in the Bunuba Inc case study described in Chapter 5, the conflict was very much across constituent groups and families, in Kurungal Inc the disputes and tension were for the most part between the co-ordinator and the organisation’s membership. Both parties in the latter case were aware of these tensions, and there were a number of attempts to address them. The first occurred before my fieldwork block began, in March 2005, when the community called a meeting to raise a number of issues with the co-ordinator. Two things should be acknowledged here. Firstly, that the level of discontent amongst the communities must have gotten very high for such a meeting to have been called. And secondly, that this occurred less than six months after the new coordinator had been employed, a very short time period in which to build such tensions. Arguably that this did occur relates in part to the fact that this particular coordinator had never worked in such a role before. It is also points to the reality that some of the tensions around his role had pre-existed his employment. It reflected the reality that it was a very difficult job, particularly introducing changes to CDEP, with very little support provided by the ICC. The end result of this first meeting was to give

---

296 du Toit (2006) writing about international aid agencies, adopts the term ‘creative bookkeeping’ to describe the ‘…contradiction, conflict and paradox that arise in (such) situations…’ and notes that conventional ideas of accountability do not sufficiently acknowledge the complex range of relationships, between government and multiple actors, which is now incorporated under the idea of ‘governance’(du Toit 2006: 2).
the coordinator a ‘second chance’, in order to address the list of gripes which community members presented to him.

By the time I arrived in mid-2005, the tension between the coordinator and the ‘community’ was again running high. From the community side, negative observations of the coordinator included the following:

- that he talked down to women, and generally shamed people;
- that his sense of humour was offensive;
- that he was too ‘bossy’ or directive;
- that he was too much of a gatekeeper, and was seeking to build up the assets and control of Kurungal Inc and ‘take over everything’;
- that he did not adequately go through conventional governance procedures, such as providing agendas prior to meetings or keeping minutes, practices which people had become accustomed to over the 25 years of their organisation’s existence;
- that he acted favourably towards Kupartiya mob;
- that he spent too much time out of the office ‘running round’ and not enough time addressing paperwork and reporting requirements, and trying to get more funding for priorities identified by the community;
- that the ICC also had problems with him, including that he reported late. Senior people, including those on the elders group, were aware of the ICC’s dissatisfaction.

At the same time, the coordinator had his own list of gripes, including that the Council was ‘dysfunctional’. The ICC had identified ‘governance training’ needs in the organisation and agreed to provide $15,000 for the purpose. Members of the ‘elders group’, Councillors and the co-ordinator agreed that some governance training might help resolve some of these issues, or at least provide a forum in which they could be aired in the presence of a third party, that is, the governance trainer. As I have discussed in some detail elsewhere (Thorburn 2008), the ‘governance training’ exercise
failed to either alleviate tensions, or to impart much knowledge of conventional governance categories, for example, the roles and responsibilities of councillors. For an observer, it was an interesting exercise because it demonstrated that the meanings around the word ‘governance’ were very broad ranging, and that such a range of meanings could have both positive and negative ramifications. In this context, and on the positive side, the notion provided an open kind of conceptual space in which some rather delicate matters might be addressed in an appropriately oblique kind of way. It thus provided a space, and a language in which Indigenous people could be critical of the coordinator in a productive context. On the negative side however, the broad ranging scope of meanings attached to ‘governance’ meant that the expectations of what such a training exercise could achieve, particularly in the context where there was such apparent need for ongoing support and immediate cultural mediation, were probably unachievable. Clearly a one-off, week long ‘training’ exercise such as occurred was not sufficient to resolve these concerns in the long term. As others have argued elsewhere, remote community ‘managers’ such as the coordinator described here, can be extremely isolated in terms of receiving any professional support in what are clearly very difficult circumstances (Sanders 2006: 15,6).

**The ICC – ‘Staying out of community politics’?**
The ICC was subjecting Kurungal Inc to an ongoing discourse of the ‘second chance’, and thus managed to position themselves as benign benefactors of the organisation – a very different kind of relationship to that which they had with Bunuba. In 2004, Kurungal had made an attempt at ‘self governance’ under the guidance of the ICC, that is, having local people run the administration. They were provided in the short term with a mentor to assist. They did not succeed however in ‘funding compliance’ and failed to meet timeframes for financial and performance reporting. Their substandard ‘governance’ therefore led the ICC to offer funding only for the first three months of 2004-5 financial year, to be managed by a short-term contractor. The organisation was refunded again after the three months, and employed the coordinator under discussion. This funding was tied to his recruitment, and to a ‘substantial improvement in governance’. It is unclear what the ‘governance’ inadequacy was, although it is likely
that it was some kind of administrative incompetence, rather than political interference.  

On being employed, the co-ordinator was given an ultimatum: This was to be the ‘last chance’ for Kurungal Inc. After three months, the ICC visited and was still not satisfied with the progress being made on CDEP projects. However, after six months, the ICC observed that ‘things seemed to have turned around’ in Kurungal communities. This was to the surprise of the co-ordinator, who had struggled to ‘...get things happening’: ‘And since then (the ICC visit), I hear feedback through the grapevine that things are going well here!’ His understanding of what had changed to give the ICC this impression was thus: ‘There’s a response, bills get paid, phones get answered, you get papers signed. Action is occurring. Now there’s community people talking, going to meetings, willing to have arguments and discussions’ even if, he noted, they were about trying to sort him out, or about business unrelated to Kurungal Inc.

The Kurungal constituency remained uncomfortable with being openly critical of the co-ordinator, and instead certain members had let the ICC know that they were dissatisfied with his performance. In this scenario, the coordinator became the sacrificial cow, being blamed for inadequacies of both ‘the Council’ and ‘the government’. Clearly in the relationship between the ICC and the organisation, the coordinator was considered the most expendable component. For example, with the introduction of the new CDEP rules, the ICC left it up to the individual coordinators to not only apply them, but also to attempt to explain them publicly to participants. This removed the ICC staffers from being connected to the new rules in people’s

---

297 It is perhaps worth noting that the Kupartiya Aboriginal Corporation was liquidated in 2004. I decided to let this ‘sleeping dog lie’ however as I got the sense that this event was a potential source of shame for the people involved in that corporation.

298 Note that is was the same people, who had previously been working for ATSIC and now worked for the ICC, that had overseen the restructure in 2001. While relations had at times been strained between Kurungal people and these institutions, there was at least a history amongst the same group of government staffers of working with them.
minds, and instead placed the coordinator very much as the responsible person. As one old man asked privately of the new rules the coordinator was attempting to enforce: ‘Where he bin get that word, that thing not from government! He don’t wanna be saying that word [enforcing that rule]. We wanna keep that number [of CDEP participants]’ (Fieldnotes 2005: Book 3).

According to a senior officer of the local ICC whom I interviewed, the ICC ‘does not take part in internal politics’ of the organisations it funds. However an ICC representative would attend an AGM on request as an observer. As is apparent in the Bunuba Inc example provided in Chapter 5, there is a fine line between ‘taking part in’ internal politics and having an impact on internal politics. However, it seems from an observer’s view that communities have also become adept at strategically directing government agencies such as the ICC to further their own, local, community interests. In the case of Kurungal Inc, various councillors and others in the community had complained directly to the ICC staff, and vice versa. In particular, the ICC did inform members of the Kurungal constituency, and the ‘elders group’, that their organisation could get shut down because of the occasional tardiness of the coordinator. The officers I interviewed also noted in a general sense that they had a dilemma – how to inform a Council if their co-ordinator was not performing, and was endangering the survival of the organisation. This demonstrates that while agencies such as the ICC express much concern about the governance of entities like Kurungal Inc, in fact the survival of the organisation can just as easily come down to a standoff between white bureaucrats and white staff over, for example, the timely submission of reports. The way in which the ICC distanced itself repeatedly from the problems being experienced by Kurungal Inc and its CDEP coordinator underlines the fact that, in the medium term, they too had an interest in maintaining a relationship with the Kurungal communities and their main political actors. ‘Staying out of community politics’ may be a worthwhile goal, but failing to provide adequate support to a coordinator

---

299 The local Indigenous CDEP coordinator for Junjuwa wisely refused to have the discussion with his group of workers about the new rules, and insisted that someone come out from the ICC office to explain them.

300 One could argue that the ICC was also in a double-bind, being forced to implement directives from Canberra that threatened their local relationships with organisations.
attempting to implement difficult new CDEP rules, or to engage meaningfully in any
discussion about possible latitude for interpreting such rules in the Kurungkal context,
contributed to the untenability of his position and to his dismissal. As will be explored
at length in Chapter 7, there is a significant disjuncture between what is actually
required of these organisations in practice, and how these requirements are prioritised,
versus the public rhetoric around ‘Indigenous governance’.

2005 Kurungkal Inc AGM
The AGMs of Kurungkal Inc, and those of its subsidiaries, occurred over the 6th and
7th of December 2005. Interestingly, all the AGMs for the subsidiaries were held
together on the 7th, one after the other, at the same venue and with members of all
various subsidiaries sitting in and participating, regardless of whether or not they were
‘officially’ members of that subsidiary organisation. As noted in Chapter 3, these
various incorporated bodies were not necessarily incorporated under the same
legislation. They therefore had different requirements and structures at a community
level. Nevertheless, the coordinator, who was conducting the election process, treated
all subsidiary organisations as if they were the same. For each subsidiary organisation,
there were votes for Chair and Vice Chair as well as three ‘member positions’ to sit on
these subsidiary Councils. There were also three people voted in to be members
representing this subsidiary on the Kurungkal Council. This process was enacted for
subsidiary organisations that, outside of Wangkatjungka, never officially met nor carried
out any business. There is no question that those in attendance had little regard for the
electoral processes they were participating in. Each ‘election’ took around 20 to 30
minutes, and all of those present participated in the voting process, regardless of
whether they were a member of the relevant organisation or not. While the coordinator
took this process quite seriously, the constituents found it highly amusing. The degree
of humour evident underscored for me just how irrelevant to local political processes
such elections can be, and explains why so little weight is given to people elected to
formal positions via such a process.
Significantly, the discussion around the position of Chairperson was much more serious in tone. It was apparent that people understood that the position of Chair was one of influence, and that there might be some contestation amongst those present as to who ought to be placed in the position. In the instance of this Kurungal Inc AGM, a man who had previously been Kurungal Chairman eventually allowed himself to be nominated, and that put an end to the discussion. His authority in this domain was apparently incontestable, at least publicly and in such a large meeting. Arguably such ‘elections’ are interesting demonstrations of the practical disjuncture between Indigenous expressions of authority and western notions of representation.

Beyond the elections, there were more general matters for the AGM to attend to, including the ‘reporting back’ by the coordinator of the previous year’s achievements. The newly elected Chairman suggested that in 2006, Kurungal Inc’s constitution might need to be reformed, to ‘…better reflect need and drive of community, rather than just suiting needs of government, to build a better foundation to be strong.’ A significant event that occurred during this part of the AGM was the request that all kartiyas leave the meeting so that certain business could be dealt with. I had not witnessed such a manoeuvre at any other meetings of Kurungal Inc. The meeting continued, much of it in Walmajarri, for around an hour. Much of the discussion, I was later informed, was focussed on whether it was time to dismiss the coordinator. There had certainly been a sentiment to that effect amongst a number of community leaders that I had spoken to in the lead up to the AGM, including the newly elected Chairman. On the day however, the decision was made to request that the co-ordinator redirect all correspondence, and all visitors, to the new Chairman, who resided at Kupartiya. Such a directive was clearly designed to limit the role of the coordinator as gatekeeper, and pointing to the community’s diminished trust in him to represent their interests properly. The coordinator was deeply hurt by this suggestion, revealing as it did just how dissatisfied people were with his performance.

The act of asking all kartiyas to leave the meeting did not signify merely a group of Indigenous people engaging in power plays. Especially in the case of Kurungal Inc,
where the blackfella-exclusive part of the meeting took place in Walmajarri, it also signifies the power of the white gaze. It was not enough that meeting participants simply switch to their own language as a way to exclude the monolingual whitefellas present. There can be little doubt that a tall kartiya in a ‘big hat’ (the coordinator) is still an intimidating sight for older people. It is the also the case that people would have had great difficulty speaking negatively, or frankly, about someone who was present at the meeting.

**The ‘Council’ versus the ‘store’**
The tensions between the coordinator and the community also affected the coordinator’s relationship with other non-Indigenous residents, in particular the manager of Wangkatjungka store. As with the Kurungal Inc office in Kupartiya, the store represented a certain conduit for resources and for influence for those residing in Wangkatjungka. It had a management committee of three, one of whom was also the Wangkatjungka Chairperson. Those sitting on this committee were paid a monthly fee, and their role was to provide advice on operational matters, but also arguably and more informally to buffer the storekeeper, and to liaise with the community on his behalf. They also advised on how to invest any net profit; as a not-for-profit community enterprise, any surplus was to be spent on initiatives identified by the community. The store had been a long time supporter, for example, of the Wangkatjungka Crows football team, purchasing their jerseys, and paying for their travel to matches. Since the shift of the office to Kupartiya, the store at Wangkatjungka had had to manage a greater share of ‘humbug’ from community members seeking assistance with all manner of concerns.

There was a sense in which the storekeeper was managed by people in Wangkatjungka to act as an advocate for them against Kurungal Inc, and in particular in confronting the coordinator. At the same time, community members who wished to stand up against the coordinator backed up the storekeeper in these disputes. The following case study then demonstrates the way in which kartiyas can come into conflict in such environments, and how Indigenous people and groups can use them very cleverly to act
out disputes on their behalf. Indeed being a champion of the community, defending them against other kartiyas, is one of the unspoken expectations of people employed in such roles. There was certainly the sense that each of these kartiyas were battling to demonstrate to the community that they had the communities’ needs most at heart, while the other was simply playing politics. The dispute between the Kurungal Council, and the store at Wangkatjungka, had been brewing for some months, via emails and heated phone calls. It erupted in a large community meeting held ostensibly to develop some new rules around the CDEP, and for the providing of financial information by the organisation’s accountant from Perth. The storekeeper was however also included on the agenda.

The storekeeper had been in the job for almost two years. He had, consequently, experienced what the community was like during the wet season when the road in and out was often impassable. It was also this time of year when the temperatures started reaching the mid-40s. He was concerned about the ability of the aging community generator to provide enough power for the store, and for air conditioners. While there had been an upgrade promised in 12 months time, he recalled the previous wet season when the generator had broken down, and the store had lost many thousands of dollars worth of cold goods. Although it was the responsibility of Kimberley Regional Service Provider (KRSP) to replace the generator, it was the job of Kurungal Inc to maintain it, and to train a CDEP worker to fix it if it broke down, a role particularly crucial in the wet season when the community was regularly cut off by road. There was also the issue of the bores, which pumped water from the underground water table, and also stopped running without an electricity supply. The storekeeper also raised the issue of the quality of the water coming out of the bores, and that while reports were completed on its quality by KRSP, they were sent directly to the Halls Creek Shire by the contractors. The Shire then had responsibility for checking the water quality, as part of its environmental health brief, whereas the KRSP had responsibility for maintenance of this infrastructure and the provision of the reports. The role of the Kurungal Inc co-ordinator in all of this was to act as a crucial go-between, to apply pressure to have the
generator replaced sooner, and to ensure that the water quality reports indicated a healthy supply.\footnote{219}

Arguably, what we are witnessing here is the impact of much higher level blame-shifting. Under an agreement between the Commonwealth and the State of WA (the Remote Areas Essential Services Program - RAESP), KRSP is responsible for maintaining this kind of infrastructure. Ideally, ‘[p]lanned maintenance services are undertaken every 6-8 weeks. Water testing is undertaken on a monthly basis’ (Department of Water (WA) 2006: 24). In addition, the storekeeper was concerned that there were no trained-up CDEP workers who could maintain the powerhouse. The coordinator also had CDEP top-up funding for three environmental health officers, and three essential service officers, none of which positions he had been able to fill in any sustainable sense.

The storekeeper also complained that the rubbish was not being picked up from around the community regularly enough, a job which fell to CDEP workers. He also raised some work that had been done on drainage near the store by external contractors contracted by Kurungal Inc, which had been left incomplete. The storekeeper argued that the drainage system represented a major hazard in the wet season, as it allowed dirty water to build up, which the local children swam in. Here we can see the way in which the CDEP coordinator was held responsible for matters that might have been only partly in his remit, not only by the organisation’s constituency but by other non-Indigenous organisations and interests. The sheer weight of the responsibilities allocated to the coordinator was clearly unmanageable, particularly in the absence of any support from outside.

When I returned to Kurungal in 2006, the issue had again come up, although this time the generator had broken down, and the storekeeper had lost perhaps as much as $5000.

\footnote{219} Such a state of affairs is very common in communities like Wangkatjungka, although according to the Environmental Health Needs Survey, its water quality was especially poor. See Department of Indigenous Affairs (WA) et al (2004: 93) and Department of Water (WA) (2006: 36-9).
worth of stock. The coordinator of 2005 had by this time been removed, and a local from Wangkatjungka had taken his place. As a result of the financial losses relating to the power failure, the store was threatening to sue the Council. The problem was that the most active person on the store committee was also the new coordinator’s daughter. The storekeeper however continued to maintain his belligerence towards Kurungal Inc, despite the fact that the new coordinator was a much respected and culturally senior woman. The view of the ‘problem’ now began to shift from a focus on the inadequacy of the coordinator, to the storekeeper. However, Wangkatjungka people, who considered the store a vehicle for furthering their own interests, had deliberately kept the management of the store separate from Kurungal Inc. Therefore, no-one, not even those on the store committee, had any kind of documentation relating to the nature of the storekeeper’s contract. The store was in fact leased to a management-contracting firm, which had in turn employed the storekeeper, so it was not clear who had the final say over his tenure. In any case, the store committee decided not to support his wish to sue the Council, and the entire matter dissipated within a few weeks.

This example points to the intractability of certain circumstances in places like Wangkatjungka, in this case an unreliable source of electricity, and how such a factor can exacerbate simmering conflicts, and historical tensions. There are very limited alternative avenues for organisational constituents to express discontent with, for example, the level of service provision. Nor are there options for these same constituents to exercise their free will and seek an alternative. Under such conditions, it is not surprising that meetings can become forums for the expression of a great breadth of discontent, and can be the focus of heightened emotions. The very limited resources available to the co-ordinator, but also more generally to such organisations beyond very restricted parameters, means that these tensions are only periodically addressed, and generally only once crisis point has been reached.
**Whitefellas as stress point**

The key *kartiya* employees of both Kurungal Inc and Bunuba Inc left within a few months of each other, in late 2005 and early 2006. Both arguably were ‘pushed’ even though officially the administrator of Bunuba ‘resigned’. The very high turnover of *kartiya* staff in organisations such as these two is almost a given, and can be partly explained by the difficulties they face in working in such an environment, subject to both internal and external pressures. It is clear that the longevity of such staff in these positions is absolutely crucial in the process of building robust institutions. However, because such people are outside of the fundamental social architecture that characterises these entities, they can represent a vital stress point for those times when pressures are increasing. Rather than disputes building up between or amongst families, they often get directed to the *kartiya* administrator, thereby protecting vital relationships with kin. I would argue that the significance of these staff is underestimated in much of the literature around ‘Indigenous governance’.

While they are neither ‘Indigenous’ (either *kartiya* or not local), nor making decisions so not strictly part of the domain of governance, their supporting role is crucial one. That the ‘Indigenous governance literature’ is incapable of properly grasping the importance, not so much of these individuals *per se*, but of the relationships they build with key Indigenous people in the organisational environment, suggests an area of weakness.

**Conclusion: the policy environment**

This Chapter demonstrates the ways in which external forces can completely undermine, or overwhelm, the internal operations of small community-based organisations. In the case of Kurungal Inc, as the administrative burden connected to CDEP increased, and became more and more focussed on enforcing the accountability of individual participants, the geographical location of ‘the collective’ represented by Kurungal Inc office became increasingly problematic.

---

302 There are exceptions. See Batty (2005: 210) who notes that ‘…such partnerships [between white employees and indigenous people] facilitated the formation of various strategic forms of Aboriginal subjectivity, or agency, which helped operationalise the policies of self-determination.’ See also Sanders (2006).
The Chapter also shows how decisions such as that taken to move the Kurungal Inc office and the amalgamation, which was deemed the solution to a suite of problems, can set in train another set of problems which need to be subsequently addressed, in this instance by the ‘elders group’. The current political practice of such organisations then is an expression of a historical narrative, of cause and effect, which always seeks to balance various competing imperatives. Acknowledging such narratives might encourage a more conservative approach to the ongoing reform and restructure cycles that characterise these organisations, and the policy environments in which they operate. The norm now is for them to have a legacy of previously discarded or overridden legal entities, which still exist, and which clutter the organisational and legal landscape.

Policy shifts have enormous impacts on the functionality of these organisations, which are established to get maximum benefit out of a particular set of policy parameters. When policies shift, as they do again and again, the effect over time is to continually destabilise the organisations designed to interact with them. As the policy environment shifts again, and in particular with the demise of CDEP, it is unlikely that such a myriad of small organisational entities will continue to function in any meaningful way. In the past, such organisations have enabled the agency of small family groups, and the establishment of outstations. As such, they have acted as vehicles for groups to exit larger communities, thus lessening the likelihood of conflict amongst authority figures and acting as a conduit for government monies and programs. As the resources centralise, and the opportunity for expression of smaller scales of autonomy become less supported by government programs, it is likely that the kinds of conflict and misunderstanding explored both in this chapter and in Chapter 5 will become more and more common.

This Chapter has described a group of Aboriginal communities that are geographically remote and economically marginal. It has provided a series of vignettes that demonstrate the particular political practice of these people, and suggest that, given the circumstances described and cultural and historical context, that these practices are
reasonable, and effective. It has also, as with the previous Chapter, painted a picture of
the impact of policy changes on the Aboriginal people living in these places, and the
functionality of their organisations. The following Chapter shifts to more theoretical
considerations, and asks, if the language of ‘Indigenous governance’ is not useful for
making sense of Aboriginal political practice, then why has it gained such traction in an
Indigenous policy context?
Chapter 7: Indigenous governance as a discourse: Insights from the governmentality literature and beyond

Introduction
The thesis up until now has largely avoided engaging with the discourse, and language, of Indigenous governance found in Australian government policy documents, research publications and other texts. This has been necessary to faithfully depict and explain the operating of both Bunuba Inc and Kurungal Inc. Prior to my fieldwork period during 2005, I had made myself familiar with the Indigenous governance literature, both in Australia and internationally, in preparation for what I was attempting to investigate in the field. Once there, however, I discovered that adopting these concepts was hindering my ability to comprehend what I was observing, and I figured I had best place them aside. While I had already considered the possible power-related, post-colonial issues around this imported set of concepts, I had not imagined fully how abstracted they would seem on observing the practices surrounding the management of Indigenous organisations, and the dynamics of competition and cooperation which they contain. Instead, I chose to focus on colonial and organisational histories, on day-to-day management of issues and disputes and, through these, on the playing out of relationships and group dynamics. My core contention is that to explain the observable practices of these Indigenous organisations, one must view activities through the lenses of political rationality, and as the playing out of overlapping microhistories and identities. I have demonstrated in the previous two chapters that the language of Indigenous governance is inadequate to explain, describe or analyse the political practice of organisations such as Kurungal Inc and Bunuba Inc. The question that remains is why the language was adopted across Australian governments with such gusto in the 1990s and 2000s.

The answer to this question lies in broad shifts in the Australian political economy, which were characterised by a general shift to the ‘right’ and an associated growing faith in the market as a force of social reform. It is by considering these meta shifts, and their reflection in political language, that the foothold gained by the ‘Indigenous governance’
language in this era really starts to make sense. I am not arguing that its adoption was a conscious move on the part of any particular policy maker or government department. Rather, as an emerging discourse, it articulated comfortably with others of the time, and enabled a particular approach to managing Indigenous organisations and expressions of identity as the ‘problem’ they had become in ideological, and hence policy, terms.

The chapter will draw on post-structural thinking in exploring the dynamics of the Indigenous governance discourse in Australia, and on the idea of governmentality first articulated by Foucault. At the core of Foucault’s reconceptualisation of government-based power is a shift away from the state or ‘grand politics’, to look to ‘…rationalised schemes, programmes, techniques and devices which seek to shape conduct as to achieve certain ends’ (Rose 1999: 3). Foucault himself encapsulated the notion of governmentality as the ‘conduct of conduct’, a kind of exercising of restraint at various scales of institution, from individual, family, community and so forth (Foucault 1991). Such an analysis considers state level policies to be concerned with matters that can be deemed to be ‘cultural’. These endeavours, Foucault states, ‘…shape, guide, direct the conduct of others, whether these be the crew of a ship, the members of a household…the children of a family…’ and so forth (Rose 1999: 3).

The Chapter will begin by considering the shifting political economy under John Howard’s Coalition government that came to power in Australia in 1997. It will discuss how this impacted on the management of the Indigenous Affairs portfolio nationally. It will then consider Rose’s interpretation of Foucault’s idea of governmentality, which I argue is extremely useful in gaining an understanding of why the language of governance took hold, and the reformatory technologies it came to embody. It will also consider how Indigenous people have resisted these attempts at reformation. Finally it will consider, after Lea (2008) and Scott (1998), how the State imagines, or constitutes, the ‘real world’ in ways that render it legible, pliable and compliant, and the impacts of the inevitable inaccuracy of this projection.
Howard’s Australian identity and values
The shift to the right in Australia in fact began during the Hawke/Keating Labor governments of 1983-1997. It is clearly apparent in that government’s monetary policy, its focus on competition and reduction in trade barriers and the floating of the dollar. It is also evident however in areas of social policy such as welfare reforms, industrial relations policy and enterprise bargaining. With the election in 1996 of a Coalition government at the Federal level in Australia, with John Howard as Prime Minister, this shift to the right was cemented. There are three core elements of this shift that I will briefly discuss before reflecting on Indigenous affairs specifically, and then turning to a consideration of governmentality.

The first observation is that, with the election of Howard, the liberal abhorrence of ‘the collective’ really became very apparent. The most obvious manifestation of this was in ‘Workchoices’, the Howard government’s industrial relations policy which severely constrained collective bargaining in the workplace and encouraged individual contracts. The Howard government’s adherence to small ‘l’ liberalism was also apparent in, for example, its dismantling of compulsory student unionism across the country, and played out in its antipathy to ATSIC, which is discussed in more detail below.

The second observation is that there was an upsurgeance of social conservatism, exemplified by Pauline Hanson’s One Nation, which could be characterised as opposing revisionist approaches to history, and railing against the existence of special interest groups. This approach was in part a harnessing of the unpopularity of Keating’s attempt to engage Australia more with Asia and to embrace and celebrate multiculturalism. Howard on the other hand was committed to railing against what he considered were ‘…politically correct, culturally elite ‘special interest’ groups’ (Johnson 2007: 196). In a speech in 1995, he proposed that ‘…in an ideal world of national identity I would like…greater incentives…for those who successfully exhibit that independent can-do quality so redolent of many Australians’ (Howard quoted in Johnson (2007: 196-7). Such debates about Australian colonial history (the ‘history wars’) and Australian identity (the ‘culture wars’) came to characterise the Howard era,
which saw a move away from Keating’s more progressive imaginings of Australian identity, to more conservative ones.

The third aspect of this shift relevant here was a burgeoning faith in the market to address social ills and inequalities, even where, as Altman has observed, the market was largely absent (Altman 2007a, 2007b). In particular, labour market participation was viewed as a means to equal opportunity, and to social integration. Such a model ‘…emphasise(d) the responsibilities and obligations of individuals in achieving that participation’ (Goodwin-Smith 2009: 55).

**Indigenous affairs under Howard**

Howard’s government was dismissive not only of the previous government’s approach to Indigenous affairs, but arguably of an entire era of Indigenous policy, which had lasted around thirty years. Sanders has argued convincingly that the Howard Government’s approach to Indigenous affairs represented a ‘generational revolution’. This revolution ‘…combines a major disowning of the work of the previous generation in Indigenous affairs with a significant ideological swing to the right’ (Sanders 2008). Such a shift is entirely understandable in light of the more general ideological and policy moves that characterised the Howard era.

The demise of ATSIC in 2004-5, and the resultant shift in Indigenous policy away from treating Indigenous Australians as different from other disadvantaged groups, is best considered in light of these wider trends in mainstream Australian political culture under Howard. The previous Indigenous policy era had supported and attempted to engage with both ATSIC and an enormous array of smaller Indigenous community-based organisations which Rowse (2002) termed the Indigenous sector. This kind of political organisation clearly lost favour under Howard government Indigenous Affairs Ministers. As Altman astutely observed of the Northern Territory intervention,303 ‘[I]t

---

303 The ‘NT intervention’ refers to a controversial, and dramatic, initiative of the Howard government in the Northern Territory in 2007. It was initially in response to a NT report on child sexual abuse in
is unworkable because it will be dependent on local on-the-ground personnel and expertise and organisations to implement, yet these are the very organisations that have been financially neglected, demeaned as failures and that are now being alienated, dismantled and depoliticised” (Altman 2007a, emphasis added). The undermining of Aboriginal organisations to which Altman refers is a process which had been occurring long before the NT intervention (Aboriginal and Torres Strait Islander Social Justice Commissioner 2007; Arabena 2005; Hunt 2008). I do not wish to suggest that it had been a stated policy objective of Howard’s Indigenous Affairs Ministers to undermine such organisations, rather that this process of neglect was an inevitable outcome both of the political philosophy of the Howard government, and of various related policies, such as winding back CDEP.  

Sanders presented a paper in 2008 in which he argued that the widespread administrative changes that had occurred in Indigenous affairs policy during the first Howard decade could be characterised as being contrary to the international trend of decolonisation. In other words, these ‘new’ policy approaches were in some way ‘colonising’ or ‘colonial’ in the way in which they categorised Indigenous people as a policy ‘problem’. Aspects of these new approaches to which Sanders refers, include changing CDEP, the loss of a national political voice, and the supremacy of the market. Others have written about this period with a less conciliatory tone than Sanders, suggesting that it represented a return to a paternalistic approach in which Indigenous people would have governments deciding what was best for them, and worse, that the disrespect directed to Aboriginal people, especially during the NT Intervention, communities, and consisted of a suite of initiatives aimed at ‘taking control’ of communities so as to ensure safer environments for children. These included alcohol reforms, welfare reforms, enforced school attendance schemes, mandatory sexual health checks for young children, increased policing, reformation of community living arrangements and various other measures. See (Altman and Hinkson 2007) for an extensive critique both of the process and of its impacts.

304 For the impacts on numbers of organisations in the West Kimberley for example, see Taylor (2006b:56-7)
305 Sanders (2008) identifies a number of elements of the Howard government’s approach to Indigenous affairs which defy this international trend towards decolonisation. These include the abolition of ATSIC, as part of a wider focus on public accountability, a characterisation of Indigenous people in terms of their socio-economic disadvantage only, inadequate recognition of Indigenous groups as enduring social and political entities which was coupled with a singular focus on Indigenous individuals, and, finally, a push to depict Australian history as a positive story of great nation building.
revealed a deep-seated racism and denigration (Gaita 2007: 299). Two crucial characteristics of the ‘new arrangements’ were that Indigenous-specific programs were to be transferred from ATSIC to mainstream government departments, and that there was to be increased accountability within these programs. As Arabena observed, ‘[t]he subtext…is that self-determination has failed, and the implication is that Indigenous people cannot be trusted to manage their own affairs’ (Arabena 2005: 42). It is in this policy and ideological climate that the language of governance was able to take hold, and was adopted by state and commonwealth governments, on both sides of party politics.

**Viewing Indigenous governance as a discourse**

Discourse analysis is a useful tool here, because it allows examination not only of what is said, and written, and thus how knowledge is constructed, but also of what is *not* said and *not* described. It therefore can assist in interrogating the absences I experienced in the field, the gaps between the theory and analysis, and the *practices* of Indigenous governances. A discourse does not describe or reflect relations of power; it enacts and enables them (Foucault 1977: 131). In this way, the effect of the policy discourse of Indigenous governance is both to constitute Indigenous subjects in certain ways, and in doing so, create a space in which they become governable subjects. By thinking about Indigenous governance in this way, we are presuming that ideas and words have real (on-the-ground) social and political consequences. The question to be considered here is not whether the precepts of Indigenous governance are correct, and therefore to buy into debates about, for example, what kinds of governance are ‘best fit’, or whether Aboriginal leaders ought to treat constituents equally. Rather than asking whether these ideas approximate the truth, I am asking what their *effect* is, and how they are connected with wider social processes.

---

306 In Mowbray’s critique of the Harvard Project, which he concludes is empirically flawed, he argues that its appeal is purely ‘political’. He states that its findings ‘…connect the precepts of economic rationalism with Indigenous economic development’ (Mowbray 2005: 42).
In the thesis introduction, I developed a brief genealogy of the term ‘governance’, which demonstrated its roots in a western politico-ethic derived from liberal thought, and its recent adoption by international development institutions. In these international development contexts, the terminology of governance is code for political reform of nation states in the name of economic development.307 In particular, international monetary institutions such as the World Bank had historically been disallowed from interfering in the political systems of countries receiving their programs. Some of these were so unlike western liberal democracies as to make doing business very difficult, even for global institutions like the World Bank. Under the rubric of ‘governance’ reform however, the difficult issue of reforming non-liberal states could be dressed up as a mere technicality requiring reform of state institutions.

The Indigenous governance discourse in Australia describes a discursive arena in which the language of Indigenous communities and their organisations overlap and interplay with the language of Australian governments’ Indigenous affairs policies. There is not the scope here to attempt a full discourse analysis of Indigenous governance in Australia. The volume of written and spoken texts on the subject is simply too vast. Rather it is useful to examine, on a meta level, the discourse of Indigenous governance in an Australian context, and how it upholds and is upheld by other discourses around Indigenous people in Australia. As suggested in the Introduction, the appearance of the language of governance in Australia did not signify the beginning of the analysis of the operation of Indigenous organisations. This had been ongoing, via various other analytical frameworks, since the inception of these organisations. Rather it signals a coincidence between certain shifts in thinking internationally, and a changing mood in Australian government policy circles, most recently articulated under the Howard government’s ‘New arrangements’ in Indigenous affairs.308 Under this ‘new’ approach, the previous 30 years of Indigenous policy are viewed critically as being a failure, as are the Indigenous organisations that flourished in that climate.

307 Smith identified seven international realms in which the term governance had been adopted. Two were concerned with governance as networks, and with governance as dispersed ‘government’ or decision-making structures. The other five relate to particular realms: self-government, corporate governance, resource governance, global governance and Indigenous governance (Smith 2005: 9-10).

Failed policy, Failed organisations, Failed states?

In 2007, Dillon (2007) wrote a paper in which he argued that the dysfunctionality of Indigenous communities throughout Australia could be compared to the ‘failed states’ of the Pacific. He asks ‘[W]hat are the parallels which exist between the stability and governance issues confronting a number of weak states to Australia’s north, and the social dysfunction and human security issues confronting Indigenous citizens in many remote communities within Australia’ (Dillon 2007: 5)? Arguably this paper, from a long term Indigenous affairs bureaucrat, provides interesting insights into bureaucratic thinking and problem solving: It is big on generalisations, it avoids engaging with the messy diversity of practice and while conceding that government policy has been the problem in the past, sees it as the solution of the future. It also, indirectly and by engaging with the notion of ‘failed states’, proposes that part of the ‘problem’ of Indigenous affairs is that government, or non-Indigenous interveners, have not had a true conceptualisation of the ‘problem’. This demonstrates the necessity of looking further afield to find a new metaphor (the ‘failed state’) for describing an old policy ‘problem’.

Dillon states a number of times that there has been a failure of governments to ‘…ensure order and good governance’ and concludes by conceding that these governance problems are ‘…deep-seated in nature and require more than “better programs” or “better co-ordination across government” to be resolved’ (Dillon 2007: 1, 5, 7). The solution, he proposes, will require ‘…a national commitment to addressing Indigenous disadvantage, sustained over time, and addressing the institutional constraints which currently impede the achievement of acceptable outcomes’ (Dillon 2007: 13). So despite Dillon’s use of a different concept to describe the ‘Indigenous problem’, his solution seems mired in a bureaucratic solution and in bureaucratic language. As to the nature of the institutional constraints, no explanation is given. A clue is evident in this statement however:

[T]he failure of governance in remote Australia is ultimately a failure of governments to assert their own sovereignty effectively, in ways which address Indigenous advantage, engage constructively with Indigenous citizens, and promote national values’ (Dillon 2007: 10) (emphasis added).
This is surely a call for the Australian state to (re)assert its sovereignty, as well as to (re)inforce mainstream Australian values. To suggest that such changes might occur merely via governance reform, or as Dillon states, through ‘addressing institutional constraints’, disguises the potency of what he is suggesting, by dressing it up as a mere technicality. Such a call clearly resonates with the wider shifts in political economy and ideology that were occurring during the term of the Howard government. It also demonstrates how, in such a political climate, Indigenous agency could be summarily dismissed as a pivotal factor in the relationship between Australian governments and Indigenous communities. That such ideas stimulated debate demonstrates the way in which bureaucratic rationality works and how it must continuously reinvent and retag the policy ‘problems’ it is concerned with – which in this case includes ‘Indigenous governance’ – if it is to maintain its potency by articulating with broader shifts in ideology and knowledge construction.

**Indigenous governance discourse as an ‘intelligible domain’**

Rose’s (1993) interpretation of Foucault’s notion of governmentality can help us see how the notions that underpin Indigenous governance enable it to operate as a discourse.

As Rose writes,

> [t]he government of a population, a national economy, an enterprise, a family, a child or even oneself becomes possible only through discursive mechanisms that represent the domain to be governed as an intelligible field with specifiable limits and particular characteristics, and whose component parts are linked together in some more or less systematic manner by forces, attractions and coexistences (Rose 1999: 33) (emphasis added).

What Rose is pointing to are the elements that give a discourse its coherence. In the case of Indigenous governance, we can discern three or four central elements. The first of these is an ‘Indigenous Australian’ identity that is characterised by government as a minority population. The second is a particular historical relationship between that minority population and the broader Australian state. And the third is an implicit acknowledgement by the state that Indigenous Australians’ have certain distinctive rights which allow them to maintain a degree of cultural difference or ‘indigeneity’; or
in the case of the Howard government era, that they have a socio-economic status so depraved that they are identifiable as a group of especially disadvantaged Australian citizens. Further, the term ‘Indigenous governance’ is applied to the Indigenous estate, which represents a very significant area of land in Northern Australia, and over which Indigenous people have varying degrees of control.

‘Indigenous governance’ thus defines a certain space, with boundaries, within which are visible particular relations, certain practices, particular measures of adequacy or success and so forth. Once defined, the space of Indigenous governance can become subject to certain technologies of management, or assistance, or in the parlance adopted by Australian government agencies, ‘capacity building’. The definition of such a space of legitimacy can conversely be seen in terms of what it excludes, or leaves in the shadows of description. My proposition is that the Indigenous governance discourse refutes Indigenous competence and skill, while conceding that there might be some strengths ‘on the ground’. It also denies the legitimacy of constructing governance processes in terms of indigenous actors seeking to balance competing interests. In disallowing such a construction, it makes invisible the truism that it is commonplace and rational for all people, Indigenous and non-Indigenous, to be progressing their own, or their own families’, self-interest. This discourse then generates ideas about Indigenous governance practice which are entirely are odds with crucial aspects of the mechanics of Indigenous organisations and players, and the political thinking which might explain them.

**Liberal technologies of government: Responsibilisation and normalisation**

What the Indigenous governance discourse in Australia does do is to generate certain measures of ‘good’ political practice in an Indigenous context. In discussing the delimited government of individuals which forms the basis for liberal thought, Rose states:

…the government of freedom, here, may be analysed in terms of the deployment of technologies of responsibilisation…A ‘private’ ethic of good … morality can thus be articulated on to a ‘public’ ethic of social order... (Rose 1999: 74).
There is a sense in which the liberal approach to government, which Rose is describing, is dependant to a significant degree on personal restraint, even on ‘civility’. Such notions have an undeniable resonance with some crucial aspects of the Howard government’s ideology, and with the thinking of other important commentators of time, most notably Noel Pearson (Pearson 2000).

Rose goes on to observe that there is, and has historically been, a crucial role for ‘experts’ who can give direction as to the inculcation of these private responsibilities. He frames this discussion around the historical emergence of the notion of normality in the late eighteenth and early nineteenth century, and the role of statisticians and other measurers in providing government with calculated norms. Thus, ‘…the capacity to identify, measure, instil and regulate through the idea of the norm becomes a key technique of government’ (Rose 1999: 75). Rose is not describing some recent philosophical development in liberal thinking. Rather, he is tracking the development of particular technologies of government over several hundred years that enable liberal thought to encourage a degree of personal restraint, and conformity to certain principles, in those that are governed. The technologies employed could ‘…produce individuals who did not need to be governed by others, who could govern themselves through introspection, foresight, calculation, judgement and according to certain ethical norms’ (Rose 1999: 76). It is my contention that the discourse of ‘Indigenous governance’, and the technologies of training, capacity building, funding agreements to encourage its development, is built upon precisely these liberal principles of governing as identified by Rose.

The ideas of Rose (1999, 2000), O’Malley (1998), Dean (1992) and other post-structuralists investigate how liberal governmental processes succeed in enrolling governed subjects in the operations of government itself:

[F]ar from attempting to force individual subjects to bend to its will, liberal forms of government seek an alignment with the aspirations of individual subjects – to enrol them in the operations of government itself (Batty 2005).
The language of governance seeks a coincidence between the government goal of greater self-sufficiency of Aboriginal people, and the Indigenous goal of self-management. The vehicle for these overlapping aims has been the Indigenous organisation. Batty argues that ‘…such bodies…offered the government a way of regulating and nurturing a “self-sufficient” Aboriginal subjectivity or agency capable of fulfilling the requirements of government policy’ (Batty 2005: 211). Clearly the ‘self-sufficiency’ that Batty describes is very much of the managerial variety, rather than any form of socio-political autonomy. That Indigenous people have willingly, via their own organisational vehicles, taken up this challenge of self-sufficiency or self-management, still leaves a lot of room for interpretation. For many organisations, having to conform to funding guidelines, particular edicts regarding representation, accountability norms and so forth was necessary to receive government funding. But as Chapter 5 partly demonstrates, while these organisations consisted of legal entities created initially to allow receipt of government monies, this did not preclude them from evolving into quite different organisations with unique approaches to their own governance. Bunuba Inc’s withdrawal from the CDEP scheme is just one example of what can happen when the state view of how much control it was prepared to relinquish was too far removed from the local view.

It inheres in the technologies deployed to address Indigenous governance that the ‘problem’ is firmly in the Indigenous domain and hence trainers, consultants and other experts must be marshalled into that space. To suggest that much of ‘problem’ might be in the articulation between government agencies and organisations as forms of Indigenous political expression (amongst other things) makes remedial action much more difficult.

**Limits of governmentality**

The ideas of governmentality assist us to understand how the discourse of Indigenous governance is applied, not only as a set of concepts, but via a suite of interventions designed to reform behaviour. They do little however to capture Indigenous responses to these ‘reformative’ forces pushing in on them. O’Malley (1998) also came to a similar
conclusion about governmentality, that it did not adequately capture the ways in which resistance and rule can co-exist, sometimes in positive and productive, and often unpredictable ways. He writes about the ‘dark side to liberalism’, by which he means the way in which invisible processes suppress or eschew certain elements of Indigenous governance which might be ‘…counterproductive, hostile or incompatible with the project of rule’ (O’Malley 1998: 157). His use of Latour’s notion of translation is apt: that discourses make visible, or give solidity to, certain aspects of knowledge while ignoring those that may be incomprehensible or confronting. O’Malley states: ‘The process of concern here…relates to the role of translation in forming government’s understandings of that which it seeks to rule at a distance and of the Indigenous governances that it appropriates for this purpose’ (O’Malley 1998: 163).

I would add another element to O’Malley’s discussion and that is the way in which Indigenous actors might contribute to the obfuscation of elements of their own governance practice. Resistance in these contexts is sometimes obvious, but is more often subtle, manifesting in stubbornness, tardiness or evasiveness. In addition, as has been discussed at length in Chapters 4, 5 and 6, significant cultural determinants at play in a governance environment, such as people’s kinship, are not aired and are kept, to use O’Malley’s terminology, ‘subterranean’. O’Malley (1998) suggests that if the authenticity of the Indigenous governance is to be maintained, any attempt by government to neutralise, eliminate or transform resistant elements must be hidden. I would posit that there is an ironic mirror of this attempt to maintain a comfortable degree of authenticity on the other side of the equation. That is, while a certain amount of cultural display will give an organisation and its actors a degree of legitimacy in the eyes of government, too much will overwhelm or threaten government actors, and possibly empower them in unintended and unwanted ways. A strategy for Indigenous people lies in their control over exactly what will be revealed in a governance context, and what will be concealed, a reality that eludes those whitefellas that call for greater transparency. Arguably however, self-imposed censorship is a perverse kind of empowerment, and not an especially positive one.
The ‘elders group’ at Kurungal was an example of how a governance structure can be adopted because, via a cultural veneer, it was able to limit the view of whitefellas, rather than the opposite. Similarly, in the structure of Bunuba Inc, the division of a power base into ‘clans’ rather than ‘families’ meant that whitefellas did not tend to ask questions about whether that structure was representative, or fair, or whether it in fact excluded particular sub-groups of people at the expense of others. As explored in Chapter Four, these ‘clans’ were constituted on the basis of various criteria. Nevertheless, they were in their own right, both spaces of recognition, and of obfuscation, useful in terms of controlling not only the purview of whitefellas but of other Bunuba.

**Blind spots of the all-seeing Bureaucracy**

The language of Indigenous governance does not seek simply to describe aspects of this particular domain; it adopts the language of normative transformation, of ongoing improvement, of change. The implied deficit, and further implication that the expertise to amend this problematic governance is external, contributes to the uneven power differentials which characterise the discourse, and which Indigenous people often resist in subtle ways. As Kowal (2005) observes, it is always non-Indigenous Australians that have something to offer Indigenous, never the other way around. The Indigenous governance discourse also denies the competence and a local responsiveness of Indigenous people in these contexts, and the possibility that, given matters of historical context, group dynamics and the post-colonial setting, that perhaps things are in fact working as best they can.

Lea (2008) has inquired at length into how the bureaucratic project of continuously attempting to ‘reform’ Aboriginal people is sustained, epistemologically and ethically, by non-Indigenous government health workers in the Northern Territory Health Service. She observes that bureaucratic representations of the world are necessarily distorting:

> Beginning with representations of the world that may be somewhat tangential and oblique to the on-the-ground realities, and actively seeking to change that world for the better, government
pronouncements conjure reactions from the subjects of policy regardless of the extent to which those pronouncements match the worlds those subjects live in. ‘What works’ for processes in the discursive political realm always bears a contingent relationship with ‘what works’ in the paddock (Lea 2008: xv).

Elsewhere, she states ‘[t]he narcissism of governmentality is universal’, by which she means that across government agencies in the Northern Territory there is the sense that government policy can address all the problems which beset Indigenous communities (Lea 2008: 227). She notes that much is in fact missed by a bureaucratic viewpoint that presumes it is blessed with an ability to see and comprehend all: ‘Whatever else might matter to life as it is individually and distinctively lived is not attended to, or rather is overridden by an insistence that (our socially conceived) “social forces” are always more crucial’ (Lea 2008: 228). These ‘social forces’ include categories such as ‘unemployed’, ‘poorly educated’, ‘marginal’ and, I would add, ‘characterised by poor governance’. But these categories fail to capture much of what is crucial to people’s lived realities. This is why, like Lea, a suite of other authors, including Dean (1994) and O’Malley (1998) in the Australian context and Scott (1998) and Ferguson (1994) internationally, have made observations about the ways in which state policies, programs and interventions go astray. The government, and its policy officers, strive nevertheless to attain an accurate account of the ‘real world’, which they wish to influence. The Indigenous Community Governance Project, which this PhD initially contributed to, represents such an attempt to get a clear picture of ‘Indigenous governance’ across twelve sites in Australia.

**Indigenous Community Governance project: An attempt to communicate complexity?**

The language around Indigenous governance in Australia is essentially driven by the concerns of policy makers. It therefore falls into the category of language investigated by Shore and Wright, who observed that

[the language of policy-making seems to endorse realism by presenting ‘problems’ as if they could be solved by filling knowledge gaps with new, objective data (Shore and Wright 1997: 4).]
The policy ‘problem’ of Indigenous governance, to be addressed, therefore required the acquisition of a significant volume of quantitative, and qualitative, data. To this end, both the Commonwealth and state governments set about funding research projects to ascertain the workings (or otherwise) of Indigenous organisations. In the Indigenous governance discourse, what is so often excluded is the ‘political’ behaviour of Indigenous participants. Even though we are now in a policy era that is questioning the self-determination paradigm, very few bureaucrats or governance researchers could suggest that the solution to the Indigenous governance ‘problem’ lies in giving Aboriginal people less rather than more decision-making power. Rather, for the more progressive commentators on governance, the comfortable answer to the implied ‘problem’ of Indigenous governance is to be found by shifting the gaze away from the complex and diverse world of Indigenous people (where any suggestion of needed-reform could be read as an intrusion into people’s autonomy) to a more stable, less politically sensitive critique of government or the State. This is what occurred in the Indigenous Community Governance project, to which this PhD study contributed.\footnote{The ICGP was an Australian Research Council (ARC) Linkage project between the Centre for Aboriginal Economic Policy Research (CAEPR) at the Australian National University, Reconciliation Australia and the WA, NT and Commonwealth governments. The approach described here was also the approach taken by Dillon and Westbury (2007) who failed to comment on the effect of the demise of the Indigenous sector.}

The project more or less admitted the same thing:

A key hurdle for government policy makers, in particular, is the fact that the issues involved are complex, conceptually challenging, multi-layered and do not lend themselves to straightforward or instant solutions…(Hunt and Smith 2007: xi).

Without ever stating it as such, there is the definite sense in which this report, entitled ‘Indigenous community governance project: Year Two research findings’, is targeted to a government/policy making audience. This is clear both in the way it describes Indigenous governance across the twelve research sites, and in the recommendations it makes for reform. The latter can be divided into two categories of advice. The first relates to the need to reformulate policy thinking to better take account of the diversity of governance in the ‘real world’ (while having noted on the previous page, see quote above, that such a messy reality represented a ‘key hurdle’ for policy makers). While the second relates to ‘…practical program and governance development responses…to
address current governance gaps and shortfalls identified in the case studies’ (Hunt and Smith 2007: xii). Arguably the project’s ‘findings’, which could be characterised as superficial, non-threatening or at best ‘anodyne’ (Rowse 2007), demonstrate the gulf that exists between the kind of tidy, ordered information required by policy makers, and the messy diversity of Indigenous governance in practice. They also demonstrate the sensitivity around this issue to perceptions of non-Indigenous researchers making claims of a need for reform of Indigenous organisations or governance practice. The project managers were caught in a bind: In accepting funding to investigate ‘Indigenous community governance’ across Australia (with the underlying presumption that it was somehow in need of improvement), they agreed implicitly to provide information on the subject that was useful to policy makers, and non-threatening to Aboriginal people. Their scope then to fully depict the rich, adaptive and active forms of political life in the organisations of their study was severely limited by the discursive arena in which their research was framed.

### Conclusion

This chapter has explored how Indigenous governance, and its technologies of reform, is best understood as a normative, prescriptive discourse the effect of which is to encourage particular forms of liberal ‘self-government’. As a discursive arena, the Indigenous governance discourse has particular characteristics that determine its impact. As touched on in the thesis introduction, and expanded on here, these include its origins in international development and its more recent connections with a large research project in the USA which has become known simply as the Harvard Project. Both of these predetermining arenas are characterisable as having economic rationalist foundations and faiths. By viewing the discourse in this light, we can see why Australian

---

310 Funding for the Australian Research Council linkage grant was sourced from Reconciliation Australia, and from three state governments, and the Commonwealth government.

311 In 2008, at the project’s end, a book was published whose contributors began to challenge more rigorously the received wisdom of ‘Indigenous governance’. See Hunt et al (2008) The book’s style was of an academic, rather than prescriptive ‘report’ style, and many of the papers described more honestly the complex realities of Aboriginal political practice. One was critical of the ICGP’s conceptualisation of there being a division between an ‘Aboriginal domain’ and a wider ‘governance environment’: ‘One important problem inherent in the notion of a surrounding governance environment is that it masks the substantial interweaving of the ‘Aboriginal’ and the ‘mainstream’, and the intercultural character of Indigenous community governance’ (Smith 2008).
governments and policy makers adopted the language of governance when they did, and how it articulated with other ideological shifts in the Australian political economy.

The notion of discourses is that they elevate or make visible certain categories and linkages of knowledge, and make invisible certain others. This is certainly the case with the Indigenous governance discourse. However there are other aspects of it that contribute to the ways in which its intellectual accuracy or pertinency continues to be limited. One particular aspect is that the notion of ‘Indigenous governance’, as a social category, requires remediation by forms of government intervention. The nature of working in the intercultural field of ‘Indigenous affairs’ means there are inevitable concessions that non-Indigenous experts may also have something to learn, and that Indigenous people may have certain things right. And yet, the compulsion to assist or remould is very strong, and it requires that non-Indigenous ‘capacity-builders’ must fundamentally frame the ‘problem’ in particular ways. Thus while the Indigenous governance ‘problem’ is sited firmly in the Indigenous domain, the sensitivities of ‘intervening’ in this space, particularly in matters relating to community politics and autonomy, mean that the discourse seems destined to enunciate or observe only the benign, dull and bureaucratic or managerial aspects of Indigenous political practice. The gulf I am describing between the effect of the logic of policy makers and interveners, and the political practice of Indigenous people, may seem insurmountable and inherently negative, since it suggests that the common ground between the two is narrow and fraught. Yet, as I have strived to demonstrate in previous chapters, a discourse does not determine everything.
Conclusion

It is clear that measures of ‘good governance’ are firmly drawn from western normative foundations – norms around democratic practice (the rights of the individual) and the sanctity of private (rather than communal) property for example. These are presented in the Indigenous governance discourse as part of a nonmoral order and as value neutral. These norms become highly problematic when applied to a population who do not hold the same normative presumptions. This thesis has mounted a critique of the Indigenous governance discourse in Australia, not by engaging with the texts and language of the discourse alone, but by examining the political practice of Indigenous people in two distinctive organisations, and thus demonstrating the gulf that exists between this practice and the language that purports to reflect it.

In order to explicate elements of this practice that were most at odds with Western precepts, it was necessary to consider the diverse colonial histories of the Aboriginal groups in question, and to consider how these experiences have impacted on their understandings of the Australian nation state, and ‘government’ in general. Chapter Two provided an important historical backdrop up to the late 1960s. Chapter Three described a time of great energy in and around Fitzroy Crossing in the 1980s, a time when the relationship between Aboriginal people of the area and a group of whitefellas began to produce some positively valued results, most notably people’s returning to country via the acquisition of specific leases. Many of these non-Indigenous people were in fact government employees, although as the discussion demonstrated, they were granted considerable latitude to pursue what was essentially an Aboriginal rights agenda. By comparing this Chapter, and Chapters 5 and 6, which outlined contemporary political manoeuvres in Kurungal Inc and Bunuba Inc, the reader will observe a significant shift in the policy environment, which had dramatic effects on the two organisations in question.

Chapter 4 demonstrated the remarkable internal complexity contained within these organisational entities. It showed how many identity-forming elements, such as
connection to country or kin relationships, can be context-dependent. It also showed how these elements fed into static non-Indigenous organisational structures, forcing them to contain dynamism in novel, sometimes unpredictable, ways. The significance of the non-Indigenous gaze and the necessity for Aboriginal people to limit its purview at times, was also evident. Chapters 5 and 6 again demonstrated all of these elements interacting in political practice. The Bunuba Inc vignette showed how the groups, and individuals in question, managed conflict in ways that protected kin relationships. The organisation also struggled to maintain its own political autonomy within a larger policy environment that was putting extraordinary pressure on internal organisational dynamics. Whether it succeeded or failed to maintain this autonomy at the time is a moot point, but the reality is that the organisation was subsequently transformed, and arguably greatly weakened as a result.

Chapter 6 presented a series of vignettes about a different mob of people, with connections to each other and to country very unlike those of Bunuba Inc constituents. It demonstrated that the task of the non-Indigenous staffer, at this time and place, was extremely difficult if not impossible, in part because of historical events but also because of a policy environment that provided him very little support. This Chapter also described a form of political practice that was at some variance from that described in Chapter 5, one in which a greater emphasis was placed on presenting, if not gaining, a consensus amongst constituents. This reality also contributed to the administrator’s difficulties, because it meant that any mandates given him to act by a full meeting could later be undermined by individuals operating on the basis of more localised authority. Once again we could come to understand the political practice of Aboriginal constituents of Kurungal in light of their connections to each other, and to the places they resided. We could also see what happened when these political rationalities were placed within a superficially ‘western’ political formation, wherein meetings were held to produce binding decisions, and there was an underlying assumption of equity across groups and individuals. In response, a group of senior people saw fit to develop an organisational offshoot that enabled them to exercise some authority (the ‘Purlka
Wangki’ Working Group) while avoiding relentless bureaucratic requirements for account-giving.

Chapter 7 concluded the thesis by turning again to the Indigenous governance discourse and questioning why, given its lack of utility in both descriptive and analytical terms, it has gained such traction in Australia over the last fifteen or so years. It argued that the answer can be found in a wider turn in Australian political economy to neo-liberal ideology, which has been manifest in a number of major policy shifts nationally. The Chapter drew on Rose’s interpretation of Foucault’s notion of ‘governmentality’, wherein liberal state policies can be viewed as technologies of social, and especially individual, reform. It then considered how bureaucracies conceptualise the social world, and how this framing determines policy approaches to improve it. The Chapter demonstrated that the Indigenous governance discourse is in fact useful in a policy environment, precisely because it denies the realities of Aboriginal political practice, replacing them instead with a sanitised set of principles and /or practices against which organisations can be measured, and their fates decided in clinical terms. There is little doubt that the proliferation of organisations established in the late 70s and 80s, as described in Chapter 3, was an institutional landscape that lost broader political support from the late 90s. Arguably the discourse of Indigenous governance has been crucial to the very great erosion of this landscape that has since occurred across Australia.

The thesis has avoided the issue, which others have sought to address,312 of how a nation state like Australia ought to contain or manage an internal minority population that has an ethical system somewhat at odds with the mainstream. Rather the thesis has sought to demonstrate that the Indigenous governance discourse works to demonise this ‘other’ ethical framework and replace it with a sanitized, comfortable set of concepts and practices. That this remains unacknowledged or unrecognised continues to cause problems for Indigenous people in communities who feel that they must strive

---

312 The amount of work on the subject is voluminous. Of direct relevance here is Sullivan (2006a), who refers to Kymlicka and Tully. Theorists of the ‘recognition space’ also give considerable thought to the issue. See Thompson (2006) for a good overview of the main theorists.
for ‘good governance’ to receive funding, and for those who would help them achieve it. There is a very subtle deception at play, wherein the discourse of Indigenous governance appears to be concerned with empowering Indigenous people, but in fact has the opposite effect by discouraging or devaluing the very political practice in which Aboriginal people engage. And yet, Indigenous people have learnt a great deal about ‘Indigenous governance’, and are arguably getting good at managing this latest intrusive attempt to reform ‘aberrant behaviour’ and transform them into good citizens. Thus there exists an interesting irony in how the moralising language of ‘Indigenous governance’ now gets adopted by Indigenous people or groups, both to gain the higher moral ground, or to question the legitimacy of others seeking to do so. In other words, the language of Indigenous governance is used, at times, in thoroughly political ways. In the same way, this language can get adopted in the quest to present to non-Indigenous people and governments a legitimate, non-threatening and coherent face with which to articulate. In taking the view then that meaning is highly situated and contextual, we can be open to the ways in which Indigenous people are using the Indigenous governance language and concepts to resist and to constitute power in their own ways, not only between themselves and non-Indigenous people, but also amongst themselves.
Post script

One of the three examiners of this thesis suggested that it too narrowly construed the notion of ‘Indigenous governance’, and that there are numerous examples, especially internationally, which suggest that the language of Indigenous governance can be used by Indigenous peoples, and indeed by governments, to properly reflect political practice and support Indigenous empowerment.

This may well be the case outside of Australia, and there is no reason to suggest that the language could not come to be used in this way within Australia. However, what I have attempted to show here is that, at the present time, Indigenous governance as a discourse intersects with other dominant languages and concepts and ways of constructing knowledge in Australian policy and, at times, academic circles. The examiner suggests that there are ‘genuinely Indigenous practices of governance’ which struggle to survive despite the enforced overlay of some other idea of what governance is or should be’. Indeed. But by calling all of these things ‘governance’, commentators, myself included, find themselves entering a hall of mirrors where a single word is expected to contain so many meanings that it becomes redundant. To make a sensible inquiry then, I decided to name the ‘real’ Indigenous governance ‘political practice’, leaving the term ‘Indigenous governance’ for policy-makers and would-be reformers. This is not just a matter of semantics; that this language of Indigenous governance has been adopted and used in this way by recent Australian governments reflects the very great shift in the broader approach to managing Indigenous affairs in this country, away from self-determination and towards assimilation.

The thesis does not wish to demonise the term ‘Indigenous governance’ but simply to demonstrate the larger political ideology which it has come to articulate very well with in Australia. That is to say, my argument is not simply that the notion of Indigenous governance is too ‘cramped’, which the examiner suggests is too modest an argument, but to demonstrate the effect of such a cramped notion on Indigenous groups and
organisations, and on the very relationship between Indigenous and non-Indigenous people in this country.
Bibliography


Appendices

Appendix One: Historical timelines

Table 1: Fitzroy Valley dates

<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>1885</td>
<td>Emanuels stock country adjacent to the Fitzroy River on Gogo, Liveringa and Noonkanbah stations.</td>
</tr>
<tr>
<td>1886</td>
<td>MacDonaldds drove 5 500 cattle from NSW to stock Fossil Downs</td>
</tr>
<tr>
<td>1892</td>
<td>Post office officially opened in Fitzroy Crossing as a telegraph office on September 1.</td>
</tr>
<tr>
<td>1894</td>
<td>Police camp was established at Fitzroy Crossing by Constable RH Pilmer in July. Jandamarra kills PC Richardson, then Gibb and Burke at Lillimooloora and Windjana Gorge</td>
</tr>
<tr>
<td>1895</td>
<td>Police report forty nine Aboriginal people killed in response to Jandamarra threat</td>
</tr>
<tr>
<td>1897</td>
<td>Crossing Inn. The ‘official’ beginning occurred on the issuing of approval ‘for a wayside house licence for premises erected at Fitzroy Crossing’ on July 5, 1897. Jandamarra killed.</td>
</tr>
<tr>
<td>1897</td>
<td>Fitzroy Crossing police station, quarters &amp; lockup were opened.</td>
</tr>
<tr>
<td>1910</td>
<td>Founding of Moola Bulla</td>
</tr>
<tr>
<td>1935</td>
<td>Low level bridge at Fitzroy Crossing was constructed over Fitzroy River.</td>
</tr>
<tr>
<td>1936</td>
<td>Derby Leprosarium opened with 90 patients.</td>
</tr>
<tr>
<td>1939</td>
<td>Australian Inland Mission Hospital opened at Fitzroy Crossing. Handed over to Health Dept by the Uniting Church in November, 1980.</td>
</tr>
<tr>
<td>1951</td>
<td>Native Affairs Department handed over what was originally a ration depot to the United Aborigines mission for the establishment of United Aborigines Mission Base at Fitzroy Crossing.</td>
</tr>
<tr>
<td>1953</td>
<td>First primary school and hostel opened at Fitzroy Crossing.</td>
</tr>
<tr>
<td>1955</td>
<td>Closure of Moola Bulla</td>
</tr>
<tr>
<td>Year</td>
<td>Event</td>
</tr>
<tr>
<td>------</td>
<td>-------</td>
</tr>
<tr>
<td>1965</td>
<td>Pastoral Award legislation (equal wages)</td>
</tr>
<tr>
<td>1967</td>
<td>Referendum on Commonwealth control of Aboriginal affairs</td>
</tr>
<tr>
<td>1969</td>
<td>Exemption from pastoral award legislation lifted for the Kimberley</td>
</tr>
<tr>
<td>1974</td>
<td>New high level bridge constructed at Fitzroy Crossing.</td>
</tr>
<tr>
<td>1976</td>
<td>Fitzroy Crossing Hospital’s old site opened.</td>
</tr>
<tr>
<td>1978</td>
<td>New police station and court complex opened at Fitzroy Crossing.</td>
</tr>
<tr>
<td>1983</td>
<td>Automatic telephone services began in Derby and Fitzroy Crossing.</td>
</tr>
<tr>
<td>1984</td>
<td>Television broadcast to Fitzroy Crossing</td>
</tr>
<tr>
<td>1986</td>
<td>Fitzroy Crossing Recreation Centre opens. Satellite television service commenced.</td>
</tr>
<tr>
<td>2002</td>
<td>Kimberley Diamonds opened up the Ellendale Diamond Field east of Derby.</td>
</tr>
<tr>
<td>2007</td>
<td>Construction of new school, hospital commences</td>
</tr>
</tbody>
</table>
Table 2: Significant dates in the state and Commonwealth administration of WA Aboriginal Affairs

<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>1897</td>
<td>British Colonial Office relinquished control of Aboriginal matters</td>
</tr>
<tr>
<td>1898</td>
<td>WA Parliament abolished Aborigines Protection Board, created the Aborigines Department</td>
</tr>
<tr>
<td>1936</td>
<td>Aborigines Department became Department of Native Affairs. Chief Protector became the Commissioner of Native Affairs.</td>
</tr>
<tr>
<td>1954</td>
<td>Department of Native Affairs changes name to Department of Native Welfare</td>
</tr>
<tr>
<td>1959</td>
<td>Amendments made to Commonwealth <em>Social Services Act</em> - child endowment and pensions made available to people under care of missions and stations</td>
</tr>
<tr>
<td>1965</td>
<td>Federal Pastoral Industry Award decision.</td>
</tr>
<tr>
<td>1968</td>
<td>The Pastoral Award decision becomes effective in the Kimberley</td>
</tr>
<tr>
<td>1967</td>
<td>Commonwealth referendum on Aboriginal citizenship question</td>
</tr>
<tr>
<td>1971</td>
<td>Department of Native Welfare replaced by Department of Community Welfare</td>
</tr>
<tr>
<td>1972</td>
<td>Native (Citizenship Rights) Act repealed</td>
</tr>
<tr>
<td>1973</td>
<td>National Aboriginal Consultative Committee (NACC) established in Canberra</td>
</tr>
<tr>
<td>1974</td>
<td>DAA takes over responsibility for most aspects of Aboriginal affairs in WA</td>
</tr>
<tr>
<td>1977</td>
<td>NACC replaced by the National Aboriginal Conference (NAC)</td>
</tr>
<tr>
<td>1989</td>
<td>Functions of DAA taken over by ATSIC</td>
</tr>
<tr>
<td>1992</td>
<td>The High Court of Australia in its Mabo ruling recognises the existence of Native Title</td>
</tr>
</tbody>
</table>