

TAKEBACK

planning for change in Australia

by Geoffrey Blainey and David Lea

North Australia Research Unit
Australian National University
Darwin 1993

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TAKEBACK

Planning for change in Aurukun

Vince Leveridge with David Lea

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Note on cover design

The cover shows detail from a basket woven by Dorothy Pootchemunka and is reproduced here with permission.

Note on title

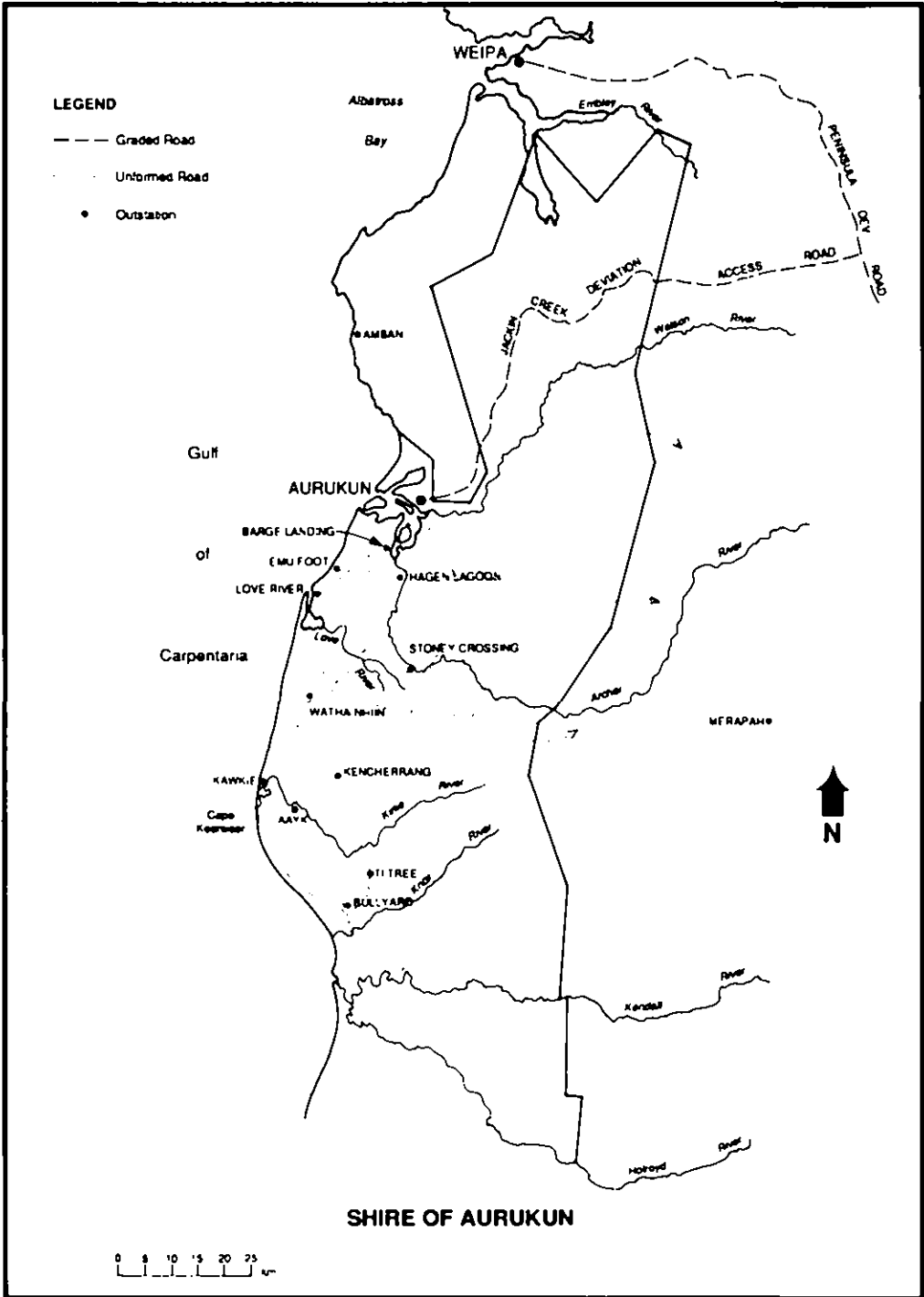
A documentary film entitled *Takeover*, produced by David and Judith MacDougall for AIAS in 1979, describes how the Queensland government of Premier Johannes Bjelke-Petersen with some support from the Federal government, took over Aurukun from the Uniting Church — against the wishes of the Aurukun people. This film shows how the then Queensland government served its own interests while purporting to provide better facilities in Aurukun, deliver local government, address problems of law and order, and stop the growth of outstations. Failing to meet its trust-like responsibilities to Aborigines, the real reason for the 'Takeover' was to gain easier access to rich bauxite deposits for itself and mining interests and to impose a Shire Council and a very complex disempowering administrative system on the Wik people.

This report is part of a Community Development Planning exercise in Aurukun that is attempting to encourage the people of Aurukun to take back control over their own lives and to shake off the shackles of a debilitating dependency.

Shire of Aurukun

Aurukun, on the western coast of Cape York Peninsula, has a population of about 1000 people. The 1991 census states that collection district number 10501, the town area of Aurukun of 0.19 km², had a population of 788 with 89% of the population Aboriginal people or Torres Strait Islanders. Collection district number 10502, the balance of the Shire of 7192 km², has a nil return because either there were no people in residence or there were too few to show (for reasons of confidentiality) on the community profile. In August when the 1991 census was undertaken, it is likely that there were in fact 150–300 people living in outstations.

In 1986 Aurukun Shire had a population of 957 of whom 74.8 spoke Aboriginal languages at home. No Aboriginal person had post-secondary qualifications and only ten persons had occupations listed as professional, para-professional, trade persons, clerks, personal service and sales, or plant and machine operators. The balance of the Aboriginal population were labourers (only 11), unemployed, listed as occupation 'not stated' (only 5), or inadequately described (91). It is likely that most of the labourers and inadequately described were on CDEP. Nearly all the adult non-Aboriginal population of about 150 had paid employment.



Location map — Shire of Aurukun

Acknowledgments

While this report presents the views of the authors, we believe it reflects the views of many people in Aurukun. A draft report (Leveridge, December 1992) and its conclusions have been discussed and endorsed by the Manth Thayan Aboriginal Corporation and we are grateful for the supportive discussions held with the Manth Thayan and others in Aurukun. We are particularly grateful for the friendship and encouragement provided by Rex Walmbeng and Jonathan Korkatain.

The draft report was circulated to the Aurukun Shire Council, Aurukun Community Incorporated, ATSIC Regional Office in Cairns, and various officers in the Departments of Family Services and Aboriginal and Islander Affairs and the Department of Local Government, Housing and Planning in Brisbane and a number of individuals in Aurukun, Cairns, Darwin and Brisbane. While these may not support the conclusions of the draft report, we are grateful for the comments and criticisms received. In particular we are indebted to Peter Sutton, John von Sturmer and David Martin whose work in Aurukun provides superb documentation and careful analysis. While they have not been extensively cited in this report, their writings in general have formed the basis of much of our own limited understanding about the people, land, culture and problems of the people of Aurukun.

We are also grateful to Dr Jackie Wolfe. Her suggestions, encouragement and criticisms have been stimulating during the early days of this project. This report should be read with her papers (Lea & Wolfe 1993, Wolfe 1993a, 1993b, 1993c and 1993d).

Executive summary

This report is the result of an investigation into community development planning capacities in Aurukun. It discusses how policies put in place by past governments may have led to the current situation in Aurukun. This is particularly so with reference to the history of the establishment of the Aurukun Shire Council and its mode of operation.

The dense urbanisation of the town area and factors leading to its continuing growth are discussed along with Aboriginal resistance to this development and their retreat into alienated opposition.

Further, several issues that constrain Aboriginal control and participation are presented. Recommendations, designed to open up a closed and alienating system of government and to offer people a greater choice in residence are offered. Both sets of reforms will allow the people of Aurukun to take control of their own lives.

Summary of recommendations

Arts development

It is recommended that an arts development officer be employed in Aurukun outside the mainstream agencies of the Shire or ACI but with their support to foster the arts and artistic endeavour in all its Aboriginal and contemporary forms.

Alcohol

Before any attempt is made to regularise the consumption of alcohol, it is important to provide further support for the victims of drinking. If alcohol is to be sold legally again in Aurukun it should be through a new incorporated body with a broad representation. The body should be incorporated as an Aboriginal association separate from the Shire. Any new body should have clear policies on the dispersal of any profit from alcohol sales for community benefit. Also it should have a widely representative committee or decision-making board to handle such decision making. Flexible policies should be adopted on such things as hours of sale, type and quantity of alcohol for sale, and takeaway sale versus consumption in bars. It may be necessary to allow

two or even three bars to operate to reduce endemic fighting exacerbated by alcohol. These outlets need to be separated from each other and the community living area as much as possible.

Community Development Employment Program

ATSIC should consider suspending the operations of CDEP with the Shire until Aboriginal participants can have greater confidence that their involvement is to the benefit of the local community. Not to do so would be endorsing the continuation of practices that have led to the conditions of alienation of the population in Aurukun.

Outstations

It is recommended that a comprehensive set of guidelines for essential services and other services to outstations be negotiated and minimum standards established, especially in health and education. These guidelines should be used to assess funding needs and be incorporated into a regional development plan supported in capital works programs.

Decentralisation and dispersal

Plans for future development should provide for a stop on new housing construction in the immediate town area of Aurukun. A regional plan with greater Aboriginal input and negotiation than can be offered by the existing shire structure is needed to identify possibilities, plan, and gain support for decentralisation. Strategies are recommended to achieve decentralisation and a reduction in the population in the immediate Aurukun town area. Further development should be in discrete sub divisions separated from the town area and comprise of appropriately designed cluster type housing. Areas outside the town should be identified and small hamlets built. These living areas need to have road access and be at least several kilometres from the town. It is suggested some form of hamlet development could occur along the existing access road.

Representation and reform

A new model of local government should be discussed in community consultations in Aurukun involving a bicameral system with an upper house of elders based on a property franchise. The elders could form a body of

review (with a possible power of veto on matters affecting land, culture and tradition) while the existing Shire Council continues delivery of local government services. The relationship between the two bodies to involve:

- The Elders having capacity to review local government decisions.
- Elders would be required to approve the budget and capital works program of the Shire Council.
- Planning matters would be referred to the Elders.
- Elders as a separate incorporated body could take responsibility for land trusts.
- Elders could undertake programs relating to their powers or functions in their own right from other sources of funds or funding agencies.
- Elders would be provided with support by local government to hold meetings and employ relevant staff.

Reform of the Council

The Chairperson to be elected by councillors at the first meeting.

The term for elected members of the Shire Council be reduced.

Abbreviations

ABC	Australian Broadcasting Corporation
ACI	Aurukun Community Incorporated
AGPS	Australian Government Publishing Service
AIAS	Australian Institute of Aboriginal Studies
AIATSIS	Australian Institute of Aboriginal and Torres Strait Islander Studies
ANU	Australian National University
ASC	Aurukun Shire Council
ATSIC	Aboriginal and Torres Strait Islander Commission
BRACS	Broadcasting for Remote Aboriginal Communities Service
CDEP	Community Development Employment Projects
CDP	Community Development Planning
DEET	Department of Employment, Education and Training
DFSAIA	Department of Family Services, Aboriginal and Islander Affairs (Queensland)
DHLGP	Department of Housing, Local Government and Planning (Queensland)
NARU	North Australia Research Unit

Preface

After visits by both authors in April and May 1992 and after five months' residence by Leveridge in Aurukun township and homelands from July, a draft of this report was written in December 1992 (Leveridge 1992). The period of residency was broken only by trips to Brisbane and Cairns where discussions were held with government officials and to Darwin, with some members of the Aurukun community, to attend a conference. During this time of residence in Aurukun attempts were made to avoid as much as possible interaction with the non-Aboriginal population while engaging as closely as possible with Aboriginal people who live in and around Aurukun. The experience was distressing as it was impossible to live closely with the people and not be touched by their frustration, stress and sense of loss.

The reason for living in Aurukun was part of a consultancy undertaken for the Aboriginal and Torres Strait Islander Commission (ATSIC) to assess the capacities of community development planning in Aurukun and to facilitate such a process. It was, of course, impossible to undertake such a task and not become aware of the structural impediments to change and the effects of past and current government policies. Discussions were held with many people who are conscious of the painful circumstances of existence in Aurukun and who are deeply concerned that action should be taken at least to ameliorate conditions if not begin viable reform. Their frustration at the seemingly intractable nature of the problems facing the people of Aurukun is felt and shared.

The consultancy was the result of a report by the Aurukun Support Group in December 1991, *Woyan Min Uwamp Aak Ngulakana: Finding the Right Road Ahead* (Adams *et al*, 1991). This report was in response to the worsening conditions of existence in Aurukun and made a number of recommendations, some of which are being implemented now in Aurukun.

While supporting the *Woyan Min Uwamp Aak Ngulakana* report, this document is concerned to look more closely at the structural impediments to change and people gaining control over their circumstances. In some instances it parts company with the Support Group's analysis. On the question of alcohol it reports that the consensus in Aurukun is that petty regulation by the Aurukun Shire Council (ASC) would be ineffective. Competition between the Aurukun Shire Council and Aurukun Community Inc. (ACI) is not highlighted, as the

suggestion that the two organisations simply have to behave better is regarded as simplistic. The administrative malaise that is Aurukun is derived more from the inappropriateness of the forms of control exercised over the indigenous population and the imbalances of power between the rulers and the ruled.

The history of Aurukun is a history of institutionalisation and Aboriginal accommodation of, or resistance to, the dominance of the externally created and supported institutions (see for example David Trigger (1992) *Whitefella Comin'*). In this the Shire is another imposed institution. The earlier mission regime acted as a 'total institution' as described by Goffman (1961) with the aspects of control and dependency as seen in such institutions as asylums or prisons. The arrival of the Shire did not change this but brought with it new and more sophisticated forms of control and a decreased humanity with its emphasis on physical infrastructure projects and limited material well-being.

The responses by Aboriginal people to the dominance of the Shire and external governments is described as flight, meaning an attempt to find 'free space' for their own identity and culture. Opposition to the Shire began with passive resistance and continued with stubborn support for outstation development, in spite of severe pressures by both the Shire and the Queensland government to stop the process. The degradation of spiritual, social and political life under the assimilationist demands of the then Queensland government and its instrument of local government became increasingly evident in disruptive, destructive and self-destructive behaviours.

In Aurukun there is very little 'free space', and the report suggests some means by which the density of settlement, forced mixing of people and concentration of the afflictions of Aurukun might be lessened by allowing for more space, physically, socially and politically, for all, so people might be able to have some quiet time at last.

Chapter 1

Planning in Aurukun

Woyan Min Uwamp Aak Ngulakana

This report (Adams *et al* 1991), the title in Wik Mungkan means 'Finding the Right Road Ahead', attempted to highlight the issues people of Aurukun have identified as critical to their present and future well-being. It sets out steps that need to be taken so that some of the present problems of Aurukun life can be overcome.

A common theme in the report is the people's wish to gain greater control over both fundamental aspects of their lives and western institutions in Aurukun, such as hospital, local government administration and the school. The report authors, John Adams (Yalga-binbi Institute for Community Development), Barbara Miller (Aboriginal Co-ordinating Council) and Philip Venables (Department of Family Services and Aboriginal and Islander Affairs), also noted that until people can exercise real power over the running of their community, many of the current problems will remain unchanged.

Also fundamental to the report was a proposal that Aurukun should not be treated as a single community. It was more appropriate to understand Aurukun in ways that Aurukun people themselves see it. The report stated that rather than seeing themselves belonging to the community, Aurukun people identify with family, clan and regional ceremonial and political associations and other social groupings.

The report supported a process of community development planning. This initiative was supported by ATSIC. The North Australia Research Unit (NARU) was engaged to investigate the capacity for community control and facilitate a process of community controlled planning. As well, several of the report's recommendations have been taken up by government departments, particularly in the areas of education and family services.

An immediate consequence of the report was the formation of new community groupings in Aurukun such as the Woyan Min group, the Women's Group and Manth Thayan, and modest support from some government agencies to fund defined activities outside the existing organisations.

Community Development Planning

A process of community development planning has been described as:

The empowerment of Aboriginal communities to utilise and develop the skills to take control of and freely determine their economic, political, social, cultural, environment and educational development. Effective community development must be linked to their relationship with the land (Wolfe 1991).¹

In Aurukun the idea of community involvement in planning and development was greeted in late April 1991 by the Shire Council with hostility although supported by the Board of Directors of ACI. The Shire wished to assert its primacy in all matters relating to planning and have control of reporting.

This attitude changed some four weeks later with support of senior men in Aurukun and agreement to form an Elders' council or Manth Thayan Association. This was deemed necessary because of disputes at the time between the Shire Council and ACI.

At the same time concern existed in some areas of the State government about the operations of the Aurukun Shire Council. A consultant was hired to report on the Shire's condition by the Department of Housing, Local Government and Planning (DHLGP). Unfortunately we have not been able to get a copy of this report. Later the Shire Clerk resigned suddenly despite having a contract renewed.

In early August 1992 we advised officers in DHLGP and the Department of Family Services, Aboriginal and Islander Affairs (DFSAlA) in Brisbane that time should be allowed for some community development and community participation in planning to get underway before appointing a Shire Clerk. However, because of what is now understood to be serious concerns about the financial condition, government intervention was swift and considerable. At the direction of the Minister for Housing and Local Government and the Shire Council a Community Assistance Team of four senior and experienced local government officials was placed in Aurukun to assist the council.

This assistance team reviewed council finances, identified a serious decay in the town's basic infrastructure and recommended a multi-million dollar program to repair the town area. It endorsed the town plan drawn up by consultants to the Shire. A newly appointed Shire Clerk was given advice on the expectations of the Department of Local Government and the Advisory Council formed in 1978 to overlook the Shire Council was re-established. Little or no consultation with Aurukun residents was held and decisions were

endorsed within the Shire Council structure alone. At the same time new housing began appearing in the town area.

The period demonstrates the efficiency of the Shire structure to superior governments wanting quick endorsement of actions it deems necessary. However, many in Aurukun have become concerned that such support for the Shire and its increased resourcing represents an attempt simply to maintain the existing structure and avoid immediate criticism over managerial difficiencies.

Given the swiftness and extent of the intervention in Aurukun, many are now convinced that there is little external support for necessary and appropriate structural change and that the paramount nature of the Shire remains legally unassailable. In the short term, this state of affairs may well be fortunate for reform of the Shire should not be by way of government edict. It must be gradualist and by negotiation with the people of Aurukun. Further it must be considered with the land claims process, housing and infrastructure issues, and land management issues. In practice, it may well be important to concentrate on 'process' prior to trying to design new structures. However, there does need to be a clear statement by government that says that over the next five to ten years local government structures will be changed in Aurukun *in consultation with the people* and that it is likely that in the long term its primary role will be concerned with infrastructure and services within the town area.

In terms of a program of community development planning the recent actions have lessened its capacity. The intervention of outside patrons of the Shire Council with their own agendas has in some minds reinforced dependency in Aurukun. It may also reinforce the social pathologies identified in Aurukun.

Given the demonstration of power by external agencies along with the many other obstacles to community empowerment, people in Aurukun may have to confront governments and their instrumentalities to improve their lives. Broad community participation has received a setback as community development planning should not be forced on communities. As Dale noted when discussing CDP initiatives in central Australia:

CDP Team members did not pressure communities to take on the service though they did try to ensure that the CDP seed had a reasonable chance of success. This preparedness to drop the service in particular communities is a positive thing as it is much better to pull out of a community than to persist with a failing planning process (Dale 1992).

In Aurukun the constraints on public debate provided by the narrow representational structures in a mainstream local government body and alienation from Aboriginal cultural practices and the entrenched technocratic and autocratic methodology of current planning practices are, in the end, totally hostile to a participatory and wide ranging planning process. Further, this alienation of structure from culture, and practice from reality, has exacerbated the impoverishment of life and rendered the clients of local government totally alienated and in turn cynical of capacities for change. In summary, the absence of real participation by people in the governing structures is part of a condition inimical at the moment to empowerment through co-operative assertion.

The involvement of NARU

As a result of the *Woyan Min Uwamp Aak Ngulakana* report, the final report of the Queensland Legislative Review Committee (1991), and in line with ATSIC's community-based planning approach, the ATSIC Cairns office drafted in February 1992 a proposal for a consultancy to study organisational structures in Aurukun in February 1992. Essentially this consultancy required an analysis of organisational structures and the development of a five year community plan to be drawn up in consultation with the people of Aurukun.

Advice was sought from NARU and many other organisations and individuals. This draft proposal went through a number of revisions. The last two proposals divided the consultancy into two stages: *Consultancy One: Deciding to Plan* and *Consultancy Two: Community Based Planning*. NARU agreed to undertake Consultancy One (subsequently entitled *Awareness Raising and Decision Making about Planning at Aurukun*), formally commissioned by Tharpuntoo Legal Services, on 19 May 1992. Leveridge took up residence in Aurukun on 1 July. He set up a base, helped established the Manth Thayan Association, had a number of meetings, and had completed most aspects of the consultancy by early September 1992.

There is no doubt that some of the preconditions of a community development process exist or have been set up in Aurukun. A few of the local people, and a group of elders in particular, have shown interest in taking some control of their own lives. People have been discussing alternatives and problems. Some promising initiatives have been taken in education, cultural development, land and outstation development. As NARU was completing Consultancy One, some work started unofficially on Consultancy Two in late

August and early September at the request of both ATSIC and the Manth Thayan Association.

NARU's involvement in this consultancy was contingent upon ATSIC agreeing to a number of conditions including the following:

- NARU's involvement would be dependent on some sort of agreement with the Aurukun Community;
- NARU's involvement would be with the blessing, full knowledge and active involvement of the Queensland government and particularly the Departments of Housing, Local Government and Planning and Family Services and Aboriginal and Islander Affairs;
- The consultancy would not exclude government policies, local government structures, land rights and outstation development;
- The project would be dependent on having one person in Aurukun for most of the project, certainly for at least six months at the beginning of the project;
- The project could be terminated by ATSIC, NARU or the Aurukun community; and
- NARU would be involved in the pre-planning phase if it was to be considered for the main consultancy.

The Manth Thayan Association

The Manth Thayan Association was created under the Commonwealth's *Aboriginal Councils and Associations Act 1976* in Aurukun in July 1992. The need for such a body followed a concern held by many that a better representative structure was needed for Aboriginal people.² The structure reflects advice initially provided to the Aurukun Shire Council by anthropologist Peter Sutton on a better representative structure for the Shire. Its other innovative contribution was a concern to recognise Aboriginal traditional practice.

Sutton suggested a structure representing 17 areas and their representatives. This was regarded as close to the actual land-responsible groups in the region. Further, Sutton (1990) advised:

A rigid enrolment system in which people would have to 'sign for' one group only is to be discouraged. People should be allowed to maintain the flexibility of the traditional system by being able to take part in discussions about who is to represent, for example, both their father's land and their mother's land,

assuming they maintain significant responsibility for both. A representative who emerges from informal discussions and meetings is more likely to enjoy support and to seek to carry out responsibility than one elected in the formal way as at present.

This question has been addressed by the Manth Thayan by allowing nomination of committee members from each area or land group.

Since formation, the Manth Thayan has held regular meetings in Aurukun. The formation of a committee by nomination was accomplished with ease. Considerable public and informal discussion has occurred on the appropriateness of representation. Where necessary, corrections have been made to the committee and groups or families have sought representation where they were not initially confirmed. The opportunity to provide proxy delegates has facilitated the resolution of representation. The operation of such a body has been seen as a major breakthrough against the imposed monolithic structures in place in the Shire and to some extent ACI.

In discussions the Manth Thayan identified several major concerns. These were that:

- the Shire supported no activity outside the town area while the outstations were in need of support, particularly housing;
- most senior people also sought to keep their interactions with the Shire to a minimum; and
- the recognition of the authority of senior people would support good order in the population, and that there has been interest in senior men taking responsibility for adolescent youth and their discipline.

However, two events initially reduced morale among the population. One has been the perceived resurgence of control by the Shire through outside intervention and the other the failure to get any housing built on outstations this year despite provision of funding to ACI for the first time. Both events have reinforced division and maintenance of the *status quo*.

Further civil disturbance and rioting in December 1992 and again in January 1993 and consequent police intervention refocused attention on the desirability of change. Police spokespersons admitted that the problems of criminal and violent behaviour lie in the social conditions of Aurukun.

In 1993 the consensus for change was reinforced by a new attempt at openness by the Aurukun Shire Council and the beginning of a practice of all groups in

Aurukun (the Shire, ACI and the Manth Thayan) holding joint meetings especially with visiting government officials.

At the same time the Manth Thayan group began meeting on its own initiative and acting as a lobby group on the Shire and government.

Education

The response of the Department of Education to the crisis in schooling in Aurukun has been the most innovative and responsible of recent interventions of governments in Aurukun following the Aurukun Support Group's Report. It reflects the need to respond to the crisis in schooling where school attendance (in a community of approximately 150 school aged children, ie under 15 years of age) has been as low as ten on some days. This has involved a commitment to deal with a representative group in Aurukun and a commitment to take education to children and families.

As with any initiative in Aurukun it will have to confront several problems including the deep cynicism and indifference to government actions in Aurukun and the pervasive sense of hopelessness, especially among adolescent youth. It could falter for a number of reasons including not achieving results quickly enough for government to claim success or not being matched by other government policies seeking to ameliorate the conditions of the population. These include support for family life and structures and the creation of space as considered in the need for decentralisation.

The education model also includes culturally appropriate delivery of schooling along with cultural education. It would be unfortunate if these attempts to build on the Wik culture were hampered by the absence of cultural support in the general community. In this the importance of an arts development policy assisting in the fostering of a creative identity would be complementary.

In 1992 the school initiative was the only responsive program of government in Aurukun. Its attempts to overcome bureaucratic regulation and inertia and engage the Aboriginal population are positive and should be supported. The initiative should also be allowed continuing flexibility and not become tied to a model that may need modification or changes in the light of application.

Chapter 2

Constraints on planning

Alcohol

Alcohol, the pervasive interest in Aurukun in its consumption and the dysfunctional behaviour associated with this consumption, is worthy of separate treatment both in an analysis of the Aurukun situation and programs that may be designed to ameliorate distress. This is not to say that alcohol is a cause of the current breakdown of aspects of social functioning in Aurukun but that it may be an important symptom of the breakdown. People in Aurukun are socially, politically, economically and politically marginalised — a marginalisation that has its roots in the alien structures that determine life in Aurukun — and like any marginalised group the pressures to escape in any way possible are intense. Drug abuse is a simple and attractive option and one that maintains Aurukun today. The hunt for alcohol, the cost of alcohol, the enjoyment of drinking and the violence when drinkers lose control affects everybody in Aurukun — often on a daily basis.

A major preoccupation of the 300 or so drinkers in Aurukun is the accumulation of money to acquire alcohol and transactions to get access to alcohol. The interest in drinking can influence all other decision making, and people will manipulate meetings, travel, and the forms of management that exist to gain access to alcohol.

This is not necessarily a perspective of all the people in Aurukun but it represents a majority view (although people will react angrily if it is suggested that they are interested only in alcohol). There is strong resentment of European criticism of Aurukun people's behaviour. As Martin noted on the Aboriginal perspective.

Aurukun people are also well aware of the criticisms that whites direct towards them and their contemporary society, especially towards aspects such as endemic drinking and fighting. This great hostility towards outsiders is a complex phenomenon which can't be dealt with here. It should be noted however that in part it ties in with the distribution and control of various forms of knowledge within Aboriginal society here, including what westerners would see as public knowledge. Talking in public forums such as Royal Commission hearings about something implies a right to knowledge

about it from this perspective. What then in western views are seen as general statements about social pathology in Aurukun society for example are bitterly resented, and interpreted as personal attacks on Aurukun people by outsiders who do not have the right to publicly talk about the matters concerned. In the end, one result of all the talk about problems at Aurukun has been that people have retreated even further from making the sorts of connections into certain areas of the outside world that, it could be argued, are ultimately necessary for Aurukun to remain viable at any level (Martin 1988).

This is particularly so with regard to alcohol consumption. Given these attitudes it is not surprising that anecdotal evidence on drinking gathered in Aurukun particularly on the sources of alcohol is highly unreliable. Much of the behaviour described here is written about in more detail by Brady (1992). Here a possible relationship between drinking and external power is explored.

Sackett, among others, has interpreted drunkenness as being a weapon of resistance: 'Through drink Aborigines express their antipathy to the idea and practice of others administering their lives' (Sackett 1988, 76). He posits that the steadily increasing number of charges (for drink-related incidents) against Wiluna Aborigines closely parallels the increasing interference in their lives by whites, including greater numbers of resident police officers and aides. But their resistance through alcohol is also aimed at each other, not solely at the state, and Sackett provides a graphic and (to other field anthropologists) familiar documentation of drunks asserting that they can do what they like, that a person is 'his own boss' when his kin or consociates attempt to impose their will. This type of resisting protestation enables individuals to cast aside entreaties for calm, to lay down weapons, and of course expressions of concern about the ill-effects of alcohol.

Aboriginal people in Aurukun make a number of assertions about their rights with regard to alcohol. They claim a right to drink and given their perception that they have few freedoms, it is one to which they hold strongly. They also respect each others' right to drink and do not engage in criticism of people for drinking. These protocols might change, though, following a sudden increase in mortality among middle age drinkers whose bad health and history of drinking is beginning to take its toll. The social and political effects of a sudden increase in mortality among the middle-aged in Aurukun needs to be considered carefully given the demographic make up of the society.

Since the closure of the wet canteen operated by the Shire Council in 1991 a pervasive underground or black market in alcohol has developed in Aurukun. The closure of the canteen was a decision of the Shire Council and followed the ransacking of the building by drinkers disenchanted with price increases and other aspects of management of the canteen. This underground market in

alcohol is well entrenched and involves transactions by both drinkers and non-drinkers in money and alcohol, widespread involvement in forms of capital accumulation such as gambling to buy alcohol, networks of storage, protection and subsidiary sales levels. It is beyond regulation.

Attempts to bring in rationed quantities of beer at reasonable prices in response to the black market and the fall in store purchasing have not had an affect on the black market price which has remained stable since 1991. At present alcohol can be obtained in three ways in Aurukun. Beer is flown in by Aurukun Community Incorporated twice weekly and distributed at a reasonable price. This total distribution is now about 48 cartons twice a week. The Aurukun Shire supports a Weipa charter operation which runs to Weipa and individuals bring back an eight carton limit. Sly grog is sold by returning travellers, residents with access to vehicles, and individual black market entrepreneurs from Weipa.

Sly grog sellers tend to concentrate on cask wine, with moselle being the preferred choice of variety. Their activities tend to relate to the amounts of capital or spending power in Aurukun and have demonstrated an ability to respond rapidly to any sudden increase in spending power in Aurukun. Attempts to control such traffic is difficult or impossible for police and the council.

In early September a period of intense and very ugly binge drinking occurred following the arrival of personal tax refund cheques. The five day binge that involved the whole population began with visitors to a football carnival and a regular flow of cask wine arrived to fuel the binge. The drinking quickly lead to an outbreak of vandalism by children and break-ins by very young children seeking food in response to their neglect. It disintegrated into vicious internal family fighting, and interfamily and clan fighting.

This was followed by widespread gambling which appeared to allow the accumulation of capital for further purchases. Episodes of large scale drinking and fighting have continued since then. When these outbreaks of communal binge drinking occur authorities are powerless until the process wears itself out.

As a consequence of the demand for alcohol and the impossibility of denying that demand, the notion that Aurukun is a dry community is a total myth. Sufficient quantities of alcohol now arrive in Aurukun that allow the population to become intoxicated several times a week. Further purchases of alcohol are dependent on available spending power. People in Aurukun have

subverted the attempt to have the community alcohol free. The attempt to introduce a permit system is recognition that alcohol consumption is widely supported, but such a measure is administratively impossible in practice.

Given that the demand for alcohol in Aurukun has, and will continue to, override attempts to regulate supply, it is clear that the solutions to the abuse of alcohol and attendant dysfunctional behaviours, violence and injury lie outside such attempts at regulation. Also, the existence of a black market, and the widespread participation in it of the population, distorts economic and social activity to such an extent that it makes normal transactions difficult. Further, the existence of such a black market opens the possibility of entrenched corruption. The only response may be to again legitimise the market in alcohol. To accomplish this a number of recommendations can be made.

- Before any attempt is made to regularise the consumption of alcohol it is important to provide further support for the victims of drinking. The recently completed women's shelter and refuge represents very positive action.
- If alcohol is to be sold legally again in Aurukun it should be through a new incorporated body with a broad representation. Given the past role of the Shire in selling alcohol and confusion about the dispersal of profits for community benefit, the population would be suspicious of the Shire re-introducing alcohol sales as part of its economic development activities either directly or through a subsidiary organisation. Also as a general rule the regulator and seller should *not* be the one and the same.
- Any new body should have clear policies on the dispersal of any profit from alcohol sales for community benefit. Also it should have a widely representative committee or decision-making board to handle such decision making.
- Flexible policies should be adopted on such things as, hours of sale, type and quantity of alcohol for sale, and takeaway sale versus consumption in bars.
- It may be necessary to allow two or even three bars to operate to reduce endemic fighting exacerbated by alcohol. These outlets need to be separated from each other and the community living area as much as possible.

Such developments may lead to better community control of alcohol consumption and better policing of what is now an anarchic situation.

Arts development and identity

Limited attention has been paid to the indigenous heritage of Aurukun. Both the Shire Council and Aurukun Community Inc. have made references to the arts. Both organisations have identified 'handcrafts' as part of strategies of economic enterprise development. Aurukun Community Inc. in the 1980s supported craft activities at Aurukun with grants from the Aboriginal Arts Board of the Australia Council. A number of successful exhibitions were held and small publications produced.

This marginalisation of the arts and the Aboriginal heritage is neglectful of the central role of cultural expression in Aboriginal society. Queensland policy development on the arts has recognised this in a general sense. Such policy advice is contained in the 1991 Report of the Arts Committee, *Queensland: A State for the Arts* (Queensland Arts Committee 1991). This document recognised the importance of Aboriginal art to the community life of Aboriginal people and proposed principles. These were that:

- Aboriginal people should participate in all aspects of the planning, decision making and implementation of the policies and programs for Aboriginal and Islander arts;
- Aboriginal programs promote emotional, social and spiritual development, maintain identity and encourage interest, participation and involvement;
- Aboriginal arts should be promoted in the mainstream culture whilst maintaining cultural identity of its own;
- Aboriginal art programs should be developed using Aboriginal art forms and styles and recognised as professional art forms;
- Aboriginal arts activity leads to personal identity development and the acquisition of the skills and learning needed for the arts in Queensland today;
- Aboriginal and Islander people should be trained for and employed in the delivery of all art services; and
- All Queenslanders should receive education in Aboriginal heritage, history and arts.

Degrees of cultural continuity were among the unusual features of the mission history of Aurukun. The arrival of the regime of the Shire Council with its emphasis on the material conditions saw the beginning of neglect of this

aspect of Aboriginal life. Cultural identity today is expressed in language, dance and the production of craft items.

Emphasis tends to be on the production of weaving and dance as both these have discovered limited support and markets. The production of male crafts is less supported and no carving has been done in recent years. A former library at Aurukun is no more and the BRACS media production equipment frequently is inoperable along with radio and television broadcasting from the ABC.

With the long history of manipulation of people in Aurukun the questions of identity and expression are today confused. In the current living conditions it is difficult for people to define themselves. The culture of local government referred to elsewhere is totally inadequate to represent the political aspirations of Aboriginal people let alone their cultural aspirations. Its dominance in thinking about Aurukun has led to degradation of the quality of expression and identity.

For people to take some control back over their lives it is necessary for them to have the freedom of artistic and cultural expression. In Aboriginal society the preoccupations of cultural and artistic activity are often paramount and of greater importance than the mundane and the material. Neglect of Aboriginal cultural expression is producing a barrenness in life and there exists a constant struggle for people to express their unique identity. It is therefore recommended that an arts development officer be employed in Aurukun outside the mainstream agencies of the Shire or ACI but with their support to foster the arts and artistic endeavour in all its Aboriginal and contemporary forms.

Such a program of support should not be seen as an economic enterprise or a CDEP make work scheme but of vital importance in enriching the quality of life. The program should provide marketing assistance and training in production and presentation. Contemporary forms of expression such as music and dance should be fostered and training schemes using identified training money provided as these areas are one of the few employment growth areas for younger people.

There are two other aspects supporting urgent action on the arts. One is that any program of de-institutionalisation needs to foster the creative identity. The other is that governments have a duty to assist the maintenance of unique forms of cultural expression and the diversity of cultural life over and above the normal support for the arts in society.

Since the formation of the Manth Thayan Association elders have expressed interest in re-establishing some form of ceremonial activity. It turned out that they had felt constrained in talking about such activities because they believed they would need permission to hold ceremonial activity and this would not be granted.

Chapter 3

Local government

Formation of the Aurukun Shire Council

It is difficult to describe the insanity that is Aurukun today. A clash of cultures and systems produces eddies of confusion and chaos that burst episodically to the surface and take over civic and social life causing distress, confusion and injury to the Aboriginal people. Aurukun has been described as variously, a zoo, a prison and a concentration camp. Many have observed the role of the non-Aboriginal local government administration and the role assigned to the residents (eg Adams *et al* 1991; Sutton 1990). It is difficult to describe because the process of looking and living there reveals considerable pain in the lives of all who reside in the township of Aurukun.

This report is concerned to present conditions of life in Aurukun and the institutions and structures that have created that life and continue to maintain it. It is therefore concerned with the recent history of Aurukun and the exhaustion of policies that have their origin in 1978 and the creation of the Aurukun Shire Council.

Before the 1979 amendments were made to the Aborigines and Torres Strait Islander Acts, the Queensland government took over the administration of the Presbyterian (Uniting Church) missions at Aurukun and Mornington Island. For three years, the Presbyterian Church had been on a collision course with the Queensland government concerning the church's administration of those mission reserves (Brennan 1992). On the 16th July 1976, Mr Pat Killoran, the Director of the Queensland Department of Aboriginal and Islander Advancement, had written to church authorities 'concerning some disquieting information conveyed ... in connection with what is described as an Aurukun decentralisation program apparently being fostered at Aurukun'. This policy was described as contrary to Queensland policy. These views were expressed in reports to parliament where Killoran said:

It is unfortunate to note that the zeal for pastoral care has, in many instances, been replaced by a philosophy of materialism and political bias. The result is proof of the simple statement that 'man does not live by bread alone', and this

is instanced by the marked decline in the moral and physical standards of some communities.

Community residents have been left without spiritual resorts and guidance that is a basic necessity for any human beings.

At the same time the Aboriginal community is seen as a fertile field for social experimentation and investigation that would not be tolerated by any other sector of the population, and it is a pity that many of those involved do not consider they are dealing with people who are immensely sensitive and require the advantages of stability and time rather than the status of social 'guinea pigs' (cited in Brennan 1992, 11).

In 1978, the Queensland government decided to take over management of Aurukun and Mornington Island citing sub standard health and education. So as to avoid the possible operation of federal legislation which allowed for a self-management scheme on reserves, the Governor-in-Council sat in the middle of the night and de-gazetted these reserves leaving it to parliament to resurrect them some days later as shires. The *Local Government (Aboriginal Lands) Act 1978* constituted Aurukun as a shire and, subject to some special provisions, applied the *Local Government Act* to a Shire Council, without any form of consultation with the people in Aurukun. The council was granted a fifty year renewable lease over the community lands. The council was provided with services of a Co-ordinating and Advisory Committee constituted by representatives of federal and state governments. These committees had only advisory and assisting capacities in law. They had no power to veto council expenditure or policy decisions. The Aurukun and Mornington Island communities were given some, albeit limited, fishing, hunting, foraging, timber and quarry rights, as well as the right to negotiate mining agreements with provision for a share in profits.

The process of political treachery that occurred at this time was captured on videotape and the video *Takeover* produced by the then Institute for Aboriginal Studies. This video clearly documents the political stand taken by the Aurukun people and their belief that imposition of Queensland government policies would be inimical to the course of development they were engaged upon. It also reveals the depth of the betrayal felt by people and their inability to influence events. As one speaker at the time implored:

Speak to Mr Killoran, speak to the State Minister. Although they are very important they are human just like you and me.³

The Queensland government's policy and conduct attracted much criticism at this time. Whilst opposing land rights for Aboriginal people, the Premier,

Mr Joh Bjelke-Petersen made it clear that the government was opposed to outstations or decentralisation from the urban area of Aurukun. He said:

My own concept of social alienation can be illustrated by actions of the Uniting Church in establishing 'outstations' many miles from conventional facilities such as hospital, schools, etc where reversion to the 'tribal' pattern of life was encouraged.

School attendances dropped 40% and we cannot accept or tolerate a situation in this State where the young people of a community are thrust into an isolated situation where, by denial of fundamental education and health care services, and by an ideological indoctrination of Aboriginal separation and separate development, they would, by contrast with other Queenslanders, be seriously impaired in choosing to pursue broader horizons of life in the future should they wish to do so (cited in Brennan 1992, 13).

The central stands of the policies that have led to the current situation in Aurukun were enunciated by the government of the day: namely an unashamedly assimilationist policy aimed at cutting off a reversion to 'tribal ways'; a concern to continue concentration of the population in Aurukun, in line with the former objectives of control and cost effectiveness; a rejection and suppression of any political development by the Aboriginal people that might be seen as separate or distinct; and consequent incorporation of this in funding allocations to Aboriginal organisations. Whilst the rhetoric may have changed, and the term self-management is much used now, the actions of government are still in accordance with these policy objectives. The concerns expressed in government circles today for social alienation and the fearful effects of social engineering are ironic given the social alienation that government policies have produced in Aurukun.

It is not that a warning was not sounded: Tatz in 1979 wrote of the local government model being instituted in Aurukun.

The shire administration will bring with it a host of bureaucrats and technologies, a major intrusion into the traditional way of life they are struggling to retain and reclaim. This vast white intrusion, pressure, direction, authoritarian control is the Queensland way in Aboriginal administration; it is also what the federal government is condoning in the name of self-management for Aboriginal people (Tatz 1979, 79).

After 14 years, the Aurukun Shire Council has not achieved the pious hopes of its proponents that it would prove a model of self-management for Aboriginal people. Instead its operation has become increasingly expensive and difficult for government; it has consistently attempted to expand its non-Aboriginal

staff and compete with other forms of organisation in Aurukun; it is alienated from the population; and its record of service delivery is at best poor or ill-conceived.

At the same time the hopes of people in Aurukun, based on their exposure to Christian teaching that they would be treated equitably and humanely following the takeover by the Queensland government and imposition of the Shire, have been painfully dashed. People in Aurukun can identify no change in the regime of management from the Shire Council and the Queensland government and recent events have confirmed this view.

The operations of local government in Aurukun

The Aurukun Shire Council was created without popular support and today still does not receive a high level of day to day support. Its history has been one of opposition from people and organisations within Aurukun, declining support from the populace, frequent financial crises, and external intervention to shore up its management and financial viability.

Whilst the local government model has been promoted as a model of self-management for the people of Aurukun there is considerable scepticism of this among people in Aurukun and informed observers. The Aurukun Shire Council was not installed as a model of self-management. Rather it was installed against the wishes of the residents. Indeed the Queensland Premier of the day clearly stated the reason for its creation as allowing Queensland legislation to have primacy and avoid Federal government intervention.

The operations and functions of local government in Queensland have been described as follows by Harris (1985, 4):

The functions of local government as specified in the Queensland Act are therefore wide and comprehensive, but it is clear from the statistics on outlays that within these broad provisions the actual development of local government in Queensland has tended to be relatively narrowly oriented to what are called services to real property. These services include water supply, sewerage, refuse collection, roads, footpaths, kerbing and channelling, private land development, town-planning and building controls. That local government has not developed a broader base of services oriented to the general well-being of the inhabitants of the Local Authority Area, or what may be called services to citizens, is due to the form and traditions of the initial development of local government in Queensland in the second half of the 1800s, to the conservative attitudes of successive State Governments, and to the limited taxing powers given to local authorities.

In Aurukun this historical restriction on what local government does as against what it may do was further compounded by the absence of real property and private property in Aurukun. At the same time as the Shire was formed, the population of Aurukun was disenfranchised from owning property and their legitimate claims to land ownership removed by a lease of all the land in the Shire area to the Shire Council. As well, the Shire Council gained control of all the above ground assets not held by other state government agencies or a private company. The result has been to create a totally self-serving organisation with the power to behave in an authoritarian mode. In the economically and politically marginalised society of Aurukun the checks and balances that would be at play in a mainstream local government are simply not there.

The Shire is also responsible for all housing construction, and maintenance and rental houses occupied by the Aboriginal population. Furthermore, a Community Development Employment Projects scheme (CDEP) gives the Shire considerable control over the labour of the population.

These powers together with or combined with functions or responsibilities granted to the Shire by the State government and other agencies explain much of the behaviour of the Shire Council. The Council has been obsessed with maintaining its control of assets and the population, and expanding its management structure in the absence of a tax base while being totally dependent on the behest of external agencies.

The recent report by Department of Housing, Local Government and Planning, *Towards Establishing a Community Works Program* produced in 1992 following intervention by departmental officials says:

Recognition must be given at all times to the fact that while the Aurukun Shire Council is technically and legally a properly constituted local government entity, it is also unique in many ways which give rise to particular problems for the Council to overcome in its day to day operations.

Factors which contribute to this uniqueness include, but are not limited to, the following:

The existence of strong cultural and heritage links within the community to the past and the ongoing maintenance, and indeed, an identifiable strengthening of traditional lifestyles within clans, families and their 'home countries' (Kelleher *et al* 1992).

As usual no concessions are made to the Aboriginality of Aurukun (the word Aboriginal is not mentioned) and Aboriginal people and their practices are

concluded to be a problem for local government. This is reflected in the geography of the Shire office wherein officials are isolated from Aboriginal people and the offices and meeting room display only icons of European hegemony. At this level of analysis it would be more accurate to say Aboriginal people in Aurukun have a problem and that problem is the Shire.

The continuing attacks on council property and vandalism has led to a siege mentality on the part of the Shire administration, and the concentration on security. Shire administrations in the past have attempted unsuccessfully to use the operation of the CDEP scheme to enter into commercial developments resulting in increased non-Aboriginal employment and financial losses. They have also sought to maximise charges and rates to the extent of impacting upon the service and provisioning base in the Shire. This was reflected in the outbreak of billing extraordinary high rates and charges to other service providers in Aurukun early in 1992.

Further, the continuing concentration of the population in Aurukun town area allows for the maximisation of housing rentals (through individual charging) and CDEP funding (maintaining numbers under CDEP and reducing membership of the outstation CDEP scheme) while providing minimal services has been enforced by refusing to provide services in the Shire area outside the town and obstruction of outstation construction through the control of building approval. Outstation housing as in the rest of north Australia is treated as individually owned rather than corporately.

Financial dependency makes the Aurukun Shire Council accountable to outside interests. In this the Shire Council is little different from most organisations in Aurukun (Martin 1990):

Most organisations in Aurukun — the hospital, the school, the police — are answerable to outside bodies rather than to Aurukun people directly. The limited exception is possibly Aurukun Community Incorporated, whose directors are all local Aboriginal people representing 20 or so clan groups. Even here, however, the economic development and financial viability guidelines of the federal Aboriginal Development Commission (now ATSIC) have meant that it is ultimately white staff who decide priorities, and that there are increased numbers of them required to administer and run its operations. This is even more true of the Shire Council. The particular operating styles of successive Shire Clerks have at times reduced meaningful input from Councillors into just decision-making to a minimum, let alone self-management. This has been exacerbated by a particular feature of Queensland local government legislation, whereby the Council Chairman is separately elected (rather than by his or her fellow Councillors) and has greater power than is the case for equivalent Councils in other states. More generally, what

can only be described as incestuous and unhealthy relationships have frequently developed between White and Aboriginal power brokers.

Unfortunately this has been interpreted by some responsible for local government administration in Queensland to need stronger and more influential shire clerks to control the 'unhealthy' influence of Aboriginal councillors rather than a criticism of the structure itself.

In this environment the Shire Council has been a failure in maintaining even the basic infrastructure of the town of Aurukun — a function that would have been its primary objective under the conservative model of local government traditionally applied in Queensland. This is evidenced by the Department of Housing, Local Government and Planning report, *Towards Establishing a Community Works Program* (Kelleher et al 1992).

This report and others following the intervention describe the penurious circumstances of the Shire Council and the decay of the basic infrastructure of the town under previous Shire administrations. Whether the solutions proposed by the Department of Local Government to date are little more than emergency intervention to prevent a collapse of the Council and have any long term validity for reformed and improved management is highly questionable.

The current real interests of the Aurukun Shire administration today can be described as being:

- to make the material circumstances of the Aurukun township presentable to visitors (for example by increased control of litter, town beautification plans, and control of drinking and the visibility of drunkenness);
- to maintain control over the assets of the Shire from destruction and damage by the population; and
- to avoid a financial collapse as a residue of previous mismanagement, and attain credibility in the management of public money.

The culture of local government

By definition local government in Queensland is good but the virtues of mainstream local government for Aboriginal people in remote areas has only recently been considered in Queensland.

Local government as practised at Aurukun and elsewhere in Queensland comes from a long European tradition and usually has little more than a token relationship to the real political groupings, aspirations and decision-making

practices in the local Aboriginal population. It is not merely a service in this context but an agent of change. It has enormous concentration of power. This kind of power is essentially European in the way it is conceived and applied. The changes it causes are largely generated by forces outside the area, so not only are the forms of this type of power culturally alien, their application in meeting procedures, language, rules for paid employment etc. are generally placed beyond the control of Aboriginal residents of the Shire (Sutton 1990).

Sutton further noted that the machinery of local government had little to do with reality outside the Shire office. The Aurukun Shire Council is part of mainstream local government. It is concerned overwhelmingly with the material conditions of life. Its senior staff are acculturated into local government procedures/protocols and more often than not seek career futures in local governments without Aboriginal populations or minority populations. Its reference points are the gatherings involving other local governments and its texts are the unending stream of regulations understood by few in any population.

This is accompanied in Aurukun by people's deep mistrust and cynicism about the role of Europeans and their agencies, and little expectation of change. As Martin noted on the Aboriginal perspective:

It was noted above that the increased penetration of outside institutions, and the greater exposure in general to western cultural forms, political processes and so forth, has paradoxically increased in some ways people's own cultural introversion. For one thing, there has been a good deal of scepticism engendered by the succession of white staff in various bodies who have been perceived (in many instances correctly) as defrauding the system. Even though it would not be true of all to say that most staff are guilty of this type of activity, none-the-less in the pervasive air of cynicism there is little respect for contemporary European staff by Aurukun people. Contemporary staff are seen to have little knowledge of or interest in Aboriginal culture, do not stay long, do not mix socially to any great extent with Aboriginal people, and are seen to be there essentially for reasons of self-interest. 'White people, they only come and go', is the often repeated theme (Martin 1990).

The technology of concentration

The technology of local government in Aurukun is the technology of concentration. The forces that generate the isolation of the Shire Council lead it to apply its technology to the concentration of the population within its immediate sphere of influence.

The opposition to decentralisation of the population out of the Aurukun settlement, one of reasons for the Queensland government takeover of the

Aurukun mission and the formation of the Aurukun Shire, continues today. The Shire administration has not come to terms with the region of the Shire and concentrates its energy on the town itself where planning is devoted to the material elements of cost effectiveness in traditional town design.

When new housing is planned design should be an end result not a starting point. Ross (1987) outlined planning sequences for Aboriginal settlements:

The issues Aboriginal people consider important in relation to housing need to be examined in a logical order, so that elements of design fit well together in a way which satisfies as many as possible of the most important housing criteria. For instance, distance between dwellings is a vital aspect of preserving harmonious social relations, or at least preventing undue disruption from others. If distances among dwellings are adequate, the dwellings themselves could be of an open and flexible design permitting clear views of neighbourhood activities, and extensive use of outdoor space. If distances from potential disturbers are insufficient, people might set a higher priority on having a closed-in house with lockable doors, in which they can protect themselves. In these circumstances, the house design chosen depends very much on the town plan, and supporting intangibles such as authority structures and policing.

Shire services are not provided to the areas outside the town, and homelands or outstation development is regarded as the province of other organisations or individual effort. However the Shire reserves the right to impose controls such as building approval beyond the town boundary.

The current town plan is based on maximising use of existing infrastructure, and therefore Aurukun, which already has the highest density of housing of any remote Aboriginal settlement in northern Australia, is currently further increasing that housing density. The Aurukun town area has become a ghetto and recent housing additions have furthered this 'ghetto-isation'.

Community Development Employment Projects

At present two CDEP schemes oversighted by ATSIC operate in Aurukun through the Aurukun Shire Council and ACI. The scheme operated by ACI supports the outstations and their population.

CDEP is generally well regarded in remote areas. The Royal Commission into Aboriginal Deaths in Custody stated:

However, CDEP work is often part time, and usually increases the income of participants only marginally over the payment they would otherwise receive on Unemployment Benefit. Great care should be taken that improvement in

the numbers of employed person as a result of CDEP are not presumed to have improved the overall material economic circumstances of individual Aboriginal people. Nevertheless, CDEP undoubtably has useful social purposes, in that it provides access to productive activity for many people and may potentially further training and enterprise development. Participation in CDEP may also significantly improve the physical circumstances of life for Aboriginal people, for example when CDEP is used to construct facilities or repair houses (Johnston 1991, 380).

The Aurukun Shire Council uses the labour from CDEP for local council work. It is difficult though to determine the dependency of the council on CDEP or the contribution CDEP makes to council assets or finances, as these items are not fully separated in the council accounts (especially in relation to 'on costs') but it would be substantial.

What is prevalent in describing local government in Queensland is the inclusion of the total cost of the CDEP programs in counting specific purpose grants to local authorities. This was most recently done in the report of the Electoral and Administrative Review Commission (EARC) on Local Authorities External Boundaries where Aurukun Shire (with the Mornington Shire) is alleged to receive the highest per capital specific purpose grant income of all local governments in Queensland. It also allegedly received a larger specific purpose grant income than Townsville. Of course these figures would change if all Commonwealth unemployment benefits paid to individuals were described as local government funding for all local authorities in Queensland rather than just for Aurukun and Mornington Shires.⁴

The Aboriginal workforce of the Shire Council is totally funded out of CDEP money as the Council has no Aboriginal adult employees on wages or salary. In the past CDEP support funding has been used to expand the non-Aboriginal bureaucracy of the Shire, primarily in attempts to develop economic enterprises.

There are persistent complaints by Aboriginal people about the nature of work performed for the Shire under CDEP. This work includes picking up litter, cleaning and street sweeping and in the past the scheme has only fitfully been used for community development as against routine maintenance. At the same time the Shire has sought to gain greater discipline and control over its CDEP workforce and introduce no work, no social security equivalent payment arrangements. Also CDEP accounting control is used to make deductions for rent and other Council services.

Aboriginal residents have at times attempted to leave the Shire CDEP scheme and join the ACI scheme and the Shire has persistently complained that the operation of two CDEP decreases its control over Aboriginal labour. The Shire Council provides no training for Aboriginal people although following the introduction of the 'community assistance' team from the Department of Housing, Local Government and Planning and appointment of a new Shire Clerk it is attempting to rectify this.

Chapter 4

Decentralisation and dispersal

The township of Aurukun is today grossly overcrowded by Aboriginal norms and doubt must exist as to whether it is any longer a manageable unit.

It has to have been one of the most ill-conceived plans ever to force 1000 Aboriginal people with a centuries long tradition of family and clan feuding and fighting, where the traditional methods of dispute resolution have been flight and the fission of social groupings, to live in an urban settlement of four rectilinear streets in grossly overcrowded housing. Add to this a situation of total unemployment and dependency and control vested in alien and racially different organisations it is little wonder a crisis exists in Aurukun.

This analysis is concerned with space, political space, cultural space and simply the room to move. At the present all people, individuals and groups, and organisations have little room to move in Aurukun. The narrowly defined responsibilities of state created institutions such as the Shire and the need to concern itself with civic rectitude and immediate town management decay and cost cutting, along with the concentration of the population, leave little room for the development of new strategies and innovative responses. The net effect of external agencies seeking quick and cost effective fixes in a construction program based on the town is to pass the costs of failing policies on to the health system and increase the sum of human misery. These constraints of social and political development can only be overcome by decentralisation of living areas and giving the people responsibility for making choices and decisions.

The response of the population to the worsening conditions in the town has long been flight — flight to outstations, alienation and substance abuse. Outstations have historically fulfilled this role in the region. Outstations, principally south of the Archer River, provide a respite from the conditions of the town and can also be seen as a last ditch attempt by groups to maintain family structures. They represent the only viable Aboriginal initiative in response to the social decay of the town.

However a warning must be sounded on embracing outstation development as a simple solution to all the problems of Aurukun. It is difficult to estimate the numbers of people who might reside permanently on outstations if they

were further developed. Population sizes of up to 400 have lived on outstations in the dry season in tents. The permanent population that spend the majority of their time on outstations at present is about 100. Outstation development is not simply a matter of providing infrastructure such as housing and water but is predicated on such things as transport, provisioning, access to services and communications, and maintenance of natural resources. The final development of outstations will also be played out between Aboriginal desire and need. The desirability of outstations is highlighted at the moment by their stability in comparison with the town.

Further the outstation movement is an Aboriginal initiative and gross interference by external agencies may have the effect of distorting or reducing its effectiveness. Currently the level of infrastructure is low but provisioning and communications is managed efficiently by ACI. This organisation has developed considerable expertise in remote development and support for Aboriginal initiative. Further housing and basic infrastructure is needed and should be produced in a sustained and responsive manner — that is, an orderly development remaining under Aboriginal control.

It is recommended though that a comprehensive set of guidelines for essential services and other services to outstations be negotiated and minimum standards be established. These guidelines should be used to assess funding needs and be incorporated into a regional development plan supported in capital works programs.

Whilst outstation development provides a partial solution to decentralisation more urgent and radical action is needed to provide a stable living base in Aurukun and improve its manageability by the organisations charged with its care and the well-being of its residents. The current concerns of administration in Aurukun have been to maximise housing outcomes by efficient use of basic infrastructure. Its appeal to the engineering and accounting mind is obvious and while it may reduce the level of individual house occupancy it maintains or exacerbates the level of housing density. That it will in the long term have any beneficial effect, however, is doubtful given the shortfall in housing stock, the state of disrepair of much of the housing and the continuing population increase. Its effect may be to improve marginally the material conditions of residency in Aurukun in the short term: but it will reinforce the social crisis or social pathology that has been identified in Aurukun.

The endemic conflict, fighting, alcohol abuse and sheer stress of daily life will not be improved by replacing existing derelict housing with new housing, building on vacant blocks in the town area, or creating another street of

housing where the distances between dwellings has been increased by only a few metres: yet these are the determinants for locating some 18 new dwellings currently being constructed in Aurukun.

Plans for future development should provide for a stop on new housing construction in the immediate town area of Aurukun. A regional plan with greater Aboriginal input and negotiation than can be offered by the existing Shire structure is needed to identify possibilities, plan, and gain support for decentralisation.

Two further strategies are recommended to achieve decentralisation and a reduction in the population in the immediate Aurukun town area.

- Further development should be in discrete sub divisions separated from the town area and comprise of cluster type housing.
- Areas outside the town should be identified and small hamlets built. These living areas need to have road access and be at least several kilometres from the town. It is suggested some form of hamlet development could occur along the existing access road.

These strategies along with continuing outstation development should over time, and with the co-operation of Aurukun people, reduce the population (now at a concentration that is causing stress) to a level in which the community can manage its own affairs.

Chapter 5

Local government reform in Aurukun

Land rights and property rights

It is clear that the form of land tenure now existing in the Aurukun Shire will soon change. Changes in Queensland government policy, the existence of new legislation, and recent legal decisions mean that a form of title will be offered to the Aboriginal people. The role of the Shire Council in holding a lease over the land will end.

While discussion is occurring as to the form of title to be sought it is clear the title will be communally vested. This will lead also to the formation of a new organisation or administrative structure in Aurukun, and Aboriginal people will want to take charge of their land and control aspects of land management and development.

Little attention has been given to this development in consideration of local government and administrative reform in Aurukun, but experience in the Northern Territory indicates that conflicts can occur when two separate regimes of land management come into existence over a single area of land — one form of management deriving from Aboriginal ownership and another from local government planning and administrative control. Simply blocking the formation of land councils along the Territory model by declining to offer statutory responsibilities, as the current Queensland legislation attempts, does not remove this source of potential conflict.

Aboriginal landowners are interested in a number of issues of control:

- Control of unauthorised access to private land, especially by commercial fishermen, hunters and tourists,
- Protection of sacred sites from intrusion,
- Control over development, and
- Control over land management and environmental management.

These interests are likely to increase with the issue of title and Aboriginal people holding communal title are likely to take a greater interest in asserting control.

Representation and reform

There has been a general agreement about the need for an alternative form of governing structure with much broader representation in Aurukun than exists at present.

It is hoped that such a structure would give people greater confidence and provide for genuine participation by the Aboriginal population and that its delivery of services would match more closely with Aboriginal aspirations.

There has been also a recognition that traditional Aboriginal structures or more culturally appropriate structures, should be given freedom to operate. This has been accompanied by an acceptance of the homelands or outstation movement in the lives of many people at Aurukun.

With this has been a recognition of the need to look with more imagination at the future development of Aurukun — at such areas as housing, roads, the location of service centres and the flexibility of government programs. Whilst governments at all levels are eager to see change, the complexities and the implications of any change need to be considered carefully.

Two models of possible future administrative or governing arrangements in the area known as the Aurukun Shire are presented. Both these models have been discussed in general terms by the Manth Thayan Association. These are loosely described as a horizontal model and a vertical model.

Both are derived from not simply defining functions but accepting that Aboriginal people may wish to take responsibility for particular functions or what we may call domains. A discussion of the current literature about the Aboriginal domain particularly in relation to local government has been written by Rowse (1992). Referring to the one of the most common and seductive assumptions in the discussion of Aboriginal self-government — that community power is, or should be, a unified, centralised sovereignty — Rowse warned:

The Aboriginal domain is in danger of being trivialised in an administrative ideology which presumes unification of local sovereignty to be the best or only basis of technical efficiency in service delivery and financial accounting. To counter the subversion of Aboriginal self-determination by such blind assertions of administrative rationality, it is essential to make explicit one of

the latent themes of this paper — that means of political representation can be neither culturally nor politically neutral. Many senior figures in the field of Aboriginal affairs have evidently lost sight of this axiom of political analysis (Rowse 1991, 90).

Aboriginal representation in local government has been commented on by anthropologist Peter Sutton. Sutton also noted that local government programs often are not integrated with the reality outside the Shire office but observed:

To understand this and work towards a better system one must accept the reality that the two domains are not only mutually dependent but also in many ways opposed (Sutton 1990).

It followed that merely increasing Aboriginal people's representation onto the Council was no guarantee of improving the relationship of between residents and local government. Therefore a division of functional responsibility, allowing an Aboriginal interest to assert itself while maintaining levels of administrative efficiency in the management of the material conditions, is suggested.

The horizontal model

The horizontal model for governance in the Aurukun Shire is derived from the fairly common observations of Aboriginal people that:

- Shire Council has not supported the development of infrastructure outside the Aurukun town area and people wishing to live on land have to find sources of funds outside local government;
- continued building up of infrastructure in Aurukun reduces the likelihood of development occurring outside the town because government at the State level will want to support existing infrastructure because of the existing investment; and
- current representative structure of the council does not work for all residents and people have little confidence in it.

Discussion with the Manth Thayan initially identified a town versus country split in the Shire. Those Aboriginal people with an interest in outstation development, and this includes most of the senior people, want to reject or reduce town residency. However, they felt thwarted by the focus by local government on the town. It was also clear that there was little confidence in the Shire changing its approach.

Early discussion concentrated on the possibility of splitting the Shire into a town area and a country area. This was considered necessary so those outside the town could gain access to local government funding, because without access to this funding they would be dependent on very small inputs to establish infrastructure.

This model would allow the creation of an organisation to service the area outside the town. A town council would administer the town area. It has long been recognised that there is a need for a body to service outstation needs. However, fears are held that access is needed to local government funds to maximise the ability of any new organisation to provide adequate services. This can only be achieved in two ways:

- the creation of a new local government body to service the Shire area outside the town area. A town or municipal government or town management board would service town needs; and
- given that local government has been criticised for its inability to adjust to the technology of an Aboriginal lifestyle in dispersed settlement, another solution would have to involve the creation of a mechanism to allow the service or local government body to have access to local government funds, perhaps by an annual split of funding agreed by negotiation.

Aurukun Rural Local Government	Aurukun Town Local Government
With responsibility for all local government functions outside the town boundary	Local government functions within the town boundary

Whilst the above has popular appeal in Aurukun there are problems with the model. First is the support of the State government in agreeing to form a new local governing body. The second relates to the ability of Aboriginal people to handle or have an interest in mainstream local government. The long-term effect could be to repeat many of the difficulties experienced by the Aurukun Shire Council in a Rural Council.

Whilst Aboriginal people clearly want more control, they do not want the decision making and rule driven style of mainstream local government. They

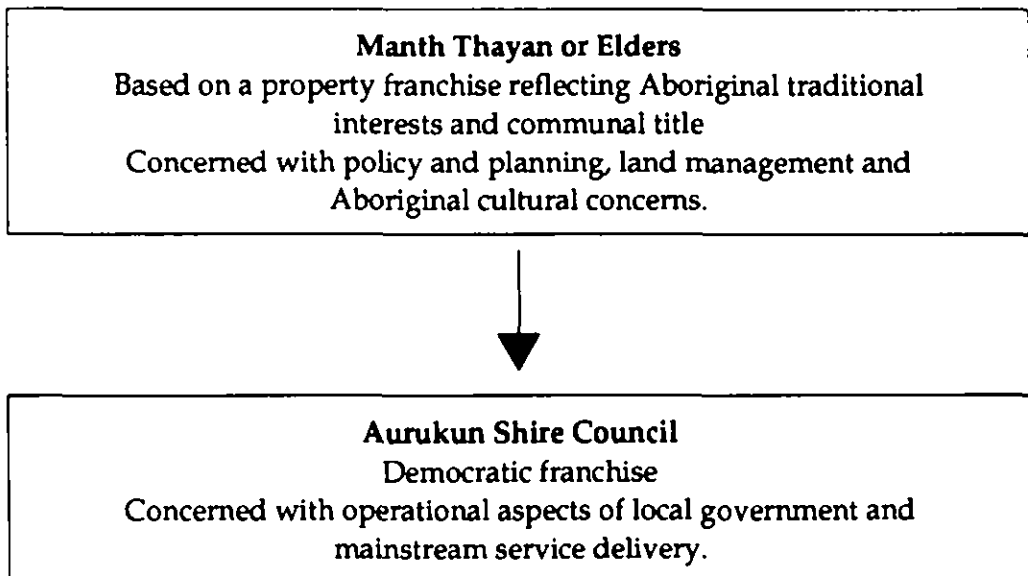
define areas in which they wish to take an interest and these areas or domains may not be those in a Local Government Act.

The vertical model

The vertical model of representation and participation is a bi-cameral model of government with 'property franchise' (ie traditional owners) for a body of review (with a possible right of veto on matters affecting land, culture and tradition) and a democratic franchise for an operational body.

The relationship between the two bodies could involve:

- The Elders having capacity to review local government decisions.
- Elders would be required to approve the budget and capital works program of the Council.
- Planning matters would be referred to the Elders.
- Elders as a separate incorporated body could take responsibility for land trusts.
- Elders could undertake programs relating to their powers or functions in their own right from other sources of funds or funding agencies.
- Elders would be provided with support by local government to hold meetings and employ relevant staff.



The Shire Council would retain all local government responsibilities except those relating to planning and Aboriginal interest as defined by Elders and subject to negotiation.

The advantages of the model are that it recognises reality in Aurukun and could be achieved with minor modification of existing local government regulation. The full details and mechanisms that might need to be applied have not been described and will need further discussion.

It also fulfils the need to create Aboriginal participation in a manner and at a pace acceptable to Aboriginal desire. It is understood change would occur slowly in Aurukun but a prior condition is to put in place the structural arrangements that will allow administrators to respond to Aboriginal need to negotiate a future holding more promise than is currently felt by the residents of the Shire.

Reform of the Council

Two reforms of the existing arrangements operating in the Aurukun Shire Council are suggested.

- At present the Shire Chairperson is elected separately from council members. It would allow better relationships with council members if the Chairperson was elected by councillors at the first meeting.
- At present the term for elected members is three years. In an Aboriginal context this may be a long time. As well it restricts the capacity for change. If people in Aurukun want change, and many do, this three year term is too long. Many Aboriginal communities in north Australia have annual elections and this arrangement works satisfactorily. It is recommended that the term of councils be shortened to two years to allow greater and more frequent participation by electors.

Epilogue

In April 1993 the Federal Race Discrimination Commissioner released a report on the operations of the criminal justice system on Mornington Island in Queensland (Moss 1993). The report considered various aspects of Aboriginal life on Mornington Island with a similar history to Aurukun.

The report noted conditions on Mornington Island:

There are, however, fundamental problems of an on going nature. In many respects the people of Mornington Island live in a social, economic and political situation which would not be acceptable to non-Aboriginal people living in most parts of Australia. There is a degree of surveillance and control of aspects of day-to-day life which seem extraordinary by the standards of citizenship and social participation which most Australians enjoy (Moss 1993, 1).

Noting the effects of the system of administration imposed by the Shire model on Aurukun along with Mornington Island the report said:

In many respects the people of Mornington Island live under a system which is neo-colonial. Ostensibly there is local control through the election of councillors to a shire local government. However the political system has been imposed from the outside. It is a model of government introduced without consultation, let alone negotiation. Furthermore it is based on a model over which local people have little direct control and which reproduces the effective power of largely non-Aboriginal administrators. All key positions of power, decision-making and administration are held in non-Aboriginal hands; including health, education, justice, shire administration, civil engineering and trades employment and most other service delivery positions. Many of the people in these positions exhibit what could be called a paternalistic attitude. Moreover the rapid turn over of non-Aboriginal staff in key positions means there are often few opportunities for such paternalism to be challenged (Moss 1993, 2).

The report among many recommendations said:

In recognition of the fundamental right of self-determination for indigenous people, that the principles of self-determination be applied in future dealings between State and Federal bodies and the people of Mornington Island.

That adequate attention be paid by State and Federal bodies to the distinct history of Mornington Island, and in particular the imposition and impact of the shire council model on Mornington Island.

That recognition be given by State and Federal bodies to the fact that Morning island people have not been given the opportunity to express their preferred options in relation to the form of political administration (Moss 1993, 98).

In 1993 the desirability of outstation living for residents who want to maintain such a lifestyle was recognised by State and Federal bodies and moves are underway in the current financial year (1993/4) to allow appropriate housing to proceed.

Educational services have improved dramatically in 1993 through the introduction of an educational service more responsive to Aboriginal practice and need.

Health services are being improved as part of the general rebuilding of health delivery infrastructure in the region.

Alcohol abuse and sporadic violence continues to bedevil Aurukun township along with other communities on Cape York Peninsula. NARU can only look to an improvement in this situation through people gaining more control over their lives and, in particular, the aspect of greater control over and increased confidence in any political administration that may develop.

In June 1993 a claim for the lands of the Wik people including the land of the Aurukun Shire Council was made in the Supreme Court of Queensland. The claim was made on behalf of the Wik people and flowed from the Mabo decision on native title rights. The claim was lodged against a number of parties including the Aurukun Shire Council.

Endnotes

1. The definition is derived from an ATSiC regional councillor workshop on community planning.
2. Such concerns were recognised by the Dept of Family Services and Aboriginal and Islander Affairs in the Queensland 'whole of government' response to Aurukun and in the initial advice provided to government by DFSAIA.
3. Unidentified female speaker at meeting in video *Takeover* AIAS 1979, produced by David and Judith MacDougall.
4. This confusion between Commonwealth program expenditure and local government income is also confused in the Legislation Review Committee report (1991, 141-142) where the term 'Sources of Funds' is used to describe expenditure of \$93 million in Aboriginal and Islander Councils. Here CDEP is included as ATSiC grants totalling \$55 million. Also sales of alcohol (bought by CDEP recipients) totalling nearly \$12 million is included as funding.

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