SOVEREIGN VOICES

Leadership, alliance and communications in the Yindjibarndi fight for a dignified life amid the Pilbara resources boom – in the work of Juluwarlu Group of Roebourne

Frank Rijavec

A thesis submitted in fulfilment of the requirements for the degree of Doctor of Philosophy in Communication Studies, Murdoch University, 2010

Plate 1: Founders of Juluwarlu Aboriginal Corporation – Lorraine Coppin and Michael Woodley with family at the Woodbrook Law Ground
DECLARATION

I declare that this thesis is my own account of my research and contains as its main content work which has not previously been submitted for a degree at any tertiary education institution.

Frank Rijavec

Plate 2: Rose Cheedy, the author, Ned Cheedy, Dora Solomon and Bridget Warrie around the worktable at Juluwarlu
ABSTRACT

What are the pivotal factors underlying the development and viability of regional Indigenous organisations committed to preserving and promulgating the cultural knowledge of their people? This question is investigated in the experience of Roebourne-based Juluwarlu Group Aboriginal Corporation from 2002-08 as it grew from a small scale, subsistence-funded, cultural recording organisation, into an archiving, publishing, digital media, television broadcasting, media training, cultural consultancy, advocacy and Native Title management enterprise.

This study pays careful attention to post-World War II Pilbara history which featured the creation of the Roebourne Aboriginal ghetto and the mining boom that overwhelmed the region in the 1960s and 70s, and more recently was marked by Native Title, the conservative Howard Government, post-ATSIC administrative/political climate, and the resurgence in iron ore and gas stocks. Also examined are the effects, both on cultural practice in Roebourne and Juluwarlu’s development, of the documentary Exile and The Kingdom, which was produced with the community by the author and Noeline Harrison between 1987 and 1993.1 These histories inform both the reasons for Juluwarlu’s emergence and the meaning of its achievements.

Key findings converge on the character and consequence of leadership and the generative efficacy of the Yindjibarndi cultural, social and ethical system; the advantage obtained via considered partnerships with collaborators; and the adaptive engagement of Indigenous tradition with management principles and communications and media technology – on Indigenous terms, rather than the labour-market-driven schemes that, for example, seek to match Indigenous disadvantage or development with labour shortages in the Pilbara resources industries.

This thesis diverges from other studies that have typically researched Indigenous disadvantage within the context of broader public policy/legislation and political economy, albeit these contexts inevitably inform it. Instead, primary attention is given to the experimental and generative capacity that Juluwarlu brought to negotiating advantage from public and private institutions, challenging their recalcitrance, and sometimes moving beyond them. Finally, Sovereign Voices records how Juluwarlu’s responsibility for country and culture, and insistence on respect and equitable
acknowledgement for their custodianship, was charged by media and communications technologies, and how these in turn ramified its organisational wherewithal for the benefit of their community – both practically and a symbolically. Juluwarlu’s mediation and giving of voice, I contend, militated against the ‘silencing’ shroud of the corporate-state-media hegemony.²

1 Exile and The Kingdom, Rijavec, Frank (director/producer), 16mm/video/DVD, writers Roger Solomon & Rijavec, co-producer Noelene Harrison, Feature Documentary, 110 minutes, Snakewood Films, distributed by Screen Australia, 1993. (Included as Addendum 1C)

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59. Michael Woodley (left) and Janina Gawler (centre) at the site of the damage.

60. The publication Ngurra Warndurala Buluyugayi – Millstream displayed at Karratha airport (4 November 2008).

61. Alec Tucker and Juluwarlu Administrator, Phil Davies.

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65. Owen Pat (far right) with his father Barry (2nd right) watching his mates remove gurrumanthu’s digestive tract in preparation for cooking (Ngurra Two Rivers field trip, November 2004).
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<th>Description</th>
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<tbody>
<tr>
<td>ABC</td>
<td>Australian Broadcasting Corporation</td>
</tr>
<tr>
<td>ACID</td>
<td>Australasian CRC (Cooperative Research Centre) for Interaction Design</td>
</tr>
<tr>
<td>ACMC</td>
<td>Aboriginal Cultural Materials Committee</td>
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<tr>
<td>AFC</td>
<td>Australian Film Commission</td>
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<tr>
<td>AHA</td>
<td>Aboriginal Heritage Act (WA)</td>
</tr>
<tr>
<td>AIATSIS</td>
<td>Australian Institute of Aboriginal and Islander Studies</td>
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<tr>
<td>AICA</td>
<td>Australian Indigenous Communications Association</td>
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<tr>
<td>ATAL</td>
<td>Aboriginal Training and Liaison (a department of RTIO's Pilbara Iron)</td>
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<td>ATSIC</td>
<td>Aboriginal &amp; Torres Strait Islander Commission</td>
</tr>
<tr>
<td>ATSIS</td>
<td>Aboriginal &amp; Torres Strait Islander Service</td>
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<td>BIA</td>
<td>Binding Initial Agreement</td>
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<tr>
<td>BRACS</td>
<td>Broadcasting for Remote Aboriginal Communities Scheme</td>
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<td>CAAMA</td>
<td>Central Australian Aboriginal Media Association</td>
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<td>CALM</td>
<td>Conservation &amp; Land Management (now Department of Environment and Conservation WA)</td>
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<tr>
<td>CDEP</td>
<td>Community Development &amp; Employment Program</td>
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<tr>
<td>CNC</td>
<td>Central Negotiating Committee (later Marnda Mia CNC)</td>
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<tr>
<td>DCD</td>
<td>Department of Community Development</td>
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<tr>
<td>DCITA</td>
<td>Department of Communication, Information, Technology &amp; The Arts</td>
</tr>
<tr>
<td>DEEWR</td>
<td>Department of Education, Employment and Workplace Relations</td>
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<td>DEWHA</td>
<td>Department of the Environment, Water, Heritage and the Arts</td>
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<tr>
<td>FMG</td>
<td>Fortescue Metals Group</td>
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<tr>
<td>GIFT</td>
<td>Global Institute for Tomorrow</td>
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<tr>
<td>ILC</td>
<td>Indigenous Land Corporation</td>
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<td>ILUA</td>
<td>Indigenous Land Use Agreement</td>
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<tr>
<td>IBN</td>
<td>Innawongga Banyijima Nyiyaparli (Aboriginal Corporation)</td>
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<tr>
<td>ICC</td>
<td>Indigenous Coordination Centre</td>
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<tr>
<td>ICTV</td>
<td>Indigenous Community Television</td>
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<tr>
<td>IRCA</td>
<td>Indigenous Remote Communications Association</td>
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<tr>
<td>JTV</td>
<td>Juluwarlu Television (later renamed Ngaarda Television)</td>
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<tr>
<td>LNG</td>
<td>Liquid Natural Gas</td>
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<td>Abbreviation</td>
<td>Full Name</td>
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<tr>
<td>MAC</td>
<td>Murujuga Aboriginal Corporation</td>
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<td>National Indigenous Radio Service</td>
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<td>National Indigenous Television</td>
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<td>Ngaanyatjarra Media Association</td>
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<td>Native Title Act</td>
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<td>Native Title Representative Body</td>
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<td>National Native Title Tribunal</td>
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<td>Ngaarda Television</td>
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<td>NYFL</td>
<td>Ngarluma Yindjibarndi Foundation Limited</td>
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<td>ONT</td>
<td>Office of Native Title</td>
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<tr>
<td>PAKAM</td>
<td>Pilbara and Kimberley Aboriginal Media</td>
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<td>PBC</td>
<td>Prescribed Body Corporate (designated to govern Native Title matters for any successful claimant group)</td>
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<td>PYLP</td>
<td>Pilbara Youth Leadership Program</td>
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<td>Pitjantjatjara Yankunytjatjara Media Association</td>
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<td>QRAM</td>
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<td>Remote Indigenous Broadcasting Services</td>
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<td>Remote Indigenous Media Organisation</td>
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<td>Rio Tinto Iron Ore</td>
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<td>RTO</td>
<td>Registered Training Organisation</td>
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<td>TAFE</td>
<td>Technical and Further Education (College)</td>
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<td>TEABBA</td>
<td>Top End Aboriginal Bush Broadcasting Association</td>
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<td>Traditional Owner</td>
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<td>TSIMA</td>
<td>Torres Strait Island Media Association</td>
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<td>UWA</td>
<td>University of Western Australia</td>
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<td>WEL</td>
<td>Woodside Energy Limited</td>
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<tr>
<td>WMA</td>
<td>Warlpiri Media Association; aka PAW Media &amp; Communications (Pintubi, Anmatjere and Warlpiri)</td>
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<td>WOCLA</td>
<td>Whole of Claim Agreement</td>
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<td>W&amp;RC</td>
<td>Waters &amp; Rivers Commission (later folded into Department of Water)</td>
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<td>WY Program</td>
<td>Warrgamugardi Yirdiyabura (Pathways to Employment Program)</td>
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<td>YAC</td>
<td>Yindjibarndi Aboriginal Corporation</td>
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<td>YHA</td>
<td>Yindjibarndi Heritage Agreement</td>
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GLOSSARY

bargunyji olive rock python
Barrimirndi creation snake that traveled from the sea creating the course of the Fortescue River and its permanent water sources, and which came to rest in the depths of Nhangangunha (Deep Reach Pool, Millstream)
bayuwanarra plains kangaroo (macropus rufus)
Bilaa thalu or increase site for seeds
binyari fight, argue
Birdarra the carpet of leaves laid at the threshold of the initiates’ delivery to their families; also the name given to the Law practiced by Roebourne people (Yindjibarndi and Ngarluma particularly)
Buminyjinha Tablelands Police Station or ration camp
burnda hole in the ground; bed scooped out in the ground
Burndud the place where the men sit and sing the Burndud song cycle, and around which the women dance in a circle for Birdarra Law
Galharra system of relationship that divides all things in the world into four groups – Bananga, Burungu, Garimarra, Balyirri
gamari food (gifts of … placed on Birdarra for marngkaji)
Ganyjagayi Mirnu keeping knowledge
Garnggu mothers, fathers, uncles aunties of an initiation candidate
gari alcohol, grog
Garruragan blue winged kookaburra (dacelo leachii)
gumbali first cousin/ brother-in-law
gurnarn black ochre
gurumarnthu Gould’s Sand Goanna (varanus gouldii)
gurrwa freshwater mussels
Gurrwaying Yinda pool on Booyeemala Ck (place of freshwater mussels)
jalurra dance songs (see also nurnda)
jarburrungu eagle
jawi  songs dreamt and sung by the man to whom the song was given by the *Maarga* creation spirits

Jigurranha  Sherlock River

Jinangarli  the footsteps of the creation spirits

Jinbingalinha  Driller’s Hole (one of the places Barrimirndi got up)

Jiirda  increase site for bush food, particularly the flour ground from seeds

jirdiwi  echidna

Jirnjanggnu  those who work to put a boy through Law; in grandfather or brother relationship to the initiate

Kujarala  on the other side; also the name for the Old Roebourne Reserve

Maarga  creation spirits

majgan  snappy gum tree

mali  grandson/grandfather

marliyarra  body adornment of Garnggu participants in Law

marnu  poor thing, poor fella (an expression of sympathy)

mawarnkarra  doctor, healer, medicine man

Migu  Michael Woodley

mirru  notched spear thrower that doubles as a musical instrument when played with a twig

Mithy  Lorraine Coppin

Malulu  initiation candidate (prior to initiation)

marnkgaji  man in avoidance relationship with Law initiate’s family

marni  body adornment of Garnggu in Birdarra Law symbolically representing *Yarndanyirranha* (Fortescue River)

mungularra  children

Murru Warru  John Pat (derives from waramurrungga, the flying fox, for the birthmark on his back that looked like a flying bat)

Murujuga  Burrup Peninsula (translates as *hip bone sticking out*)

nabaru  substitution name for the deceased

Ngaarda  Aboriginal person

Ngaardangarli  Aboriginal people

ngurrara  custodian of a place, ancestors of particular country

ngurra  ground, country, camp
<table>
<thead>
<tr>
<th>Term</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ngurranyujungamu</td>
<td>creation time (when the world was soft)</td>
</tr>
<tr>
<td>nuha</td>
<td>marriageable partner (of the correct section)</td>
</tr>
<tr>
<td>Nuju</td>
<td>initiation candidate (after initiation)</td>
</tr>
<tr>
<td>nurnda</td>
<td>dance or ‘corroboree’, or dance songs (also known as jalurra); they are given to a man in his dreams by the spirits</td>
</tr>
<tr>
<td>nyambali</td>
<td>leader or boss</td>
</tr>
<tr>
<td>pinkeye</td>
<td>the hot summer months from December through February when workers got time off from station work</td>
</tr>
<tr>
<td>thalu</td>
<td>Sites in country where ceremonies to increase or grow various natural resources and phenomena were undertaken</td>
</tr>
<tr>
<td>thudungu</td>
<td>oldest sister; Birdarra Law is referred to as ‘Thudungu’, the big sister ‘sitting on top’ of all other Law</td>
</tr>
<tr>
<td>Tjuna</td>
<td>mischievous or harmful spirits (equivalent with ‘barri’)</td>
</tr>
<tr>
<td>tjuna stick</td>
<td>stick 2-3 feet long for fighting; a tool or ‘accessory’</td>
</tr>
<tr>
<td>travelers</td>
<td>parties of Lawmen on assignment to other communities</td>
</tr>
<tr>
<td>Wajbala</td>
<td>Whitefella, white people</td>
</tr>
<tr>
<td>Wallijingha</td>
<td>Law practiced by Yindjibarndi neighbours to the south and south east; referred to as the ‘top law’</td>
</tr>
<tr>
<td>wandalah</td>
<td>where, where are they, where is he/she</td>
</tr>
<tr>
<td>Wanggangerarra</td>
<td>that which gives life</td>
</tr>
<tr>
<td>waramurrungga</td>
<td>flying fox</td>
</tr>
<tr>
<td>warlu</td>
<td>snake</td>
</tr>
<tr>
<td>warmulu</td>
<td>Law initiate (through an alternate initiation method)</td>
</tr>
<tr>
<td>Wuyumarri</td>
<td>Gregory’s Gorge</td>
</tr>
<tr>
<td>yala</td>
<td>now, these days</td>
</tr>
<tr>
<td>Yalgu</td>
<td>contemporaneous initiates, brothers in Birdarra Law</td>
</tr>
<tr>
<td>Yanduna</td>
<td>old ration camp near Harding Dam</td>
</tr>
<tr>
<td>Yarnndanyirranha</td>
<td>Fortescue River (downstream of Millstream)</td>
</tr>
<tr>
<td>yartha</td>
<td>bough sheds</td>
</tr>
<tr>
<td>Yawajunha</td>
<td>Lockyer’s Gorge</td>
</tr>
<tr>
<td>yinda</td>
<td>permanent water</td>
</tr>
<tr>
<td>Yirramala</td>
<td>Maitland River</td>
</tr>
<tr>
<td>Yirramagardu</td>
<td>Roebourne</td>
</tr>
</tbody>
</table>
ACKNOWLEDGEMENTS

This work could not have been undertaken without the friendship and initiative of Juluwarlu’s founders, Michael Woodley and Lorraine Coppin, and before them, of Roger Solomon and the women and men of Yirramagardu (Roebourne) who welcomed and educated me, chief among them: James Solomon, Dora Solomon, Woodley King, Karri Monadee, Allan Jacob, Nita Fishook, Yilbi and Bridget Warrie, Gordon Lockyer, Tim Kerr, Johnny Walker, Lila Snowball, Ned Cheedy, Yiirdi Whalebone, Yali King, Kenny Jerrold, Esther Pat, Barry Pat, Trevor Solomon, David Daniel, Tootsie Daniel, Violet Samson, Pansy Hicks, Allery Sandy, Ernie Smith, Sylvia Allan, Carol Lockyer, Gladys Walker, Algie Paterson, Wendy Hubert, Bruce Woodley, Berri Malcolm, Maudie Jerrold, Alice Smith, Jean Lockyer, Marshall Smith, Alec Tucker, David Stevens and Bob Hart. Sovereign Voices is a tribute to, and commemoration of all those who have shown, and continue to show leadership and generosity in the work of enriching the cultural life of their community.*

Plate 3: Partners in the work of cultural production in the Roebourne community.

* See Exile and The Kingdom DVD – Extras for biographies of many of these elders (Exile : 1993)
It was Trevor Solomon’s initiative in mounting the ten-year anniversary celebrations for *Exile and The Kingdom* (the documentary I made with his elder brother Roger and his elders) that led to my meeting with Michael Woodley and Lorraine Coppin in July 2002 – providence without which I may not have joined the efforts of a new generation of Ngaarda activists in Roebourne. Mick Broderick ministered for six years as my academic supervisor, friend and constant encourager, Josko Petkovic first suggested to me that a post-graduate candidature could assist my collaboration with Juluwarlu, and Murdoch University supported me with a stipend that allowed me to deviate from television documentary to community-based media development work. Rio Tinto, by agency of Mark Simpson, covered travel and expenses for a trip to Roebourne, and Ngarluma Yindjibarndi Foundation provided for some accommodation. Woodley and Coppin also supported me with necessities of life. To Juluwarlu’s staff, present and past, for their comradeship, and to my brothers and friends, who over the years have lent an ear or shoulder, thankyou. I want to especially thank Michael Woodley, Jan Teagle Kapetas, Phil Davies and Peter Pitt for appraisal that improved my draft; my examiners Steve Mickler, Faye Ginsburg and David Tafler for their comments on the penultimate draft; and Bob Hart for his support and historical insight. Finally, I go here by grace of my family – Noelene Harrison, my closest companion on this Yirramagardu journey for over twenty years, and my son and sanity lookout, Breyten *(Yarn dangirranha)*.

**DEDICATIONS**

My mother’s childhood and education in Slovenia was under the Italian occupation that replaced Austrian rule after WW1, and where her mother tongue was prohibited in public life. Her youth ended with WW11 and her joining with the Yugoslav partisan resistance as a courier when she was 20 years old. She witnessed perfidy and violence that despatched many of her unlucky countrymen and women to fascist concentration camps and graves, and suffered the death of her closest brother who was assassinated by a shot to the head with a dum-dum bullet, and whose body, together with her father, she collected from a neighbourhood hay paddock. In 1953, eight years after her country was liberated, and with my two infant brothers, she left her homeland, a place where she ‘existed’, to follow my father Benedikt’s (RIP) dream deep into the estrangement of post-war emigration in southwest Australia. My mother’s spirit and
perseverance remains an inspiration; her love and unswerving support, a solace. My first dedication is to Ivanka Rijavec (nee Danečić).

Roger Solomon was eleven years old when the mining 'bonanza' of the 1960s changed his life and his town forever, and sixteen when the second wave of 'development' struck in 1972. He was a child of the most traumatic period in his community's history. Above all, Roger credited his grandfather, Liverman (Jack Fishhook), for passing on to him the cultural and spiritual inheritance that guided him in adult life, and that encouraged him to break with drinking in 1984. While working with Roger and others in Roebourne on the production of *Exile and The Kingdom*, my own problem with alcohol abated, not because of any prohibition, but through solidarity – I could no longer drink amid the damage of alcohol in Roebourne. Roger was a guardian in this passage. He understood that knowledge of culture, country and his peoples' history was of the essence, and *lived* this understanding in its most solemn and celebratory aspects. He was loved and respected especially by young men and women who found courage in his example. In 1992 Roger was diagnosed with mesothelioma contracted from the blue asbestos that was trucked through his community from Wittenoom. He died on Easter Monday 1993 just weeks after he launched *Exile and The Kingdom* in Perth. In dedicating this work to Roger Solomon I remember his friendship, kindness and humour.

Plate 4: Roger Solomon with his wife, Esther Pat. [Snakewood Films].
INTRODUCTION, GOALS & METHOD

1.1 The Bridge from Exile to Juluwarlu

I visited Roebourne for the first time in 1987 to propose making a documentary, which became Exile and The Kingdom.¹ (See Addendum 1C for the Exile DVD, and Addendum 1B for Exile Awards & Screening History.) In July 2002 I returned to Roebourne to celebrate the tenth anniversary of Exile with a screening for some 400 people in the Village. When I visited Juluwarlu Group for the first time later that week, I found a transportable building where Lorraine Coppin showed me over her fledgling archive: maps, photographs and documents rescued from the trashed offices of the abandoned Murujuga Nhangangunha Land Council; half a box of Taruru books by the linguist Carl von Brandenstein which recorded the song poetry of the Pilbara tribes;² genealogical charts; anthropological and archaeological papers; dozens of cassette tapes; a few video tapes including Exile; historical photographs and family snaps; artefacts. The photographs on the table depicted some of my Ngarluma and Yindjibarndi friends and mentors, many of whom had died. The material from the defunct Land Council offices, I learned, was saved just as it was being swept out with debris for the dump.

Juluwarlu took its first steps in 1999. Until then, there had been no enduring agency in Roebourne that had taken up the work of recording local culture. Certainly, several linguists and anthropologists had recorded valuable material in the past, as had Exile and The Kingdom in the late 1980s and researchers for the Ngarluma Yindjibarndi Native Title claim through the mid-1990s, but these efforts all shared the common failing of not bestowing their ‘means of production’, or even a repository, in Roebourne. That the work of cultural recording was being taken up by a new generation of Indigenous activists, and that they had successfully established a local archive and recording centre, was enormously significant. The emergence of Juluwarlu Group from the milieu of this town, which bore the full force of successive waves of economic exploitation, and was choked by State ‘management’ of their desolation, was the emblematic event that motivated this study.
1.2 Goals

Discussions with Lorraine Coppin and her partner Michael Woodley ensued about how I might assist their project. Recorded in this study are the results of applied/collaborative work I subsequently undertook with Juluwarlu, beginning in 2003 with the revision and republication of *Know the Song, Know the Country* – a cultural, social, and historical narrative that was originally published as a companion to Exile. In 2004 I enrolled in a postgraduate program at Murdoch University that was designed to support the work I wished to undertake with Juluwarlu. Collaboration with Coppin and Woodley continued with the *Ngurra Two Rivers* cultural recording field trips, which were planned, financed and executed between February and December 2004 and assisted by the auspice of my Murdoch University program of study. In 2005 I suspended my candidature for twelve months to take up an invitation to work fulltime with Juluwarlu on the expansion and optimisation of their project.

This then, was the first object of this doctoral work – to make good the deficit of *Exile and The Kingdom* and to work with Juluwarlu to develop a media capacity in Roebourne. Essentially, my purpose was not project-driven, but underpinned by an intention or commitment to re-engage positively with the community.

A corollary aim was to make a wide-reaching record of the conditions favourable to, and means and models effective or useful, or indeed, adverse in establishing such capability – a record that ultimately offered the protagonists at Juluwarlu a reflection of their own experience that might in turn provide assistance in mustering their fate. Juluwarlu and the broader community that Roebourne encompassed, then, comprised the first audience for this account, or, following on Noam Chomsky, they were the “community of concern” that I hoped to speak with:

> the responsibility of a writer as a moral agent is to try to bring the truth about matters of human significance to an audience that can do something about them [...] and furthermore (another important qualification), it should not be seen as an audience, but as a community of common concern in which one hopes to participate constructively. We should not be speaking to, but with.⁴

Echoing Laurel Richardson’s ambition for sociology, this study is less concerned with theory or “codification of procedures”, than with an account of “actual ways of
working”. In the traffic of communications and representations that made up community politics, corporate affairs and politics of state, the Juluwarlu project was forever weighing ‘truths’ and adjudging which of these mattered. I have, then, endeavoured to describe both struggle and celebration, acts of creation and demoralization, moments of collective achievement and personal tragedy — all of these moving against each other like weather systems — and apprised as a whole, offering some estimation of how things worked out at Juluwarlu.

In explaining the motivations behind his writing for the theatre, Stephen Sewell said that he sought to penetrate, comprehend, and explain power; to describe the way we exercised power over one another; and to respond to the reality of the power brought to bear in our daily lives. I hope that this work shares a great deal with Sewell’s aims. In this account of Juluwarlu’s development I seek to describe power relations between Roebourne Indigenous people, government and corporate instrumentalities, and the play of power within the community, and how all these were experienced and negotiated. Of course this writing is also my attempt to understand. John Berger put it this way: “The act of writing is nothing except the act of approaching the experience written about; just as, hopefully, the act of reading the written text is a comparable act of approach”.

1.3 The Author’s Position Vis-à-vis The Literature
Since 1980 I have worked as a film and television researcher, writer, editor, director and producer, and it is this practical experience — as a technician, producer and ‘collaborator’ — that accounts for the character of this study. (See Addendum 2B for Rijavec Curriculum Vitae.) The reader should not be surprised, then, by a tone and method at variance with orthodox pedagogical writing. That is not to say that my approach is not born out in, or have congruencies within the literature, it does, and I have discussed this methodology later in this chapter in Notes On Method, Participatory Research, Rationale For Method and Case Study; later in Chapter 9.2 in Fellow Travellers, Historical Examples of ‘Participatory’ Community Development, and Factionalism and Taking Sides; and in The Author’s Motivation in Addendum 1A.

However, the description of Juluwarlu’s development as such, has not lent itself to immersion in the discourse of one academic discipline or another, but has necessarily tracked events over time as they affected Roebourne and Juluwarlu in fields as various
as media, culture, anthropology, community development, politics, law and sociology. While I have supported my text with example and observation from elsewhere when this has served to deepen understanding of the Juluwarlu study, my focus has not given to extensive rehearsal of evidence as it has been educed by observers in other Indigenous communities, and I have largely forsaken exercise of comparison and contrast in order to more acutely render Juluwarlu’s experience within the very particular situation and history in which it was nested, and that brought it forth.

That said, aside from the works cited in the body of this thesis, there are several sources that provide contrasting accounts of media development and practice both in Australian Indigenous communities and abroad. Some of those particularly useful in the Australian context are: Helen Molnar’s exposition of the stimuli for, development of, and government response to Aboriginal television in Central Australia from the mid-1980s (Molnar: 2001, 1993, 1991, 1990); Jennifer Deger’s close ethnographic study of the interplay between Yolngu tradition and the media (mainstream, local radio and video, photography) as it was introduced into the Yolngu community in Gapuwiyak (Deger: 2006); David Tafler’s accounts of the electronic media incursions into central Australian Aboriginal communities, and the threat of supplantation, supersession and erosion of traditional culture this represented; and all at once, of the potential that new media tools could be appropriated by self-directed Indigenous media makers as instruments of resistance and cultural maintenance (Tafler: 1994, 2000, 2005); and Michael Meadows’ analysis of the impact of mass media on Indigenous communities and the function of community-based media in maintaining cultural and social integrity in Aboriginal communities (Meadows: 2001, 1994, and Ed. Meadows et al.: 2007).

Sources that provide a broader, global perspective of Indigenous, minority or ‘resistance’ media practice are: Tony Dowmunt’s collection of studies on the action of community-based television in resisting mainstream, ‘imperialist’ media and returning initiative and power to minorities (Ed. Dowmunt: 1993); Banks and Morphy’s anthology on visual anthropology’s role in interpreting representations of human rituals, media and communications, art practice, and so on (Ed. Banks et al.: 1999); Pepi Leistyna’s anthology on the role of cultural theory in making sense of the contemporary social world, issues of social and economic justice, and the current crisis in democracy; and the effect of such understanding to motivate “political action” by activists, artists, teachers and so on (Ed. Leistyna: 2005); the interdisciplinary (media
studies/anthropology) anthology edited by Pamela Wilson and Michelle Stewart that provides an up-to-date portrait of contemporary indigenous media practice, and particularly the function of autonomous, Indigenous-controlled media in decolonizing indigenous movements, and in Indigenous cultural persistence and expression (Eds. Wilson & Stewart: 2008); Juan Francisco Salazar’s collaborative action research with the Mapuche of southern Chile, which critiques ethnographic research for “saying little about a political or cultural change in or for the ‘objects’ of observation”. Salazar proposes redemption for ‘digital anthropology’ only if it demonstrates the possibilities of citizen-driven interactive media in “crafting community participation, designing new media ecologies and configuring political experience”. Juluwarlu’s experience, it might be noted, provides an antidote to the flaw Salazar identifies in ethnographic visual research (Salazar: 2005, Cohen & Salazar: 2005); Lorna Roth’s account of the evolution of Television Broadcasting amongst Canada’s First Peoples and how their communications played a role in working out the parameters of their social, political, cultural, economic, and institutional relationships; and further, her description of media as a tool capable of synthesising heritage with postmodernity in cultural and social projects such as language/cultural reinforcement, education, self-development, and cross-cultural political influence-building (Roth:2005); and Media Worlds, a global collection of research in the anthropology of media that vividly essays “how consumers and producers [of media] are themselves imbricated in discursive universes, political situations, economic circumstances, national settings, historical moments, and transnational flows”; and which gives to an understanding of “how media enable or challenge the workings of power and the potential of activism; the enforcement of inequality and the sources of imagination; and the impact of technologies on the production of individual and collective identities”. (Eds. Ginsburg et al.: 2002)

1.4 Notes on Method – Kujarala, a View from The Other Side

In the documentary Exile and The Kingdom, the narrator Roger Solomon informs us that the Old Roebourne Reserve was located across the river, outside the town proper where the Wajbala (white people) lived, and so was called Kujarala, which means "on the other side". I draw allusion to this image in declaring that, far from being definitive, this account instead seeks to offer a partial perspective from the other side, the Ngaarda side. Because I was party to moments in this history, it is the account of a fellow traveller or worker inside the camp – particularly the Yindjibarndi camp of Roebourne. My account embraces people who were my associates and friends long
before I commenced this academic candidature – and so, above the academic constructs that produced this paper, it is the relationships we have, and the work that we undertake together that are prioritised. (For a description of my motivation and deeper relational connection to the community, see The Author’s Motivation in Addendum 1A.)

The value of this account rests in the particularity of its focus. It does not plumb the domains of Juluwarlu’s interlocutors on the other bank of the river (the corporations or the State), and reports their views and actions principally as they have been projected into, and experienced in the community, and relayed by Indigenous witnesses – or as they appeared in the public record. As I have aligned myself to the position of my Indigenous associates, so I have been privileged by seeing things from a less visited perspective, and indeed, my own ‘code of behaviour’ has, since our first encounters, been affected by my ‘assignment’ in the Roebourne/Yindjibarndi camp – and questions about where my loyalties lay have been provoked.

To be sure, this ‘partisan’ approach characterised my work as a filmmaker which endeavoured to mitigate the prescriptive, capital-intensive modes of television production, and as much as possible, to work within the system to make films that expounded a point of view, provided an oppositional propaganda, a partiality constructed from the body of opinion of my on-screen partners who offered their records of interview, and who invariably had a vested interest in the work. Examples include, The Last Stand, Skin of the Earth, Black Magic, Exile and The Kingdom, The Habits of New Norcia, Requiem for a Generation of Lost Souls and A Million Acres A Year.9 In these films I avoided trading, or trying to construct a balance between disparate views. I took an advocacy position. The views and milieus I lent my practice to did not have an effective purchase in the mainstream. I imagined, then, that my documentaries made a contribution to, and filled a gap in the ‘marketplace of ideas’. By 2001 (five years into the conservative government of John Howard) this approach became increasingly difficult to get through the ‘factual programming’ departments of the ABC and SBS as they more insistently obliged professionals to abide by ratings trends and prescriptions blown in by the prevailing political weather. (Refer to Addendum 2A, Failure of Mass Media and Addendum 3A, Constraining TV Documentary for a discussion of the inherent, indeed, prosaic bias of mass media and television documentary.)
While I unquestionably mediated the participation of subjects in my films, my mediation was accountable within the terms of the collaboration. I attempted to mitigate ‘unilateral transmission’ by striking alliances with subjects, and I considered myself accountable to them before the producers, commissioning agents or financiers of my projects. This form of partnership involved subjects in the primary act of research and writing, and in the articulation of a coherent argument that was representative of the subject milieu.\textsuperscript{10} Screening of the work-in-progress to participants, incorporation of their constructive criticism, and on-screen commentary by a member of the subject milieu was also routine.\textsuperscript{11}

This approach finds correspondence with playwright Stephen Sewell, who on the rejection by a major New York playhouse of his play \textit{Myth, Propaganda \& Disaster in Nazi Germany and Contemporary America}, for the reason that it did not have ‘balance’, said that it was not the function of theatre to have balance, but to strive for passionate, authentic voice and opinion.\textsuperscript{12} Indeed, the invocation of ‘balance’ all too easily serves an undeclared form of censorship. In his writing about the Israeli-Palestinian conflict, Edward Said explained why he chose to speak to “all the information that will be found to be disturbing, complicated and threatening to a perceived median of the audience’s beliefs and values”:

\begin{quote}
there is no neutrality, there can be no neutrality or objectivity about Palestine [...] so ideologically saturated is the question of Palestine, so manifestly present is it to most people who come to deal with it, that even a superficial or cursory apprehension of it involves a position taken, an interest defended, a claim or right asserted. There is no indifference, no objectivity, no neutrality because there is simply no room for them in a space that is as crowded and over-determined as this one.\textsuperscript{13}
\end{quote}

The same is true, I believe, of most social, historical or political subjects in Australia, not least the history bearing on Indigenous-settler relations (in this time of ‘the history wars’).\textsuperscript{14}
1.5 Participatory Research

Another light on my situated perspective is provided by anthropological literature, which describes methods that are variously called Participatory Anthropology, Community Development Anthropology, Public Interest Anthropology, Advocacy Anthropology, Applied Anthropology, and so on. This body of theory and practice proposes that anthropologists should “apply their knowledge and skills to activities other than basic research and teaching”; and should understand their work, “strategically, and as a mode of social action and intervention, in relation to, and collaboration with the projects of those we study”. In her essay From Little Things, Big Things Grow, Indigenous Media and Cultural Activism, Faye Ginsburg proposed that the research work of anthropologists should be part of a social world shared with their subjects. She emphasised that their work should contribute to social change:

In our work, we can identify how new social imaginaries are emerging out of peoples’ daily lives, map points of potential innovation and activism, and – through our discursive and institutional practices – build on these findings to enhance the possibilities for positive social change.

John Van Willigen in Applied Anthropology described its exercise as “pragmatic in that it stresses practices that work to achieve peoples’ goals,” and “democratic in that all the approaches, whether they are for research or intervention, have at their core the commitment to discover and communicate the community’s perspective,” and embody a “consistent regard for the local community”. Van Willigen was critical of academic work that was principally “motivated or at least rationalized by the information needs of governments, research funding organisations, and other policy research consumers”.

Van Willigen ascribed to ‘community advocacy anthropology’, a value-explicit process by which the anthropologist as researcher acted to “augment and facilitate Indigenously controlled and designed social action or development programs by providing data and technical assistance in research, training and communication to a community through its leadership”. ‘Action anthropology’, he proposed, was distinguished by the personal commitment of field workers, and worked “to achieve self-determining communities” in the fullest sense of this concept, which implied community responsibility for both success and failure. Van Willigen outlined the duty
of anthropologists to avoid the accumulation and use of power, and rather to foster its
growth and accumulation in the community hosting their work. Finally, he observed
that the success of community development programs should be evaluated in terms of
“whether or not they result in sustained developmental action following the
withdrawal of the community development professional,” and “through analysis of its
positive impact on the community, not its impact on the discipline of anthropology.”

This body of theory resonates with my aspiration in earlier filmmaking, and more
particularly, with my four-year association with Juluwarlu and this work. How
successful or lacking I have been in achieving this is questionable – however, I believe
that reflexivity, or awareness of the form one’s commitment takes as a collaborator or
professional – its efficacy – is fundamental to the work.

1.6 Rationale for Method
Successive waves of researchers have scrutinized every turn of Roebourne’s social
upheaval and disadvantage, including: racism and segregation attending education in the
late 1950s and early 1960s; the cultural plight and living conditions of residents on the
Old Reserve in 1971; plans for closure of the Old Reserve and relocation of its
population in 1973; the effect of mining development on the Aboriginal people of
Roebourne; the proposal to dam the Fortescue River at Gregory’s Gorge in 1975;
racist attitudes to Aborigines in the Shire of Roebourne in 1976; the status of
Aboriginal heritage on the Burrup Peninsula in 1979; the proposal to dam the Harding
River at Lockyer’s Gorge in 1982; relations between police and the community in 1986
(a few years after the death in police custody of John Pat); inequity in distribution of
local government resources in the 1989; deaths in custody in 1991; issues facing
customary law and the general legal system in Roebourne in 2004; and most recently,
the Taylor/Scambary Report, which reported that Indigenous people in the Pilbara
scored no better than Indigenous communities elsewhere in every relevant quality-of-
life benchmark, including education, employment, health, mortality, substance abuse,
housing, and so on – despite being at the crossroad of the 40-year Pilbara resources
boom.

These and numerous other studies and reports, which were rarely if ever addressed to
the community itself, routinely framed the community, its social history and culture as
subject for consideration by administrators, politicians, businesses or academics.
Further, many of these reports and studies converged on the community’s distress or developments that threatened to destroy Indigenous heritage. For example, in the case of the dams report and the Burrup surveys, scrutiny presaged proposed development that would destroy country and heritage, and served as an exercise in Indigenous cultural salvage or triage. In other instances they were prompted by plans prefiguring social upheaval – such as the obligatory move from the Reserve to the state housing Village, where much lip service but little heed was given to family and tribal organisation. The Deaths in Custody Royal Commission and the Stolen Generations Inquiry, after much publicity and many solemn political promises, similarly left the status quo untrammelled. In the case of the Rio Tinto-commissioned Taylor/Scambary Report, great exposition was given to why Indigenous people in the Pilbara were not recruiting to mining company workforces, and put this down to “disadvantage”. This Report, however, seemed impervious to views of disinclination amongst Indigenous people who aspired to employment that had some affinity with cultural values and served their communities. Perhaps this perspective did not suit the researchers’ econometric remit, which, along with government, business and some Indigenous commentators, supposed that the deliverance of Indigenous peoples lay in their absorption into dominant industrial labour forces. Pragmatic, certainly, but hardly attuned to the Indigenous imagination I encountered in Roebourne – and which I put forward in this work.

By contrast, Quealy’s work in establishing the first Aboriginal school in Roebourne in the late 1950s, the work of Roberts et al. of the Aboriginal/Police Relations Committee in the mid-1980s, and the collaboration of Turk et al. in compiling with Juluwarlu the Illustrated Dictionary of Yindjibarndi Landscape Terms in 2008, were reported as having real effect in respectively improving education; ameliorating relations between police and the community after the death of seventeen-year-old John Pat in the Roebourne police lock-up in 1983; and contributing to the glossaries of the Ngunnawal Buluyugai Nhargglangunh/ Wuyumari publications.²⁵

We might consider that the Taylor/Scambary Report’s grim critique of the lapses of government and industry in making a positive difference to Pilbara Indigenous communities, could equally be applied to numerous research papers and reports which, over the decades, have reviewed and evaluated from the sidelines. As Van Willigen’s critique has suggested, such data gleaning rarely engaged in work with and
for their subject community, or returned anything of palpable value to them – the transfer of skills say, or an abiding partnership in some sustainable, locally-based enterprise. I propose that there have been so few beneficial outcomes from much of this research in the Reserve or the Village, because it was motivated by and predicated upon the actions and interests of alien entities, and reported to them rather than the community. Meanwhile the ghetto wasted away.

In any case, Juluwarlu was not interested in being party to another fact-gathering exercise, or in being an object of study on the promise of some latent benefit. It was in fact a condition of their agreement to, and participation in the making of this account, that the work itself directly offered something authentic and useful to the community. At the least, Juluwarlu required partnership which was transparent and embodied tangible reciprocal exchange. Woodley was clear that any project a party proposed to undertake in the community should meet certain basic requirements:

It would have to be a benefit for the community rather than themselves. It comes down to a trust thing as well. At the end of the day our knowledge in the past had helped a lot of university graduates, heaps of anthropologists, whoever, to lift their profile and degrees. You know they work with the Ngaardangari and they build this trust and they take this information and then they produce documents and then they become experts in Ngaarda affairs, so we need to be careful about that. I’m not saying that you stop all this happening, I am saying that you need to make sure that you work with the people that you trust; that’s going to put this information to your use; who’s not going to neglect the community. And there need to be ground rules as well […] Materials that are produced need to have ownership by the community […] Why do it if its not?

Indeed, Juluwarlu routinely declined or amended proposals from universities, film producers, government and corporate organisations that did not meet such terms, as this study will show. My doctoral work, then, engaged collaboratively with Juluwarlu to achieve outcomes – and ultimately the quality of my collaboration (and the integrity of my thesis) should be evaluated, as Van Willigen suggested, by its assistance to useful outcomes. Of course, Woodley and Coppin were not passive informants, but activists who involved me in the solving of problems and development of the Juluwarlu project,
and so my input was utterly contingent on the cooperative, dialogic, and reciprocal relations that obtained, as is this account.\textsuperscript{30}

It would be careless, however, to dismiss the fact that the circulation of some fragments of this research in state and national theatres of administration, government, academe, the press, and so on, might have contributed usefully to the social-cultural-political common, and deposited some subsoil, if you like, into which public administration sank its deeper roots for some informed or beneficial effect. While this may not have brought demonstrative gains in Roebourne, the general disposition and health of this broader governing ‘ecosystem’ is nevertheless important, at least in ameliorating the damage that public/corporate management may have otherwise inflicted. What if, for example, we lived in a post-Hansonite Australia that deleted all support for Indigenous cultural projects from its departmental funding programs, could Juluwarlu have emerged? Probably not. (But we do live in a post-Hansonite Australia that unilaterally abolished the Aboriginal & Torres Strait Islander Commission with bigoted disregard of its essential and creditable regional participation and functions, which as we will learn, provided decisive support to Juluwarlu in its first 5 years.)

And of course, while the work of too many researchers provided little more than passing commentary and ultimately left the Village as they had found it, the anthropological, linguistic, and historical work of many remains an essential part of the record, and as we will learn, upon its eventual retrieval to the community, was invaluable to Juluwarlu’s work of cultural reproduction (and, I might add, in reconstituting the historical picture I will give here). Criticism of this litany of research, then, is an expression of frustration at its lack of applied effect in the Village, rather than its value (elsewhere/elsewise) as evidence. (A future study might ask, what are the factors that predispose such intellectual work to being better than interesting, albeit dead letters, and to bringing concrete benefit to ‘subject’ communities more directly?)

1.7 Case Study

In that my account overwhelmingly concerns itself with the lives of a discrete group of people in their quest to establish a cultural production enterprise, and consequently recounts relations between people, cultures and institutions, and the interplay of Indigenous culture with material systems of organisation and media technology, this account approximates an ‘ethnography by case study’.
While I have worked on media projects with Indigenous communities elsewhere in Western Australia, and also for a period as manager for the Indigenous Remote Communications Association (IRCA) and Indigenous Community Television (ICTV) in Alice Springs, and have been privileged by a broader, first-hand view of the experience of several communities and their cultural production, my association with the community of Roebourne has been the most constant and profound (beginning as it did on the making of *Exile and The Kingdom*, and continuing with the Juluwarlu project). In my observation there were several features that distinguished the Juluwarlu phenomenon from other media organisations I have encountered:

- Juluwarlu was a recent development and so had substantially taken shape in the contemporary Howard Government, post-ATSIC, administrative/political climate;

- it was located at the crossroads of Australia’s most intense mining and gas operations (and in the path of their numerous Indigenous affairs personnel);

- it was not a ‘remote’ community like those at the beginnings of Aboriginal television (Yuendumu/Warlpiri Media, and Ernabella Video & Television);

- unlike those projects and the other remote Indigenous media centres in Australia, it developed independently from the Broadcasting for Remote Aboriginal Communities Scheme (BRACS) and the later Remote Indigenous Broadcasting Service (RIBS) paradigm of government support, and as such fell outside policy and assistance provisions targeted at remote media installations (it was not eligible for a BRACS license in the past, nor for a RIBS license today)\(^3\);

- it engaged with the resource corporations at its door and directly involved itself in the contingencies thrown up by Native Title;

- its day-to-day management (Executive Officer, Archive and Language Manager) was undertaken by endemic Indigenous personnel;

- it was not located on the tribal country of its principal membership;

- it benefited from the decisive example set by a previous generation in the production of an iconic media artefact (*Exile and The Kingdom*); and finally,
• for a combination of these factors – including its proximity to other predominantly non-Indigenous towns, the savoir-faire of its Indigenous managers, and the community’s relatively early exposure to video and mainstream TV – it showed considerable acumen in cultivation of cross-cultural collaboration.

Much of my exposition has emerged from notes that I have routinely diarised since the beginning of 2004. These cover events I directly participated in, observations at a little distance, and what was reported to me by associates in Roebourne. As a matter of course I have included significant amounts of direct transcription of the experience and thought of Juluwarlu’s founders, Michael Woodley and Lorraine Coppin, and of some staff and elders. While the writing is my doing, it will become apparent that, through quotation or citation, Woodley’s voice, in particular, persists throughout, for he more than anyone else contributed extensive research and reportage of events. Our regular dialogues deepened my understanding of events as they evolved at Juluwarlu, and also, Woodley said, were helpful for him.32 Much else was recalled from documents and correspondence derived from my participation in the Juluwarlu project, including audio recordings of various events (workshops and public launches) where Woodley, Coppin and others put their views on record. The video interviews undertaken by German cultural anthropologist Gerd Samland and British visual anthropologist Rebecca Woodhead in 2005 with Coppin, Woodley and others at Juluwarlu, have also been immensely useful and are gratefully acknowledged. I have also given exposition of various videotexts produced by Juluwarlu. This amalgam, I hope, gives strong presence to Juluwarlu voices.

More than the circumstantial exposition of Juluwarlu’s material development – i.e. consolidation of its physical archive; installation of a digital archive interface; commencement of a training and recruitment program; rapid growth and technical advancement in cultural recording and publishing; establishment of digital video production capacity; and launch of a free-to-air television station – it is the evidence of the protagonists’ spirit of engagement and innovation, and the acumen of their leadership and the expression of their values, that comprises the most important record here, because without these qualities this astonishing, often counter-intuitive field of practice would not have unfolded as it did.
Finally, while the core of this study is informed by events as I observed them and the recommendations and expression of my Indigenous and other interlocutors, this is not to say that what I have written in any way represents Ngaarda or Yindjibarndi point of view, although it may. Opinion or inference is my own. For example, Woodley asked me to replace the word “leader” with “member” when describing his status in the Yindjibarndi group, because, he said, he did not like the title, that it was a title a person had to earn, and “I think I’m far from it”. Usage of leader and leadership, then, is my doing. However, to these terms I do not ascribe the meanings being the head of a group, a ‘boss’ or the person in charge, but rather the ability to take on responsibility, guide, organise, be stoic and hard-working.

1 Exile: 1993
2 von Brandenstein, C.G. and A.P. Thomas, Taruru, Aboriginal song poetry from the Pilbara, Rigby, 1974
3 It should be acknowledged that Exile did achieve success by other measures in attaining several major Australian documentary awards in 1993 and 1994, receiving prime–time screening on ABC Television, and by remaining in distribution with Film Australia (now Screen Australia) to this day – a period of 16 years.
5 Richardson, Laurel, Fields of Play, Constructing an Academic Life, Rutgers University Press 1997 p14
7 Berger, John, Pig Earth, Chatto & Windus, 2002, p6
10 This was true for The Last Stand; Black Magic, Skin of the Earth, Exile and The Kingdom, The Habits of New Norcia, Requiem For A Generation Of Lost Souls and A Million Acres A Year.
11 This was true for all but Requiem For A Generation Of Lost Souls.
14 For a study of efforts by politicians, academics and media to rewrite or reinterpret the history of European settlement in Australia – a project that has polarised the nation – see: The history wars, Macintyre, Stuart and Anna Clark, Carlton, Victoria, Melbourne University Press, 2003
16 Ginsburg: 1997, p140
17 Ibid
18 Van Willigen: 1993, pv
19 Ibid: 1993, px
It was within and because of this ‘administrative culture’, Batty explains, that an
governmental scrutiny, obliging them
subjectivity. These developments, Batty argues, placed Aboriginal communities under evermore
legislative and administrative ‘governmental technologies’
association’ which was inaugurated in the mid
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“innocent or distant academic exercise” but something that has a stake in local political and social
address
past, stories, communities, cultures, languages, social practices) as spaces of resistance and hope, and
Situated Indigenous researchers, she says, should reappropriate Indigenous places of marginalization (the
act as a ‘researching back’ (in the sense of ‘talking back’) and work in the “recovery
colonizing ideology and policies. Smith concludes that research through the eyes of the colonized can
articulation is all at once rejected and overshadowed; she remarks the “absolute worthlessness” of this
by Western researchers (supported by corporate institutions), while indigenous people’s self
laments the “scholarly construction” of indigenous ways of knowing, imagery,
production, art and so on
By contrast, I should mark that the advent of Native Title saw a wealth of research in the mid to late
1990s that bore directly on community interests.

Michael Woodley interviewed by the author, MDisc 2, Roebourne September 2006
For example, when a postgraduate student from the Film and Television department of Melbourne
University’s Victorian College of the Arts approached Juluwarlu with a request to make a film with
Yindjibarndi people in 2006, the draft contract proposed that copyright of the film would be assigned to
the VCA. (Email from Caro Macdonald to Juluwarlu, Subject: Roebourne Film, Date: 27 Jul 2006) The
“Agreement To Film”, while including provisions for Juluwarlu’s input and consultation, and for
Juluwarlu’s “non-commercial, non-exclusive use of the student film”, declared that any income derived
from distribution would be paid into a VCA ‘Promotions Fund’. (Email from Steve Thomas, Lecturer in
Documentary, Film & TV School, Victorian College of the Arts, University of Melbourne, to Michael
Woodley, Juluwarlu Aboriginal Corporation, Subject: Caro McDonald’s Documentary Proposal, 4 Aug
2006) Juluwarlu indicated that they could not become involved in any project that recorded Yindjibarndi
knowledge and to which Juluwarlu did not retain copyright. Finally the VCA could not bring itself to
amend its usual arrangements in regard to copyright ownership and to cede copyright of the film to
Juluwarlu, and the project did not go ahead.

By contrast, I should mark that the advent of Native Title saw a wealth of research in the mid to late
1990s that bore directly on community interests.

In this context, Linda Tuhiwai Smith’s critique, which links the excesses of European imperialism,
colonialism and injustice to the work of Western researchers, provides sobering corroboration. Smith
says that ‘research’ is “one of dirtiest words in indigenous world’s vocabulary” and constitutes a
“significant site of struggle between the interests and ways of knowing” of the West and the Other. She
laments the “scholarly construction” of indigenous ways of knowing, imagery, production, art and so on
by Western researchers (supported by corporate institutions), while indigenous people’s self
articulation is all at once rejected and overshadowed; she remarks the “absolute worthless” of this
Western research from the indigenous perspective; and condemns its function as a viral precursor of
colonizing ideology and policies. Smith concludes that research through the eyes of the colonized can
act as a ‘researching back’ (in the sense of ‘talking back’) and work in the “recovery of ourselves”.
Situated Indigenous researchers, she says, should reappropriate Indigenous places of marginalization (the
past, stories, communities, cultures, languages, social practices) as spaces of resistance and hope, and
address life and death issues faced by Indigenous communities. Research thus appropriated is not an
“innocent or distant academic exercise” but something that has a stake in local political and social
conditions. (Smith:1999, Introduction, pp1-5)

The significance of this is underscored by Philip Batty’s analysis of how government, via the policies of
‘Aboriginal self-determination’, and more particularly the instrument of the ‘incorporated Aboriginal
association’ which was inaugurated in the mid-1970s (together with a host of legal, institutional,
legislative and administrative ‘governmental technologies’), changed the way the State shaped Aboriginal
subjectivity. These developments, Batty argues, placed Aboriginal communities under evermore intense
governmental scrutiny, obliging them to make their identity amenable to governmental ‘rationalities of
accountability’. It was within and because of this ‘administrative culture’, Batty explains, that an
Aboriginal broadcasting service finally emerged (he focuses on the Central Australian Aboriginal Media Association and its affiliate, Imparja TV). Batty argues that under this system Aboriginal broadcasting was obliged to perform "'selective' representations of Aboriginal culture and identity in order to fulfill […] the 'administratively desired effects' of governmental rule" – a rule which was contradictory and lacked any long-term consistency due to changing policy prescriptions and conflicting political aims. (Batty: 2003)

32 Michael Woodley interviewed by the author, MDisc 6, Roebourne, September 2006
33 Email from Michael Woodley to Frank Rijavec Re: Ned Cheedy, 17 April 2009
– 2 –

THE LAY OF THE LAND

2.1 The Setting – Roebourne

In giving thumbnails of significant historical events and their social effects, the following outline of the setting of this study errs in too much objectifying the town and its people – a flaw, it should be remarked, shared with the aforementioned research papers and news reports I have criticised. While this sketch provides perspective on the socio-economic conditions of the town, it would be a mistake to define Roebourne by its disadvantage, and I trust the study as a whole will amend this fault with a broader, more inclusive perspective.

Social Impact of Mining Development

Roebourne is in Ngarluma country and is known locally as Yirramagardu. Today it is a town of some 1200 people, about 65% of whom are Indigenous.1 Roebourne was established in 1863 on the Harding River as a colonial staging point into the North-West hinterland. For a précis of the character of colonial settlement and the first Pilbara resources booms – pastoralism and pearling – refer to Exile: 1993 (attached as Addendum 1C). In the early 1960s, a century after the pearling/pastoral bonanzas, another boom loomed. A state sponsored promotional documentary back announced: “Today the historic pattern is repeated as the discovery of tremendous iron ore deposits in the far North-West opens up the land, brings industries, towns, roads and railways to once empty areas. Mines once again stabilising and developing the nation’s economy”.2 The intensive, development phase of the mining boom unfolded for the better part of a decade from the mid-1960s to the mid-1970s with thousands of men heading north to build the new towns, ports and railways, and to shift overburden and ore for both the Rio Tinto* and Cliffs Robe River developments.3 The population of the caravan parks in Roebourne swelled to exceed that of the town itself during the peaks of development, and while political rhetoric trumpeted the benefits of the boom, no effort was made to moderate the social impact of this revolution on the Indigenous population of Roebourne.4

* While Rio Tinto’s operations in the Pilbara encompass various divisions including Hamersley Iron, Pilbara Iron, Robe River Iron Associates, and Hope Downs Joint Venture, these are all controlled by RTIO today and I will use Rio Tinto to cover them all.
We should note that this economic and demographic upheaval coincided with the ebbing of the pastoral industry, the movement of pastoral workers off the stations, the introduction of the Pastoral Industry Award (1967) which legislated equal wages for Aboriginal station workers and redoubled this trend, and the eviction of Ngarluma, Yindjibarndi, Gurrama, Banyjima, Mardudhunera and Karriera people off hinterland reserves and camps into the Roebourne Reserve (whose population by 1972 had grown to about 250). This served the social engineering and administrative objectives of Government by cutting management costs and allowing more precise control over the lives of Aboriginal people. A decisive blow amidst this brutal concentration of people into the Roebourne Reserve was the lifting of alcohol prohibition in 1968 for Aboriginal people who did not already have the right to drink alcohol by virtue of their Citizenship tickets.

By the end of the 1960s the Reserve was grossly overcrowded and death of babies, infants and the elderly proceeded in numbers commensurate with the poorest regions of the third-world. Conditions on the Roebourne Reserve were reported as toxic by the Under-Secretary of Public Works as early as 1956: “Over the past eighteen
months eleven small children have died on the Reserve. Over 50% due to unsatisfactory living conditions. How any of those children survive appears remarkable compared to our living standards." Welfare officer Bob Hart, who worked in the region from 1968, recalled cases of malnutrition, infantile meningitis, influenza, diarrhoea, gangrene, pneumonia, gastric enteritis, skin complaints, scabies, and rheumatic fever; periodic flooding of Reserve latrines; and, between 1968 and 1971, an infant mortality rate of about 30%. Every family lost at least one child, he said. The remedy for this suffering and affliction was surveillance by the Department of Native Welfare, who, if they adjudged a child’s health at risk, could recommend the removal of that child from their family and into State care.

Mining development hit Roebourne in two waves. The first with Rio Tinto’s development and the construction of the Dampier township and infrastructure beginning in 1964; the second with the Cliffs Robe River development and the construction of Cape Lambert infrastructure and the Wickham township beginning in 1970. An ABC current affairs report by Graham Coddington in 1971 described the Reserve and Roebourne as “unprepared for the boom and unable to cope with it,” as “the saddest place in the north” whose troubles devolved from the deluge of construction workers who descended on the Victoria Hotel after dark: “One cynical local described it as a black and white minstrel show – black despair and white indifference”. Two years later anthropologist E. Kolig reported: “I feel the Roebourne Reserve and the relevant conditions there (in terms of lifestyle) count among the most unpleasant in the entire north west of Western Australia”. A study of the Shire of Roebourne cited anthropologist Jenny Gibson in describing the Reserve in 1968 as a picture of “filth, disease and poverty”. A number of its informants, the study reported, referred to the Roebourne Reserve as “The Zoo”.

Bob Hart, in a presentation he prepared in 1979, “with the hope that some of the lessons learned the hard way at Roebourne” would be avoided in the proposed North West Shelf gas development, said that up to two thousand people crowded in and around the Victoria Hotel on a Friday and Saturday night, where one of the most popular bands played Credence Clearwater Revival covers, keeping the whole town awake and attracting not just white, migrant and Islander project workers, but up to 130 Aboriginal children who came from their home camps across the river to watch. School absenteeism reached 80 percent in 1971. Reporter Coddington observed that
while project workers “armed with the money and primed with the inclination” drank at the Hotel and engaged in fights “more regular, and often more spectacular than TV Ringside,” local businessmen had never had it so good. In an eighteen month period between 1969 and 1971 the Victoria Hotel had increased its bar staff from three to fifteen and its bulk beer sales put it amongst the top five hotels in the state. Local Gurrama woman and former welfare officer, Carol Lockyer, described the effects of this deluge on community life:

The drinking rights came out, and because the Aboriginal people couldn’t compete with the big money that the construction workers were earning, the exploitation of their wives and their children, well teenage girls and things like that just set in […] So the Aboriginal community just fell apart, everything fell apart.

The publican of the Victoria Hotel told Coddington that the prostitution of local girls and women began in his bar. Coddington himself witnessed girls being approached: “local people told me that the going rate for girls, often still at school, is forty to fifty dollars – four times the price of the Kalgoorlie brothels”. The wife of a construction worker remembers seeing Aboriginal girls on the Dampier road who, after being picked up at the Victoria Hotel or in the Harding River, and being taken to Dampier by project workers, were abandoned to make their own way back fifty kilometres to Roebourne. A truckie recalled that empty furniture trucks parked on the river side of the highway opposite the pub were used as impromptu brothels. During the subsequent development of the Robe River Iron operations girls as young as twelve were taken to the Cape Lambert single men’s quarters.

The abuse of their women caused a great deal of anger amongst Reserve men who got into fights with white men; there was shame and judgement of their wives and sisters. Yindjibarndi elder Elsie Adams, thirty years after these horrors, still harboured anger for how construction workers and other white drifters had abused local Aboriginal women and girls – abuse that produced a generation of ‘fatherless’ children in the Village. Howitt offered:

One significant outcome of these liaisons was a rapid increase in children born to young Aboriginal women, and an increasing burden on the already strained
Aboriginal economy. The children increased pressure on the fragile social relations within the ‘community’ and further exacerbated existing health, housing and education and employment problems for Aborigines in Roebourne.\textsuperscript{21}

Without dismissing the hardship of these mothers and children, many of the children were not ‘fatherless’ of course, since Aboriginal stepfathers, and extended families adopted them. In a defiant assertion of survival, one of these children, Lorraine Coppin, commented: “Talk about the mining boom, some of us are the product of it. You know, we don’t care because we happy with who we are, and what we achieved for ourself with no help from them”.\textsuperscript{22}

Bob Hart observed that by the early 1970s, at the pitch of the construction phase of Cliffs Robe River’s Cape Lambert operations and the town of Wickham, even the men who had until then held down jobs, who had in fact come from a long history of employment on the pastoral stations, and as labourers and truckies, were succumbing to the tide of alcohol. Coddington ended his report with this exchange with the publican of the Victoria Hotel:

\begin{quote}
Coddington: Obviously from a business point of view the boom has been a good thing.
Publican: Oh Yes.
Coddington: But from the town’s point of view, has it been?
Publican: Well it must be because, well, business is business.
Coddington voice over: Business might be business. A sad and lonely business for a little eight-year-old Aboriginal boy. I saw him after eleven o’clock outside the Hotel waiting for his parents to take him home.\textsuperscript{23}
\end{quote}

Roebourne Primary School headmaster, John Caddy, told Coddington that the amoral, money-focussed, materialistic character that the industrial workforce brought to the town made it extremely difficult for him to “develop the children academically, and also morally”. He complained: “It’s very hard to give moral training to dark or white children when there isn’t a moral sense in the town”. Asked how Aboriginals felt when they saw white people breaking the law in organised gambling and prostitution, and not
being prosecuted, Caddy said: “Well they must get very cynical. These people aren’t silly”.  

Evacuation of The Old Reserve to The Village

The bulldozing of the tin, canvas and car-body dwellings of the Reserve, and relocation of its population to fibro state housing on the town side of the river, around the town cemetery, in 1975 (the Village), didn’t address the root causes of the social devastation, although after this move the community no longer had to suffer the regularly flooding latrines in the Old Reserve. In fact, rather than bringing relief from the squalor, it tripped another wave of social disintegration. Even though some 25 families requested for housing to be provided in a couple of smaller communities out of town and oriented to particular family clusters, they were ignored.  

For all its problems, the demographic layout in the Reserve was self-organised to a large degree. The array of shacks, tents and car bodies were organised according to tribal and family groupings, and traditional leadership structures obtained. With the move to the Village people were allocated houses arbitrarily, and this tenuous social organisation unravelled. 

Bob Hart reported that upon the uprooting of the Reserve families to the Village, some “forty family units remain unhoused living double or treble with housed families”. He explained that while the tribal and familial clusters in the Reserve provided for some oversight and intervention when violence threatened, this modicum of control was no longer possible in the Village. A profound shock set in, he said. It was after the move to the Village, and the community’s loss of the last vestiges of control that “the killing started” – a series of homicides, and also accidental and alcohol related deaths which began claiming younger and younger men and women. Roger Solomon recalled that during one of the first years in the village three teenage boys died from gun wounds – two were suicides. Women commonly outlived their husbands and their sons – the family of one Yindjibarndi elder lost all three sons. Hart said that the rate of mortality, even a decade later, in the early 1980s, was epidemic. Woodley King and Hart counted the dead for one eighteen-month period and noted twenty-seven – all under 25, and from alcohol related causes. Michael Woodley was in his early teens as this devastation peaked and then cooled in the mid-1980s. He was living house-to-house, he said, learning to drink, witnessing “some very bad things” and fearing the night. Today stories of tjuna, of satyr-like beings and
demons and ghosts that haunt the Village, that stalk Mount Welcome and the cemetery, are legion.

Plate 6: Village children 1972 – two have passed away, all lost one or more siblings before their time [Bob Hart].

Welfare worker Carol Lockyer described the concussive effect that saw one generation after another, from the onset of the mining boom to the present day, fall into drinking culture as though it were a rite of passage.32 This perfect storm was amplified by premature death visited on many of the community’s most assiduous and promising leaders – there was the Hong Kong Flu epidemic that swept through the Reserve in 1968, and then, over the 1980s and 1990s, increasing numbers of deaths from mesothelioma and other respiratory conditions derivative of asbestos.33

In his ‘presentation’ welfare officer Hart indicated that his critique of development was typically met with responses that condemned its gloom, the challenge that “things can’t be all that bad,” and that what was required were ideas and a more positive attitude. “We must have progress”. “Everything has its price you know”. These were the establishment and administrative assertions.34 He remarked that while developers were obliged to undertake a comprehensive environmental impact assessment ahead of the new North West Shelf gas project, no assessment of social impact was required – nor was there sixteen years earlier when the Rio Tinto development was launched. It was expected, he lamented, that the social fallout would be mopped up by the welfare
services and police as best they could. Mary Edmunds, an Australian Institute of Aboriginal and Islander Studies (AIATSIS) researcher working in the town in the late 1980s, described Roebourne of the middle 1980s, when policing was at its most intense, as a sort of gulag:

The irony of the situation in Roebourne is that the town, at a time when aboriginal settlements and institutions have been legally de-institutionalised, has been transformed in practice into an institution. The police presence works to make it into an institution in which Aboriginal people are the inmates and the police are put in the invidious and anomalous position of acting as the warders or guardians.  

**Current Socio-Economic Conditions**

In 2004, some twenty years after the death of John Pat and the community’s mid-eighties nadir, Dr Kathryn Trees, in her report to the Law Reform Commission of Western Australia, described continuing depredations in Roebourne concerning morbidity and illness associated with inadequate and inappropriate food, and consequent high incidence of heart disease, diabetes, chest, nose and ear infections, and low birth weights; poor quality housing in which 17 to 20 people often lived in a single dwelling; unemployment at about 25% with a further 10% underemployed in Community Development & Employment Programs (CDEP) or work-for-the-dole activities. Trees said that many people in Roebourne, when speaking about the effects of abuse and/or other forms of family violence in their community, echoed symptoms of broader studies in Aboriginal communities that reported anxiety and depression; suicidal thoughts; difficulties with performance, behaviour and peer relationships at school; dissociative symptoms such as amnesia, daydreaming, and trances; hyperactivity and aggression; emotional distress manifesting in fear, somatic complaints, nightmares, bedwetting; lowered self-esteem or ‘damaged goods syndrome’; a sense of responsibility for the abuse; an increased sense of vulnerability and futility; and difficulties with identity formation. The sexual abuse of children, Trees recorded, also followed on these stresses. In 2005 Woodley said that the community was still burying 20 year olds taken by alcohol-related car accidents or poisoning: “If I had it my way I would ban it for life from my people”. Keith Lethbridge said that the damage wreaked by mining development was still playing out in the community: “The fact that they raped my mothers and shit like that – it’s happening, it’s always been happening, don’t
think that it has ever stopped. It’s still going on today. And they’ve just put boot camps [single men’s villages] in Karratha, Newman, Tom Price, if anything ‘boom three’ is worse than ‘boom one’.”

The conclusion we should draw from the troubled post-war history of Roebourne is that Government in its energetic support for resource corporations and promotion of its economic development plans for the Pilbara, committed gross acts of negligence in not managing the social impact of this development, not just on the community of Roebourne, but on Indigenous communities throughout the Pilbara – social impacts whose damaging legacy have been, and remain key factors in the community’s present-day disadvantage and suffering. Woodley observed: “It’s a white man’s world, the mines and the towns… ‘better this, better that, better for everybody’ from [Charles] Court and nothing better for the Ngaardangari! It comes back to that simple fact of racism”.

By this historical framing I have sought to provide an indication of the deep-seated, trans-generational harm that carried through to present times, which characterised the social environment Juluwarlu emerged from and tried to remediate. I will turn now to the ideation of the Aboriginal people of Roebourne in broader West Australian culture and mainstream press.

2.2 Attitudes and Representation

We should be reminded here, before I embark on a brief account of the contemporary representation of, and attitudes to the Aboriginal people of Roebourne, that there is an abiding seam of intolerance and racism in Australian settler society whose genealogy reaches to the very inception of the colony, and which, through permutations, has been relayed through the popular discourses of successive generations to our doorstep. (See Representation in History in Addendum 4A for a summary of representation of Indigenous people in Western Australia in the pre-modern era.) In the century before WWII, then, the racist narrative proceeded from calls for Aborigines to be shot out, to advice that they had no soul and were lesser beings than beasts; through administrative arrangement for their enslavement to pastoralists and pearlers, their collection and restriction to camps or reserves and their exclusion from towns, to assertions that Aboriginal people were headed for extinction and the formulation of eugenic policies designed to ‘breed them out’.
In the late 1950s the progress of racism in Roebourne was summed up in the battle of schoolteacher, J. B. Quealy, and key Reserve leaders like Old Tumbler and Old Wally, to allow children from the Reserve to attend the white school in Roebourne. These men were trenchantly opposed by most of the white townspeople and their political representatives whose ‘reasons’ included fear that “low standards of hygiene and personal cleanliness would be detrimental to other children at the school”, that “their influence in the school would cause a general lowering of moral tone”, and the consideration that native children themselves “would suffer most through the hostile attitude shown towards them [by white children]”. Quealy adjudged these reasons baseless and that the “real but unspoken cause for opposition” was the self-interest of the leaders of the campaign who were employers of ‘native labour’ and who “were those most likely to be affected by their rise in status consequent upon education”. Quealy observed that elsewhere in the North-West educated natives sought wages commensurate with their improved status after education, and “with this fear riding on their shoulders, Roebourne employers were determined to resist with all their might when the proposal to admit native children to the Government School was originally made”.

With the post-war mining boom and the demographic revolution it brought to the Pilbara, the character and effect of this narrative took on a new, but no less vicious grammar. The joke among mining construction recruits in the North-West during the 1960s was that Port Hedland was the arse-end of the earth, and Roebourne was 129 miles up it. The same was said about Marble Bar. All of these towns were collection points for Aboriginal people. Reporting from Roebourne in 1967, The Australian, in an article titled The island of men, reported: “I saw one [Aboriginal woman] offer to sleep with a man for two tins of fruit. A bottle of port (“sport” to the Aboriginals) is the going price for several of them”. “These sort of women,” the article went on, “are making it hard for those who are trying to live decently”. It concluded: “The Aboriginals around Roebourne are depressing. The outsider feels angry at them, at the townspeople, at society”. Carol Lockyer recalled that upon his announcement that another town with its own school and hospital would be built at Wickham to accommodate Cliffs Robe River staff and their families, the Minister for the North-West, Charles (later Sir Charles) Court, came to Roebourne, looked down from the heights of Mount Welcome on the town and the Aboriginal Reserve across the
Harding River, and offered that Roebourne was nothing but a “dump” of “spinifex and stone”.45

Mass media reportage following John Pat’s death in police custody, on 28 September 1983, dubbed Roebourne as Western Australia’s ‘black trouble town’. (Post-mortem revealed injuries to Pat’s skull, brain, ribs and aorta.) It should be remembered that the all-in brawl between off-duty police and local Aboriginal people at the Victoria Hotel, the beating that this sixteen-year-old boy got from police before his death, the march of townspeople on the hotel the next day (it was called a riot), and the media attention following on this, galvanized the call for the national Royal Commission into Aboriginal Deaths in Custody.46 In regard to the intensity of media attention after Pat’s violent death, Carol Lockyer observed: “That 1983 death in Roebourne, that’s when it all blew up […] Roebourne always topped the list of the trouble towns”.47

Media covered the inquest; then in May 1984 the manslaughter trial of five police officers in the Supreme Court of Western Australia, which convened in Karratha and saw a white jury acquit all five officers; more coverage was generated by the case brought against the police by the Aboriginal Legal Service; and on 5 March 1990, the lengthiest of all the Royal Commission hearings began in Roebourne, attracting throngs of press for weeks on end. Channel 7 News declared, “The hot and dusty little town of Roebourne will be remembered for one thing only. It’s the place where the death of a young local sparked impassioned calls for a full-scale inquiry into black deaths in custody”.48 Deryn Hinch reported, “Its a slow death in the village, this is poverty, unemployment and wholesale alcoholism wrapped up in a neat little package. Governments have been spending money out here for years”.49 Tootsie Daniel recalled that television crews “used to just film the pub. Everybody going in and out of the pub. And the media come around here, around the Village and get video of people living in the Village, and sometime drinking”.50 Lorraine Coppin remembered that as children, when they went to the shops, they inevitably found people with cameras there: “We didn’t understand because I was pretty young, but we were standing up there posing for the camera and all”.51 Three weeks after the commencement of the Royal Commission the Sydney Morning Herald would report:

From a distance the bottom of ‘Plonk Valley’ – the dry featureless gulch which runs from Roebourne’s main street to the foot of Mt Welcome – sparkles
under the burning Pilbara sun. The sparkling is glass – a sea of broken red, green and orange glass, testimony to the amount of grog that has been swilled here [...] the group from ‘Plonk Valley’ hears a cacophony of voices coming from the hotel. A crowd of Aborigines, the remnants of the Ngarluma, Panyjima, and Yindijbarndi peoples is drinking.  

In depicting Roebourne, mainstream media across the country formed a veritable chorus line stretching from the mid-1960s to the early 1990s that sang from the same songbook. Mary Edmunds summed up the cumulative effect: “media representations of Roebourne project the town as a place of simmering racial violence; as having a black population constantly drunk or as the victims of social disintegration; and as a place of repeated violations of law and order which is shunned by its neighbours in the other towns and shunned after dark by tourists”. (See also Addendum 2A, Failure of Mass Media for discussion of the structural features of mass media that dispose it to such conduct.)

When I arrived in Roebourne with the idea of making a film in July 1987, this unfailingly morbid depiction of the community – heaped as it was on the fresh wounds of dislocation from country, confinement in the ghetto, high infant mortality, and a deluge of alcohol – had engendered a reflexive fear in Villagers of what media might next inflict. I observed journalists and news camera crews caught harvesting images of
their ‘black trouble town’ being confronted and abused by locals. Carol Lockyer recalled:

I think at times there, I was wondering if we were heading towards a South Africa-style town. It was as if we had no freedom. You know I grew up here, I had the freedom of the town when I was a kid anywhere around here, mixed with who ever I wanted to mix with, and then all of a sudden you become an adult and you sort of feel as though you’re, not actually caged, but feel as though you’re alien or something. It’s a very hurtful feeling.56

Interviewed for the documentary Exile and The Kingdom, Ngarluma elder and Village mother Violet Samson put on record some simple facts, which were very important to the way the community perceived itself, but which the press seemed incapable of articulating: “There’s always a bad name about Roebourne in our community. People are drunk all the time, not fit for work, always drinking and that, but in the middle of the community, there are some people that doesn’t drink. Amongst our community people are caring for each other”.57

For Roebourne families the legacy of a century of racism persists in events as ordinary as a visit to the shopping centre. Lorraine Coppin told of how shopping centre security in Karratha detained her nine and twelve year old boys and called the police on suspicion that they had stolen the shoes they were wearing. The police found thirty dollars on the elder and fifteen on the younger and wanted to know where they had got the money. When the boys were finally reunited with their mother the officer told her she should not have let her boys walk around in the shopping centre by themselves:

I said, ‘They went to buy me a present, it’s mother’s day coming up Saturday! Can’t they do that?’ So this is what our kids gotta be brought up with. And we as parents who are trying to reconcile with the community, we are trying to change that for them because we don’t want them growing up like we did […] So it’s not going away. It’s still there, and that’s what the media created – they black-marked our town.58
While the media heat on Roebourne eventually abated, Carol Lockyer condemned the media for not reporting how the town had moved on: “There’s never been any follow up. Have a look at the pub now; the comparison to what it was then to what it is now! Perhaps they should give Roebourne a medal”.  

**News Room Exigencies**

Amid the suffusion of dismal reportage of Roebourne, there were undoubtedly fragments that caught the horror of its experience. However, the overwhelmingly violent and despairing character of this depiction, which effectively annulled the humanity and deeper cultural identity of the community, relegated it to ‘pornographic’ objectification. The media institutions that branded Roebourne had no interest in decentring their method to better reflect the diversity, aspiration and the reality of local communities. Their ‘objectivity’ took little account of the destructive social/political effect of their ‘newsification’ of this particular community. Instead they predicated their output on reductionist notions of their ‘general audience’, a demographic in which the people of Roebourne had absolutely no account. Hartley and McKee, in *The Indigenous Public Sphere*, indicated how banal the “scripting in advance” of “industrial news-making” was:

> Reporting precedes, shapes and even makes events and necessarily so. The corporate, socio-industrial paraphernalia of news-making for instance, could not be sustained by simply waiting for things to happen. News is manufactured – not only in the industrial sense, but also in the semiotic sense of creating meaning for events. Stories are generated, not by ‘something happening’, but by a structure of narrative forces, generic conventions, political exigencies, economic imperatives and cultural functions. They’re written before the journalist arrives on the scene (or more likely, phones a source).  

Tootsie Daniel confirmed: “When you talk to media today, they always want to change it. Wajbalas change, they don’t listen to the people what they actually saying, they want to put different words […] We a little bit touchy about media”. In his examination of signification in our age, *For A Critique Of The Political Economy Of The Sign*, Jean Baudrillard described the apparatus of mass communications as abstracted from the substance of its communications, and explicated the hierarchical structure of mass media and its “unilateral” function:
the totality of the existing architecture of the media founds itself on this [...] definition: they are what always prevents response, making all processes of exchange impossible [...] thus leaving the unilateral nature of the communication intact. This is the real abstraction of the media. And the system of social control and power is rooted in it.62

In her attempt to develop an anti-colonial critique, Marcia Langton argued that mass media reflected the values and interests of its masters, and viewed from an Indigenous perspective it constituted an overwhelming aggressive force – in effect a continuation of the colonial assimilationist project.63 Steve Mickler, in The Myth of Privilege, rendered penetrating, uniquely West Australian illustrations of how the mass media constructed lethal myths of Aboriginal ‘disorder’ and ‘privilege’ in the early 1990s.64 Following on Edward Said, who concluded that the function of Orientalism was to “understand, in some cases to control, manipulate, even incorporate, what is manifestly a different world” – the Arab world – into the Western world, we could construe the function of mainstream media in reporting Roebourne as ‘Aboriginalism’ and understand that its representation of Roebourne people involved an act of power by which non-Aboriginal Australia compulsively created Aboriginal people as victims, or as a society afflicted by their very nature.65 (See also Addendum 25A, Glossing History, and particularly the section Monumental Acts of Forgetting for a contemporaneous and converse trend in the representation of Indigenous people in the Pilbara that either excluded them from the picture, or dressed them in ‘agreeable’ clichés.66)

In conclusion we should consider the deeper psychological implications of the intervention of mass media in Roebourne. In Why Warriors Lie Down and Die, Richard Trudgen described how the sense of self-worth of Aboriginal people was diminished by internalisation of the opinion held of them: “So often do they hear that they are good for nothing, know nothing and are incapable of learning anything, that they are sick lazy and unproductive, that in the end they become convinced of their own unfitness”.67 Woodley remembered that every fault and misdemeanour in the community was portrayed “bigger than Ben-Hur” by the mass media:

You can imagine what it was like growing up in those years, the seventies and eighties, as a young kid, a teenager in the Village. That was all we ever saw on
the TV about our community. You got to think this was perfectly natural. That this was all that Aboriginal people could be.\textsuperscript{68}

\section*{2.3 The State – Missing in Action}

While the State was on duty when resources companies called, it failed to pay comparable heed to the plight of Indigenous people in the path of new ‘frontier’ development. ABC reporter Graham Coddington observed that while the iron ore boom elicited a surfeit of jargon from politicians and developers – “progress, infrastructure, Pilbara Plan, iron ore bonanza, develop, develop, develop” – the State had turned its back on the town of Roebourne and allowed it to degrade into “a rural shanty town with camps and caravan parks as appendages”.\textsuperscript{69} While the new west Pilbara mining towns like Wickham, Dampier, Pannawonica, Tom Price, Paraburdo and Karratha prospered with government support, Roebourne’s infrastructure – public services and employers in public works, electricity, telephony, and the offices of local government and administration – were relocated to Karratha. Banyjima elder Alice Smith observed: “Everything gone. We only got welfare, police station and the pub, that’s all here”.\textsuperscript{70} Coddington painted an apartheid-like picture in contrasting the new white company towns in whose “air-conditioned comfort” few Aborigines were to be found, and the squalor of Roebourne.\textsuperscript{71} (See Glossing History in Addendum 25A, and particularly the section Where Men Move Mountains, for some examples of the development rhetoric that promoted the iron ore boom in the 1960s and 1970s to white Australians.)

On the pretext that the Roebourne Council was not equipped to service the boom, the State put pressure on it to dissolve and hand over control of the shire to a State Commissioner. Former councillor Jim Fernihough confirmed that after the State takeover, despite promises, very little was done in the area of the Roebourne township itself. He said that there was a deliberate attempt to “kill” Roebourne.\textsuperscript{72} It would be unfair to suggest that all services were removed or scaled down in Roebourne, for in time welfare became its busiest industry, the police force was bolstered to the greatest per capita representation in the State (6 times that of neighbouring Karratha), and a new Roebourne Regional Prison was built seven minute’s drive from town. Roger Solomon, speaking in Exile and The Kingdom, concluded: “While we never got much out of mining development, the Government did give us this brand new regional prison,
built right on our doorstep in 1984”. He wrapped up this sequence in the documentary by observing:

What we saw with the mining boom was like a repeat of the nightmare our ancestors went through one hundred years ago during the pearling boom. The biggest difference is that during the first boom our people were slaves, while during the second, we were left right out of the work force.73

He might have added that while the old colonial gaol in town, which was replaced by the new prison, had been built in 1887 to remove Indigenous people from the path of pastoral development, the new prison served a similar function in locking away the problems caused by mining development and the consequences of ‘too little too late’ government planning. Michael Woodley, who was born in 1972, in the midst of the Cliffs Robe River development phase, could not understand how the government of the time could just stand by while the ‘boom’ destroyed his community.74 Australian Institute of Aboriginal & Torres Strait Islander Studies researcher, Mary Edmunds, explained:

What emerged in the 1960’s was a partnership between the Western Australian Government and large-scale private enterprise – what Harman has called ‘a corporatist partnership between state and capital’. In other words the government, in its enthusiasm for promoting large-scale resource development, abandoned its role as representative of the broad range of interest groups among the population. It opted instead to promote the interests of that group which seemed to guarantee the quickest and most comprehensive kind of resource development in order to populate and develop the north and extend the ‘frontier’.75

In recent decades Government has responded to criticism of its neglect and inability to move beyond its welfare function by encouraging the involvement of the resource companies in Indigenous communities, whereby, in a quid-pro-quo for Government support, they were expected to provide training and employment programs and other forms of assistance. Marcus Priest reported one mining executive’s observation of this trend: “The welfare state has just been privatised and now mining companies are expected to pick up the bill”.76
The Taylor/Scambary Report also raised questions about “the adequacy of government resourcing to meet the backlog of disadvantage” and the dearth of capacity building in important areas such as education; and Rio Tinto executive Bruce Harvey noted, “If anything, Aboriginal people have shifted further than mining companies – they have almost given up on government”.\(^77\) This was illustrated in recent times by the move of Martu people of the East Pilbara to reverse their opposition to uranium mining. They were “forced to the negotiating table” to discuss Rio Tinto’s uranium deposit at Kintyre, The West Australian reported, in a bid to secure essential services that the State Government had failed to deliver in their communities. Western Desert Land Aboriginal Corporation chief executive Clinton Wolf said that although Martu had previously opposed uranium mining, poverty had inclined them to “forget about a rights agenda and start looking at an economic agenda”.\(^78\)

Certainly periodic media exposés, for example of spiralling rates of suicide, child abuse and family violence in Western Australian Aboriginal communities, prompted the State to launch inquiries and emergency responses such as the one following on the Gordon Inquiry (2002), which in turn prompted the establishment of ‘multipurpose centres’ to coordinate placement of police and child protection officers in communities.\(^79\) In Roebourne the office of The Department of Child Protection (formerly Department of Community Development or DCD), which had been previously shut down by the State, was duly reopened. One of its committees planned for a youth program to take the kids out of town to camp in the bush for a couple of nights, moving Lorraine Coppin to observe: “What does it achieve? They come back to the same problems at home, the over crowding, the child abuse – why don’t they do something about the appalling housing, do something real!”\(^80\) Unfortunately such shortsighted ‘emergency’ responses represented another maintenance function, and did little to address the base causes of the problems.

Nor did relegation of initiative and ‘responsibility’ to the private sector constitute a move away from the welfare mindset. It simply demonstrated the lack of aptitude and resolve within government and its agencies. The kind of engagement Indigenous people have experienced with mining companies, moreover, has been constrained by those companies’ shallow levels of experience in community-based development, their lack of interest in or capacity for individuated, community-specific, long-term partnerships,
and was driven by self-interest – their need for access to Indigenous land. (See Chapter Seven for an account of corporate conduct.)

In their essay, *Beyond Humbug: transforming Government engagement with Indigenous Australia*, Dillon and Westbury cite journalist Nicholas Rothwell: “It may be that Australia has come close to reaching, after 40 years of puzzled effort, the feasible limits of constructive engagement with the precursor world enduring in its midst”. Exemplifying this claim, in 2005 The Minister for Aboriginal Affairs, Senator Amanda Vanstone, tried to explain the failure of Government to improve the life of remote Indigenous people by suggesting that small homeland communities, “cultural museums” she called them, could not all expect to be serviced by Government. Note that of the over two million Australians who lived in settlements of less than 200 persons, and who were routinely subsidised and supported with services including school of the air, roads, power, the flying doctor, etc., just 3% were Indigenous. In June 2006, in response to the chronic failure of policy, and presaging the Federal Government’s Northern Territory intervention in remote Indigenous communities, Federal Health Minister Tony Abbott called for a “new paternalism” in Indigenous affairs to be applied in communities that could not manage themselves, by the mandatory installation of administrators.

Dillon and Westbury concluded that the causes of Indigenous disadvantage lay in “the structural absence of a wide array of economic and social institutions across remote Australia, arising primarily from long-standing and ongoing government disengagement”. After proposing a series of remedies, Dillon and Westbury forecast that the underlying structural financial biases against Indigenous communities would nonetheless continue unabated, and that Indigenous disadvantage would “inevitably worsen over the coming decade” due to “the demographic explosion underway in Indigenous Australia”. They doubted that either governments or Indigenous interests would automatically support reform: “the problem the nation faces is that our political and policy institutions operate in circumstances which ensure that the sophisticated and complex policy frameworks required […] are unlikely to emerge in any coherent way”. The take home message offered in *Beyond Humbug* indicated that reform of government response to, and re-engagement with Indigenous communities was not likely to happen in a timely or considered fashion. (For a recent example of such misadventure, refer to *The Sanderson Incident* in Addendum 5A for an account of the
attempt by the WA Government to improve outcomes in Indigenous affairs through the appointment of Lieutenant General John Sanderson as the special adviser for Indigenous affairs.)

Conversely, in an address to the Melbourne Writer’s Festival Noel Pearson suggested that the failure of government did not follow from “long-standing and ongoing government disengagement,” but rather precisely because of its intercession and the character of its engagement:

You know the minute you intervene in a person’s life and a family’s life you inevitably displace somebody else’s responsibility; you displace the individual’s responsibility; you displace mum and dad’s responsibility; you displace the community’s responsibility […] And the more generations of interventions, in my view, are creating more and more passivity and delaying the day when Indigenous people take charge of their own lives. Yes we need the help, but we don’t need the bureaucrat and the four-wheel drive and the facsimile machine and ‘your program’. 88

While on the one hand Government had subverted processes of leadership in many communities by taking responsibility away from them, and some communities had themselves internalised this subjection and become acculturated to welfare, and in turn been unable to produce leadership adequate to the challenges they faced – on the other hand the leadership that did emerge in Aboriginal communities, and who made a fist of tackling problems in their back yards, were rarely recognized or given assistance. This failure to recognize and support keystone ‘human capital’ in Indigenous communities has been a most tragic failure that has seen besieged leadership despair, struggle and burn out.

Pearson went on in his address to assert that the Indigenous agenda for remedy needed to be as strong on the ‘rights and responsibilities’ of Indigenous people themselves as it was on the failures of government, and claimed that articulation and advocacy of Indigenous responsibility had been shirked, that pursuit of ideas “necessary for Aboriginal uplift” had been scuttled by a failure of analysis amongst Indigenous leadership: “I had a sense that we were expecting government and the rest of society to save us, and that somehow the Indigenous predicament was the consequence of the
failure of ‘other people’ to do things for us – as if they could! We kind of delegated our destiny to other people”. 89 Pearson, like Dillon and Westbury, was pessimistic that there would ever be a “social justice machinery that’s gonna come out of heaven at the hands of a government to deliver people to economic and social advantage”. 90

2.4 The Spectre of Annihilation

The elders – grandparents of Juluwarlu’s progenitors – who weathered a quarter of a century of tumult precipitated by their eviction from their country and capped by the onset of mining development and relegation to the ghetto, suffered the added grief of witnessing the distress of their children and grandchildren in the wake of the “corporatist partnership between state and capital”, and their loss of sense of identity and culture. Indeed, in the early 1970s, under their own faltering watch, there had been a couple of years when initiation ceremonies failed to get off the ground. 91 In 1973, anthropologist E. Kolig, reported that the Law ground attached to the Roebourne Reserve had not been used for two years, and that sacred objects pertaining to Law had been stolen from the ground about two years previously. 92

In the mid to late 1980s when I was working with elders to produce Exile, their dire, sometimes angry predictions in regard to the immanent loss of Law and culture served as a harsh impetus for the production of the film. 93 Michael Woodley shuddered to recall their fury:

You know old people used to always argue about that with the young people. My grandfather would always talk about it: ‘You young people are finished, you going down a different path, garri [alcohol] and stuff is not the answer. It’s changing who you fellas are, your culture […] Johnny Walker’s favourite words were, ‘Once I die the Law’s fucking gone. You bastards know fuck all!’ He was always growling about those things. 94

Coppin remembered the uneasy silence when Walker stopped the Burndud to scold singers for sloppy performance, or drunks for their disruption. The women would stand back, she said, holding their dancing sticks waiting for resumption, and some of the senior women would add their voices of rebuke to his.
Woodley observed that the caustic warnings about the loss of the Law by the elders came across as a vote of no confidence in younger generations who were caught in the grip of alcohol and the increasing urbanization of Roebourne life. The dejection of the elders, he said, was internalised by younger generations, who sunk into fatalism that Law and culture, as their elders carried it, was finished. Woodley said that the grim consequences of this fatalism had not struck him in his younger manhood; that he let the warnings of the elders slide with a vague faith that Law would come around as it usually did; and that elders would emerge to lead from his uncle’s and father’s generation. It had not occurred to him, no one had told him he said, that many of his uncle’s and father’s generation might not step up to the Law; that they might fulfil the gloomy prophecy of the elders. Prospects were made worse by the premature deaths of foremost next-generation Law carriers like Roger Solomon, Ernie Smith, Ross Walker, Len and Brian Munda, Brian Adams and David Daniel (and a score of others), who all died before middle age.

Heaped on the social impact of mining development and drinking rights was the arrival of television in Roebourne with the ABC in late 1973, and GWN soon after. This coincided with the pits of the second boom, the Robe River Iron Associates development. Television, then, arrived in a community undergoing immense stress. Not many Roebourne families had TV at its inception, living as they did in sub-standard shacks of the Reserve, however TV waxed after the move to the new state houses of...
the Village in 1975. Ngaarda culture and values were increasingly “competing big time” with this dynamic new medium which was reinforced by the Wajbala education system and a constellation of expectations issuing from school teachers, welfare officers, bureaucrats, consumer/pop culture, and so forth, that altogether swept Village youth before it. The transmission of cultural knowledge between generations uncoupled:

And you can understand why as well because this different world just came in between and said look this is better for you, this is entertainment, you go out you drink, you dance, you disco, white man’s songs [...] we’re competing with technology, what I call fast cars, fast food and crap music basically where our young people are being drawn away to this American culture, you know with the rap and the cap turned backwards.99

Coppin recalled:

When we was growing up we learned about ABC Kids and Sesame Street and Monkey Magic before our culture because our parents was too busy working to teach us stuff and all we had to do was sit down and watch TV and we learned about Captain Cook and all that sort of stuff.100

To be sure, the ABC Television kid’s programs, Playschool and Sesame Street, were an important element of children’s education in Roebourne that should be acknowledged.101 Bob Hart observed that the community’s awareness of current affairs and general knowledge broadened remarkably after the introduction of ABC Television. They came to realise, he said, that “the state border doesn’t start at the pipeline”.102 (The pipeline formed a natural boundary to the western limits of the Village.) With television shows like Home and Away, Neighbours, Monkey Magic, Doctor Who, Rumpole Of The Bailey and then video rentals like Star Wars, a great deal of fun and comfort was drawn from Wajbala TV by the Village youth of the 70s and 80s.103 The attraction of television and Hollywood movies was accentuated perhaps by the escape it provided from the devastation of Village life, into a safe world of fantasy, compelling entertainments and ‘order’. Little wonder then that elders saw this intervention as an inexorable circumvention or supplantation of cultural traditions and their influence, all within a short span of their lifetimes. And of course, mainstream Wajbala television also brought the dispiriting effects of negative and disparaging
reportage of Aboriginal people, which further explained the despondency of elders for the future of their culture in the face of this blitz.

The generation who were in their pre-teens when drinking rights hit in 1968 and who weathered the assimilation agendas of the state school, bureaucracy and mass media as these manifested in the late 1960s through the 1970s, and who failed to take the baton for Law and culture from the generation of their fathers, are referred to as the ‘missing link’. We should consider that by contrast, their parents had their roots in a time before the move to the Reserve, before mining development and drinking rights, and had grown up on the stations with a modicum of private cultural life and Law. Many men and women who graduated from the pastoral stations to jobs in the town – as butchers, truck drivers and off-siders, linesmen, washerwomen and nannies, and yardmen – maintained an equilibrium that helped them to provide leadership on the Reserve and in Law. As Woodley observed: “They had a hard life as well, but their hard life meant that they don’t drink. That’s what kept them focussed. Their son’s generation, they’re the ones that got it hard, poor fellas”. Coppin explained that when ‘drinking rights’ came in, her parents’ generation not only lost their culture and forgot their language which, they were repeatedly told, belonged in the past, but they were rejected from the very Wajbala world they were told would be their future: “They didn’t get accepted, they still not accepted yala [now]”.

**Death in Custody**

The death of John Pat in police custody should be marked again here for its traumatic effect on the life of the Village. Former welfare officer Bob Hart recalled that after Pat’s death the mourning was sustained, morale plummeted, and the community sank into depression, “It got you down and down and down”. The stirring of issues by the mass media, the exoneration of the policemen involved, the perceived injustice of it all, kept opening the wound, Hart said, making it all the more difficult for the community to resolve its grief. Fellow welfare officer Carol Lockyer remarked that while the death affected her as an adult, the children and youth in the community, who all knew John Pat, would have been hit harder: “I imagine some of them would have been four or five when that happened, and it’s imprinted and they still got it there – they’ve never found a way to deal with it in their own inner self”. For Woodley, who was 12 when John Pat was killed, this tragedy was marked by the indelible memory of the boy’s keening mother:
After the death of her son, just about every night for the first three or four months, she'd be sitting outside her house and singing out for her son and crying. It cast a heavy depression over the village. I remember people sitting outside yarning away, all of a sudden she would come out, 'where's my son… wandalah… [where is he]' She was drinking. She would just yell and sing out, and a mob would be sitting around yarning and 'sshhshhhssh… oh marnu'.* I can still see that.109

Lorraine Coppin, who was a young girl when her uncle (John Pat) was killed, said that she has carried a phobic fear of police all her life, a fear of anyone in a uniform. She recognized that her fear was set off and fuelled by stories of the fight, the bashing and the death, which were told over and again in her family. Her mother’s brother (Peter Coppin), she said, was also a victim of the bashing. The image of Roebourne that came back to the community through the media was a “bad image, scary image for us,” Coppin said: “You hear about it, ever since you born you hear about it, police bashing your people up, they picking on you because of your skin. They frighten us you know, and I try now not to pass that on to my kids – they hear it from other people too and they carry it with them”.110

Such unremitting cycles of crises prompted Hartley and McKee to remark that for Aboriginal people “there was neither a traditional Indigenous nor a modern Australian sphere of the normal” that had sustained from one generation to the next since colonization: “For them anomaly was a permanent condition; normally a place of confinement or worse”.111

These, then, were the historical, social, political, cultural circumstances that provoked Juluwarlu’s genesis – the flux that spurred Coppin and Woodley to take action in building a cultural enterprise that addressed a problem they saw as most urgent. While the stresses and cultural fray of the ghetto never entirely abated, the responsibility of assisting the handful of most senior Law and culture carriers would ultimately fall to the generation that followed the ‘missing link’, to those who were less ‘damaged’, who had matured into adulthood in the 1990s, had stopped drinking and held down jobs.

* ‘marnu’ translates as ‘poor thing’ in Yindjibarndi. It is an expression of sympathy.
They are the ones who tried to pick up the pieces and straddle the chasm. They weren’t waiting for “social justice machinery” to “come out of heaven at the hands of a government” to deliver their people.

So then, to Juluwarlu’s ‘first phase’ of development, its genesis and embarkation.

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1 Australian Bureau of Statistics, 2006
2 Beyond The Boom, 16 mm Film, Australian Mining Industry Council (AMIC), circa 1975
3 Rio Tinto’s iron ore mining in the Pilbara originally came under the rubric of Hamersley Iron, and more recently has been re-badged as Pilbara Iron. Throughout this study the single ascription of ‘Rio Tinto’ will cover the entirety of the company’s operations in the Pilbara.
5 Hart, R. W., Historical overview/Briefing of Roebourne (pre–empting the proposed North West Shelf Project), 29 May 1979
6 The Certificate of Citizenship or Certificate of Exemption, which was colloquially known as a dog license or, as Bob Hart reported, a “license to be not Aboriginal”, was a provision under the Native Welfare Act that exempted successful applicants from provisions of the Act. These exempted Aborigines or ‘citizens’ were then permitted to drink alcohol, allowed freedom of movement in towns, could own a house and find work independently, and all at once were restricted from associating with non-exempted Aborigines (including relatives) who remained on Reserve.
8 It should be observed that while the pastoral industry ebbed some Reserve men and women managed to retain work in the town with the trucking contractor J.D. Tsaklos, caravan park, Dalgety’s, the Post Master General, child-minding and washing for Wajbalas, or on the jetty gang at Point Samson wharf loading bagged asbestos. In 1964, however, the Wittenoom asbestos mine closed and employment with the J.D. Tsaklos dried up. Extended families were forced to subsist on a system of ration orders, old age and invalid pensions, and a share of the wages of those that worked, until unemployment and other social security befits were introduced by the Commonwealth Government in 1972; Diary 25/5/06; Bob Hart, interviewed by the author, MDisc 15, June 2006; Also see Gibson: 1971 regarding conditions in the Roebourne Reserve.
9 This Day Tonight, reporter Graham Coddington, ABC Television, 1971
10 Kolig: 1973
11 Stockbridge: 1976, p152
12 Hart continued: “The children were the sufferers. At times up to 130 would surround the hotel area during the high point of development. They came initially to catch their parents for a feed at the café adjacent the hotel because many of the parents could be found in that area. Some who missed out were given a feed or some money by well meaning white workers. Then they came for the excitement”. Historical overview/Briefing of Roebourne (pre–empting the proposed North West Shelf Project), by R. W. Hart, 29 May 1979
13 This Day Tonight: 1971
14 Exile: 1993, interview with Carol Lockyer
15 The publican said: “A lot of chaps come through here and they move around the Hotel, they move around the area where the natives drink, they spend money on the native women and the native men. And it goes on from there”. This Day Tonight: 1971
16 This Day Tonight: 1971
17 Diary 23/1/06
18 See also Howitt who wrote: “When construction of facilities at Dampier began in 1965 the Roebourne Hotel, about 50km away, was the only conventional hotel in the area. It was reasonably accessible by road and used by both staff and workers. Aboriginal women at Roebourne were virtually the only source of female companionship and sexual gratification available to some 4,000 construction workers. For many Aborigines, prostitution was the only means of getting access to benefits from the developments. When interviewed during fieldwork, many locals, both Aboriginal and non-Aboriginal,
suggested that this ‘facility’ was widely used by Hamersley employees, and many believed that the
company tolerated this situation as it reduced industrial and social disruption to their ambitious
Australian Geographical Studies, 27(2), 1989, P161; Stockbridge et al: 1976 also describe the
depredations of mining development in Dominance of Giants: A Shire of Roebourne Study.
19 Bob Hart’s 1979 report recorded: “The Aboriginal women of all ages became sought after female
companionship. Then the teenage girls, then the twelve year old girls, yes you had better believe it, the
twelve year old girls, and not all of them looked older as was the common excuse. Twelve year olds
being taken out to the site and having to be collected by the Welfare next day if discovered (not often)
or making their own way back to town if they were not”. Historical overview/Briefing of Roebourne
(pre–empting the proposed North West Shelf Project), by R. W. Hart, 29 May 1979
20 Bob Hart, interviewed by the author, MDisc 15, June 2006
21 Howitt: 1989
22 Lorraine Coppin interviewed by the author, MDisc 4, Roebourne, September 2006; See also
Stockbridge: 1976
23 This Day Tonight: 1971
24 Ibid
25 See also Comfort: 1978, Imrie: 1975
26 Roger Solomon, co-writer and narrator of the documentary Exile and The Kingdom, who was 20 years
old in 1975, explained: “People were just plonked down anywhere in the new village, so that family
groups were split up into houses all over the place. Leadership became very hard in the Old Reserve
after drinking rights, but now it was broken down altogether. The discipline and respect system in the
community went to pieces. The teenagers who had grown up in the pressure cooker of development
and the early years of drinking rights, were confused and angry, and getting into more and more trouble
with the police. A lot of my friends, my age group, never survived”. Roger Solomon in Exile and The
Kingdom, Exile: 1993
27 Historical overview/Briefing of Roebourne (pre–empting the proposed North West Shelf Project), by
R. W. Hart, 29 May 1979
28 Bob Hart, interviewed by the author, MDisc 15, June 2006
29 Roger Solomon in Exile and The Kingdom, Exile: 1993
30 Carol Lockyer interviewed by the author MDisc 1, Roebourne, September 2006
31 Carol Lockyer confirmed: “It was a very depressing time because there was a lot of things that
happened, like deaths in the Village – and most of the deaths in the Village was through alcohol and
fighting; and they were just killing themselves”. Carol Lockyer interviewed by the author MDisc 1,
Roebourne, September 2006
32 “…What happened here was, you had the 1960 development, you had the Dampier development, and
the people went through a torrid time through that development. Real bad torrid time. Like I say, from
off their country on to the Reserve; into the Village; drinking rights – and everything just exploded
around them and everything just went into disarray […] And then the Robe thing started, and that’s
where that generation Roger [Solomon] was a part of – they started drinking and you had another
generation of drinkers. The older ones who started in the 60s were starting to slow, but then you had
the next generation of people coming up. Then later they started to slow down, then later the 80’s
ones, the younger ones there started. It just went from one decade to the next to the next”. Carol
Lockyer interviewed by the author MDisc 1, Roebourne, September 2006
33 Bob Hart, interviewed by the author, MDisc 15, June 2006; Acknowledgement should be given to
brave efforts of community development over the 1970s and first half of the1980s, like the acquisition of
the Mount Welcome, Woodbrook and Chirratta pastoral leases, establishment of the Ieramugadu
Group labour contracting company, settlement of Ngurrwaana, and the steadfast abidance of the
Pilbara Aboriginal Church that supported a crucial tranche of leadership in its sobriety. These efforts
were shadowed however by still darker travesties with the drowning of sacred ground at Yawajunha
(Lockyer’s Gorge) under the Harding Dam, and the trauma attending John Pat’s death in police custody.
34 Historical overview/Briefing of Roebourne (pre–empting the proposed North West Shelf Project), by
R. W. Hart, 29 May 1979
35 Edmunds, Mary, They get heaps. A study of attitudes in Roebourne, Western Australia, Canberra, Australian
Institute of Aboriginal & Islander Studies, 1989a p104
36 Trees, Kathryn, Background Paper No 6 on Contemporary Issues Facing Customary Law And The General
Legal System: Roebourne – A Case Study, The Law Reform Commission of Western Australia, November
2004; Trees continued: “The combination of these factors means that many people, especially men 16 years and older, spend most of their time sitting with little to occupy them. Consequently, many people, particularly men, have low morale, which leads to increases in drinking and family violence”;

See also Discrimination in Government Policies & Practices; 1989, and the report into John Pat’s death in Royal Commission into Aboriginal Deaths in Custody: 1991, which includes “Some historical facts about the Roebourne area”.

37 Teleton Institute for Child Health Research, in Trees: 2004; Village grandmother, Tootsie Daniel, provided a view of the distress from inside her family: “Our young ones they still drinking and they still fighting and me and Violet [Samson] we all in the middle of it. We don’t want to get hurt. I take side for my daughter but I tell her, ‘don’t stay here go over there to the Safe House, that’s the place there. Settle down’. But they all want to stay here so I keep them here. We feel the pressure, we feel the pain and the hurt, and sometimes we gotta stand in the middle no matter we get a black eye or what. I tell them, ‘You going to end up dead or end up in jail because you kill your woman; you be the sorry one’. Because when they drinking they get jealous, then they fight. binyari, then they come wake me up one o’clock in the morning: ‘Come on your daughter been hurt… no good!’” Tootsie Daniel interviewed by the author, MDisc 3, Roebourne, September 2006

38 Michael Woodley interviewed by Gerd Samland, MDisc 8b, Roebourne, August 2005

39 Keith Lethbridge interviewed by the author, MDisc 5, Roebourne, September 2006

40 Michael Woodley interviewed by the author MDisc 2, Roebourne September 2006

41 See also Noel Olive’s Enough is Enough, A History o the Pilbara Mob (2007), for extensive testimony of this history.

42 Quealy: 1960 pp14–18

43 Quealy: 1960 pp41–43

44 The Island of men, The Australian, August 23 1967

45 Carol Lockyer interviewed by the author MDisc 1, Roebourne, September 2006

46 For example, Jan Mayman covered the issue for The Age over several months in 1983: Tension over young black’s death erupts into attack on hotel, The Age, 8/9/83, p1 headline; WA police chief seeks ‘fair go’ in Roebourne, Blacks, whites fear police in outback town: JP, and I just told the truth: sacked barmaid, The Age, The Age, 8/9/83, p3; Pat buried with preacher’s rebuke, The Age, 8/9/83, from p1; Roebourne now a town of fear, claims JP, The Age, 8/10/83; More police to go to riot town, The Age, 10/10/83, p5; Pat goes to his grave rebuked, The Age, 7/12/83, p1 headline; Pat might have lived: surgeon, The Age, 22/12/83, p5

47 Carol Lockyer interviewed by the author MDisc 1, Roebourne, September 2006

48 Channel 7 News, May 1991 (VHS Tape copy in possession of author)

49 Hinch (Current Affairs), Channel 7, Melbourne, 7 May 1991

50 Tootsie Daniel interviewed by the author, MDisc 3, Roebourne, September 2006

51 Lorraine Coppin interviewed by the author, MDisc 4, Roebourne, September 2006

52 Sydney Morning Herald, Saturday 24 March 1990, p 25

53 Media prose typically depicted drunks outside the pub or lying in the street; it ‘sexed up’ the gathering of “angry mobs” outside the Victoria Hotel into a “melee” and then a “riot”; deplored statistics that recorded “over 2000 convictions in Roebourne, three for every Aboriginal man woman and child”; were dismayed by a town with “little place for tribal skills or culture”; declared that “death finally put the town on the map”; and seasoned their copy with colourful phrases: “staggering drunks”; “drink fight and play”; “armpit bar for blacks”; “Violence, death, conflict with police, drunkenness”; “the saddest place in the north”; “black despair, white indifference”.

54 Edmunds: 1989a, p 149.

55 During this troubled time an idea proposed by H.G.B. Mason over a half century earlier in 1909 (see Addendum 4A, Representation in History), of making eunuchs of Aboriginal people, was revived by Pilbara iron ore tycoon Lang Hancock: “Those that have been assimilated into, you know, earning a good living or earning wages amongst the civilized areas, that have been accepted into society and have accepted society and can handle society – I’d leave them well alone. The ones that are no good to themselves, can’t accept things, the halfcastes – and this is where most of the trouble comes – I would dope the water up so that they were sterile and would breed themselves out and that would solve the problem”.

Excerpt from Couldn’t Be Fairer, Documentary, O’Rourke and Associates, 1984 (originally broadcast on Channel Nine Brisbane, Queensland Television Pty Ltd); Mason, H.G.B. Darkest Western Australia, A Treatise bearing on the Habits and Customs of the Aborigines and the Solution of “The Native Question”, p58.

56 Carol Lockyer interviewed by the author MDisc 1, Roebourne, September 2006

57 Violet Samson in Exile and The Kingdom, Exile: 1993
58 Lorraine Coppin interviewed by the author, MDisc 4, Roebourne, September 2006
59 Carol Lockyer interviewed by the author MDisc 1, Roebourne, September 2006
60 Hartley, John and Alan McKee, The Indigenous Public Sphere, The reporting and reception of Aboriginal issues in the Australian media, Oxford University Press, 2000 p50
61 Tootsie Daniel interviewed by the author, MDisc 3, Roebourne, September 2006
63 Langton: 1993, P 24
64 Mickler: 1998
66 Particular reference is made to: Mickler, S. 1992 Something is Mything, unpublished paper, Centre for Research in Culture and Communication, Murdoch University. P3
67 Trudgen: 2000, p 64.
68 My record of conversation with Michael Woodley, 28th July 2005
69 This Day Tonight: 1971
70 Alice Smith in Exile: 1993
71 Reporter Coddington expanded: “The company towns – neat, planned, even sterile – reflect the affluence of iron ore. Roebourne, the one non-company town, provides a stark contrast. For Roebourne’s Aboriginals, the contrast is the greatest of all. You won’t find one in rising Paraburdoo; you might find a couple in the brick and tiled, air-conditioned comfort of Tom Price; but you’ll find them in Roebourne, perhaps lying five across trying to keep warm under a roll of canvas, perhaps sick and hung over in the town jail; maybe squatting in the streets, masking their thoughts as the huge trucks roll past”. This Day Tonight: 1971
72 Fernihough continued: “I will probably stand on a few toes when I say this, but I think that when they decided on Karratha as a town, in the Town Planning Board down there, or Authority – and rightly or wrongly, they’re gonna make that place go – and at Roebourne’s expense”. This Day Tonight: 1971
73 Roger Solomon in Exile: 1993
74 Woodley enlarged: “Roebourne bore the brunt for all that, hit us at a hundred miles an hour. I can’t believe people in that time allowed that to happen – the Government. I went to Weipa [northern Queensland] three years ago when I was in ATSIC and they told me the stories as well, same thing there, about when that mine happened […] And from the old days to now came the Government policy of the welfare mentality – fucked all the people up as well – always catering for industry. Now you have politicians coming in saying the opportunities are there, ‘you just need black fellas to get off their arse and do it’. How can they when they were all the time taught to live this life? All the time given the closed-door mentality in education, training, jobs?” Michael Woodley interviewed by the author, MDisc 5&6, Roebourne, September 2006
76 Priest: 2006, p45
77 Taylor: 2005, Interview segment 59, p171; Priest: 2006, p45
78 Aboriginals say uranium mines answer to poverty, Robert Taylor, The West Australian, 29 June 2006
79 Diary 28/8/06
80 Diary 17/4/06
83 Dillon: 2007, p26
85 Dillon: 2007, p9
86 Ibid. p217
87 Ibid, p212
Noel Pearson, director of the Cape York Institute for Policy and Leadership, ABC Radio National, Bush Telegraph, address to Melbourne Writer’s Festival, 2007

Ibid

Ibid

Bob Hart, interviewed by the author, MDisc 15, June 2006

Kolig: 1973

Yindjibarndi elder Allan Jacob, speaking in Exile and The Kingdom, epitomized the desperation his generation felt for the relentless erosion of their country and culture: "I feel it that way, we're all getting down because the white man went over us, covered us... cover our things finish. What'll we have from the beginning? Nothing. Our land the government's taken already. What we're fighting for at Millstream is important. Everything that belongs to Aboriginal studies – we don't have anything white man way. We had no books, we can't read or write white man way, but we got our teaching there, in Millstream. All that Fortescue area where people want to put some dam, we need that country. We need it for our young generation. We like to say to the government, we need that place!” Allan Jacob in Exile and The Kingdom, Exile: 1993

Michael Woodley interviewed by the author MDisc 1, Roebourne September 2006

Woodley said: “They accepted that as being the truth, instead of saying, ‘Well look, how can we work together and keep it?’ They didn’t tell us about this. My uncles and them people just said, ‘Well them old people telling us that when they die the Law’s gone, and we don’t know nothing’. You know what I mean? They needed to tell people about this!” Michael Woodley interviewed by the author MDisc 1, Roebourne September 2006

Michael Woodley interviewed by the author MDisc 1, Roebourne September 2006

Michael Woodley interviewed by the author MDisc 2, Roebourne September 2006

Bob Hart, interviewed by the author, MDisc 16, June 2006

Michael Woodley interviewed by Rebecca Woodhead, MDisc 9, Roebourne, October 2005; Michael Woodley interviewed by the author MDisc 1, Roebourne September 2006

Lorraine Coppin interviewed by Gerd Samland, MDisc 8b, Roebourne, August 2005

Lorraine Coppin interviewed by the author, MDisc 5, Roebourne, September 2006

Bob Hart, interviewed by the author, MDisc 16, June 2006

Ibid

Karl Mannheim’s theory of historical generations provides a broader conceptual understanding of this problem. He proposed that the formation of a generation’s distinct consciousnesses was the result of much more than being born around the same time – that it was the result of social and cultural forces (specific location in lifecycle or age, location in space, & historical setting); and described how rapid cultural changes in culture and attitudes ruptured the process of cultural transmission, created a generation gap and motivated new-generation groups to break off from prevailing lifestyle trends. (Mannheim: 1928/1952)

Michael Woodley interviewed by the author MDisc 2, Roebourne September 2006

Lorraine Coppin interviewed by the author, MDisc 4, Roebourne, September 2006

Bob Hart, interviewed by the author, MDisc 16, June 2006

Carol Lockyer interviewed by the author MDisc 1, Roebourne, September 2006

Michael Woodley, interviewed by the author, MDisc 26, Roebourne, November 4-7, 2008

Lorraine Coppin interviewed by the author, MDisc 4, Roebourne, September 2006

Hartley: 2000, p90
3.1 Dust Storm on the Horizon

In the late 1990s Michael Woodley was working for Rio Tinto Iron Ore at its Dampier operations. He had taken up a traineeship with Rio in 1993 and stayed on variously as a plant operator, bus driver and utility worker. The traineeship was an important rite of passage out of his dangerously aimless youth in the Village, out of a cycle of drinking with friends and ‘uncles’, and was a reawakening of education and training that had effectively ended for him as a year-six primary student. He had been with Rio for 5 years when he crossed another threshold:

I went to work one afternoon and I climbed this reclaimer that picks up the iron ore and reclaims it on the stock piles, and my job was to go up there and wash the iron ore off it. And I climbed this tall reclaimer and I could see in the distance where my Law ground was – a big dust storm was brewing and it was just in that area where we have our Law and culture. And I was thinking I wonder what is happening over there, because it looked strange to me – but in my mind I’m thinking that’s where all my grandfathers and cousins are, they’re all there doing their Law and culture […] I saw people dancing and talking, and here I am cleaning fucking iron ore dust off a reclaimer – so I went to the boss and said ‘look this is my last shift I’m not coming back’.1

Plate 9: A public aspect of Birdarra Law at the Woodbrook Law ground.

Woodley said that the tension between his culture, his elders and his people on one side, and being a company man on the other, was always ‘underneath’. There were also
‘voices’ that primed Woodley for his desertion of the resources industry. He described visits from his uncle Roger Solomon who called at his house in the Village after Woodley got home from his Rio shift. “He would always come on a Thursday or Friday when I was itching to go and have a drink with my mates, looking forward to a weekend binge”. Woodley said that Solomon would praise him for his commitment to a fulltime job, but always turned talk to the knowledge of his people, to Law and its importance in a man’s life, and for his survival – a conviction that served Solomon in his own fight with alcohol and later in his work as an alcohol counsellor with the health service, Aboriginal heritage officer and cultural activist: “Never forget your culture, never leave that behind”. Woodley said that he paid his uncle the respect of listening, but in those days was more interested in ‘partying’. Lorraine Coppin also remarked on Solomon’s influence:

I remember Uncle Rog coming to see us when he was really sick, nearly at the end there he come to see us. He said ‘Come here daughter, I want to talk to you outside’. I went outside and [he said], ‘You know collecting the history is very important, no matter what you do, keep carrying on with your Law’. He tell Michael, ‘Listen to the old people, do the songs, try not to worry about this side too much, you know garri mijugu [drinking alcohol] and Wajbala side and working with the white fellas and that’. He tried to get us back then, when he had his last legs, to do this kind of work – work with the old people and collect the stories.²

Plate 10: Roger Solomon (centre) with David Daniel (left) and Allan Jacob performing numda for children at the Kid’s Culture Camp (Chirratta 1987) [Bob Hart].
Roger Solomon touched a chord with everyone he knew. Bob Hart commented that Solomon had been through the worst of times and struck a chord with younger generations suffering their own rites of passage in a way that homily and judgement never could – ‘you can’t sing the blues unless you have lived them’. Hart likened the character of Roger’s influence to that of another legendary elder, Long Mack, in that it was not overt, did not grandstand, and could never be reckoned except with the benefit of hindsight. Solomon, by his direct influence on Coppin and Woodley’s lives as teenagers, together with his achievement in *Exile and The Kingdom*, was a lodestar in Juluwarlu’s beginning. Woodley recalled: “Roger was one of those younger people who knew how serious culture was and it snapped into him early like it snapped into us early, around about the same age”.

Such is the ‘genealogy’ of faith, relationship, and obligation to which this work owes its existence.

When Woodley resigned from Hamersley Iron in late 1997, he and Coppin had four children and the usual family overheads. Determined not to go back to mining again, they decided to work as managers at Ngurrawaana, the out-camp Woodley’s grandfather Woodley King had established in 1983 as a grog-free respite. Ngurrawaana lay 70 kilometres south as-the-crow-flies from Roebourne on the Yindjibarndi tableland in a catchment whose creeks fed Yarndanyirranha, the Fortescue River. Grandfather King, aging, frail and needy of medical services, divided his time between Roebourne and the camp. Coppin explained that they would routinely travel with him along the dirt road that followed the iron ore railway, water pipeline, and creeks towards their source, winding through hills that climbed from the Ngurin [Harding River] hinterland deeper into Yindjibarndi country. She said that the passing country would always open up the old man:

> He was naming country, hills, rivers on the way, he was naming all the animals and plants and I was thinking you know he’s like a professor there, he’s a doctor. Why isn’t anybody… what’s wrong with you Michael! Can’t you pick all this up! Somebody’s got to get it all down before we lose it.

Coppin said that on these trips she and the kids would pipe in with questions and so story would open on story. Some fifty people lived at Ngurrawaana at the time and Woodley was taken up with the daily round of maintenance, provisioning and building projects while Coppin helped him with administration. When professor King was in
the camp, Coppin spent time with him absorbing his stories and songs, at first writing what she learned down, then taping him on a twenty-dollar National cassette recorder. On the veranda of his house, with the life of the camp carrying on around them and the country running away towards Yamdanyirranha and Gambulaynha [the Hamersley Ranges], Coppin pressed ‘RECORD’ and “he would go on and on” in long sessions that sometimes also included King’s first wife, Shirley.

**Knowledge Begetting Knowledge**

The expansive, meandering nature of the recordings always raised more questions, presented new enigmas, and as their recording routine developed, Coppin took time to review earlier recordings and prepare questions before going back to King for more. This was how, Coppin said, her work in collecting and safeguarding the knowledge of her elders developed and deepened: “Any time I am with an elder even if I haven’t got a tape recorder or video camera I just ask them questions and I try the best I can to keep it in my head or write it down”. Coppin quickly came to appreciate that the better she and others came to know and understand their history and culture, the more effective the teaching of their elders became, “and the more that story and that history can keep going on and on”.

There was much more here than the method a secular historian, linguist or anthropologist might bring to their fieldwork, for underlaying Coppin’s work was the tender awareness that King was reaching the end of his days. The significance of recording and learning what he had to teach surpassed any ‘professional’ achievement – it was an act of survival. Coppin was the mother of four (to become six) of King’s great grand children, and together with her husband was responsible for their education, their inheritance and the security of their identity. Coppin described the root of her commitment:

> When I started learning what he knew, I started getting a good feeling inside that I could pass it on to my kids, and when kids ask me questions I won’t have to say, ‘No I don’t know that, ask your grandparents or your great grandparents’. I can say, ‘Yeah I know that’. It gave me a really good feeling that I don’t have to rely on anybody else to know it […] I can go out now with kids and explain to them the plants and usage of them, and I explain country to
them. And a year ago, two years, I couldn’t do that because I didn’t know myself.9

It is conceivable that if not for the evocation of the dust storm that Woodley saw on the eastern horizon over his Law ground, events would have taken a different turn. As it was, after leaving Rio Tinto, Woodley returned to a life at Ngurrawaana that was not bound by long shifts and the company’s hours. Now there were regular, unrushed journeys through country with one of its wisest custodians – country that was inscribed by King’s life. Woodley and Coppin’s ‘homecoming’ – this is the meaning of Ngurrawaana – afforded them a life far enough removed from the commotion and humbug of the Village to allow the voice of an elder to stir in them recognition and belief – it was the profound reverberation of culture.

After two years at Ngurrawaana, which had effectively served as an apprenticeship for Woodley and Coppin, they returned to Roebourne where they could tend to their children’s secular schooling, and where the scope for Coppin’s vocation all at once broadened to include other elders living in the Village and at the Cheeditha settlement. Coppin recalled that the ‘method’ learned with grand father King – i.e. being in country was indispensable for evoking knowledge – was then applied in recording others:

The old people kept telling us, ‘Our class room is not here, it’s out there, it’s out in the country’. So we started going out, doing field trips in the bush and they started naming country and singing country and made us more aware that there’s a whole new ball game out there for us – you know, we’re not nobody, we’re somebody. We got our culture there, gives us something, makes us strong.10

The consolidation of Juluwarlu in Roebourne in 1999 saw their activities burgeon to include not only many other elders, but the concerted collection of photographs, articles, books, reports and so on.11

To begin with Juluwarlu subsisted on CDEP funding, which paid Woodley and Coppin about $180 a week each.12 From this stipend they also bought fuel, cassette tapes, pens, papers and other needs. There was no money to pay the old people for their time: “We just provided them with lunch or morning tea or whatever [tobacco, trips
out fishing or to the shops, etc."]”. Woodley credits this so-called ‘work for the dole’ program (CDEP) for giving them the opportunity to follow their gut feeling. They continued their recording program from home with elders attending amidst the domestic scene of kids, washing, TV, cooking and eating. For a period they relocated to a transportable building courtesy of the Shire, then at the curtailment of their peppercorn lease, were compelled to move the growing enterprise back home before being offered a space under the same roof as the Ngarra Wangkamayi cross-cultural awareness project. In 2003 Juluwarlu received special projects funding from ATSIC under the auspice of Wangka Maya Pilbara Aboriginal Language Centre in Port Hedland, who also carried a brief for some 32 other language groups in the Pilbara. Lacking experience and resources to administer and acquit this kind of government agency funding, this auspice arrangement with Wangka Maya was an invaluable early partnership for Juluwarlu. In the beginning, Coppin said, she and Woodley knew nothing about Aboriginal corporations, about ATSIC and the other funding bodies, or about writing submissions – no one had taught them. She said they had to learn the formalities of being a properly constituted organisation quickly so that they were eligible for funding. It was a precarious existence that made offers of work and financial security back in the mining industry tempting: “It tests you. You know you got a house and bills and kids and you need money to survive, but it is about believing in yourself […] So what I say it’s not the pay cheque, it’s the passion”.

It is important to note the significance of the seed funding provided by CDEP and ATSIC and the support of Wangka Maya in Juluwarlu’s genesis. This kind of support, however, was routine and simply put Juluwarlu on the same playing field as everyone else – they received no special dispensation.

Woodley makes no bones about the leadership and initiative his partner, working with his grandfather, showed: “All it needed was someone to come up with a thought, a concern that we need to be doing this, to wake up everybody else to start using media to get this information down. And I’m still thankful for Lorraine for doing that with my grandfather”.

3.2 Out of Exile

The production of the documentary Exile and The Kingdom, from July 1987 through 1993, was by no means the first employment of media in the community for recording
culture and history.\textsuperscript{18} The organisational locus of previous recording exercises, however, was not \textit{in} the community or was never consolidated into local practice. It was the \textit{Exile} experience that, for the first time, allowed community activists to consummate an encounter with media, to project as well as record their culture – and it is this experience and its legacy that I wish to outline here, particularly as it kindled Juluwarlu.

In 2005 when the Juluwarlu trainees visited Goolarri Media in Broome for training, Goolarri screened \textit{Exile} for other trainees attending from outlying Kimberley communities. In a talk-question-answer session after the screening Coppin told the group: “I think \textit{Exile} led the way for us with Juluwarlu and the media we got today because it’s opened people’s eyes, it’s taught them what they missing and what they can learn using the media like we do now”.\textsuperscript{19} Woodley confirmed the direction \textit{Exile} provided in establishing Juluwarlu: “Always had \textit{Exile} there as our guidance about what we should be doing, what we should be talking to the old people about, because \textit{Exile} gave people a taste of what old people know, what they can do, how they can shine”.\textsuperscript{20}

Of course, \textit{Exile} drew on a depth of knowledge and opinion regarding culture, history and politics that had always been there and was talked over constantly in the daily life of the town and the bush, however, because the film allowed for the orators and their stories to be set in relief above the noise of daily life, it provided an iconic staging of the elders and their message to local audiences. As Woodley observed:

\begin{quote}
For the first time in our lives we saw them different. We didn’t just see them as Uncle Rog, and Mali Busdriver [Allan Jacob], and narnda Abiji [my grandfather] – we saw them become a star because that’s what television does. That’s how they came across, they came across as stars to us, and you take it more seriously.\textsuperscript{21}
\end{quote}
Lifting the Spirit

In 1987 when the elders began their work on the film, Roebourne was still tender with John Pat’s death, its abusive circumstances, and the harrowing, shaming media that followed. It should be noted that, after being apprised of efforts by the Aboriginal Police and Community Relations Committee to broker better relations between police and the local community, my original proposals for a film had focussed on relationships between police and the community, and explored issues of social justice as they bore on history preceding John Pat’s death in police custody, and as they were expressed in the circumstances of his death and the inquiries that followed. On asking my collaborators what, given the choice, they would like to make a film about, it was clear that no-one was interested in raking through the ashes of the death – they set another direction. The elders were very clear that they wanted to talk about their culture and tell the stories of the country they came from. Tootsie Daniel said that the intention of making a film that moved on from this dejection and sought to lift the spirits of the community was necessary, and ultimately successful: “When the black deaths in custody first started here everybody was feeling down. Bad things might happen like that, but Exile came and lifted our community spirit up. Everybody was going to see for the first time our culture on the big screen, and we was proud”.

Carol Lockyer described the ‘speaking out’ in Exile as a therapy for the speakers as much as for their community audience: “They was frustrated about everyday living, they wanted to see change and the only way they could see change was talking about it and putting it into the film […] It was like a white man goes to a white man’s counsellor – he’s got all this bottled up inside and he wants to tell his story”.
added that a lot of people watched *Exile and The Kingdom* seeking a reflection and confirmation of themselves, “It says something about their inner feelings”. The response to the film of Lorraine Coppin’s father (Ross Walker) bore this out:

My father he used to sit down every time after work – he used to work at CDEP to 12 o’clock, come home and watch *Exile*. And now I understand why he used to do that, to lift his spirit and think about the old people and learn more about songs and stories and country, because all that is in *Exile*. And every time when we used to sit down at the camp fire, or when we used to be drinking, he used to tell us, ‘Oh you remember this, this is in *Exile* you know, and this is how it goes’, and he would sing it then, sing the song for us. *Marnu*.25

**Putting The Spotlight On Law**

In *Exile*’s closing statement, Yindjibarndi elder Allan Jacob pleaded: “We hear that a lot of lands have been broken for the Aboriginal people, but we Yindjibarndi people still standing as one. We are all one, we are helping one another. Don’t matter where we come from, we are all one. We want our Law to stand. We want to teach our kids, and that’s all”.26 His appeal was spurred by the fear that he may never be able to pass on the Law he ‘held in his hand’, that he may never be able to reach his heirs because they were drifting out of reach into the trauma of the ghetto and the cultural rip of television and the white education system. How the exhortation of the elders in *Exile* influenced the generations that grew up into Law in the mid-1990s is legend in Roebourne today. Woodley speculates that if the elders had not put such a public ‘rocket’ up his generation by their testimony in the film, the Law might have stopped:

I think by doing the film it put Law in the spotlight and put the responsibility back on the people – ‘It’s too late, you can’t hide it because everybody know about it’. And it made you ask yourself the question: ‘How can you lose that?’ And that’s what *Exile* done I think, it put Law and culture in front of my face and said this is yours, you got no excuse if you lose it. That’s just the tip of the iceberg but it’s powerful enough to get people thinking. These old people were passionate, they were serious about what they were saying, you know, and we’re letting them down!27
Tootsie Daniel remarked that Allan Jacob’s oration in *Exile* epitomised Yindjibarndi passion for culture, and was indelible. She said that the documentary now served as a primer for boys coming up to their initiation: “That movie now is preparing the young boys what’s going to happen when they become man, when they go through their ceremony. It’s telling them one day you’ll be going through the same way too, so you got to be prepared”. Coppin confirmed *Exile’s* value as a Law primer, saying that when she spoke to her teenagers during Law time, she used the film to teach them about particular songs and the stages of the ceremony that they signalled. Trevor Solomon observed that the documentary served as a constant reminder to younger generation drinkers: “When they is not drinking they is sitting down watching that, recapping on what the old people said - and it’s an inspiration to them – ‘Come on we gotta be the leading men here now’”. Banyjima man, Keith Lethbridge, agreed with Woodley that the strategy by elders to cut through to their young people with a message of Law and culture in *Exile* had succeeded: “Here in Roebourne, well I go to the Law here and all the young people! More so here than anywhere! They’re powerful, across the board, across the region”.

Plate 12: Justin watching the “Carrying the Law” sequence of *Exile and The Kingdom* at Cheeditha Village (May 2009) [Snakewood Films].

**Advocacy**

In 1993 the Yindjibarndi and Ngarluma people launched a joint Native Title claim. This followed immediately on the six-year production process of *Exile and The Kingdom* and coincided with the film’s public release and national television screening on ABC.
Television. Tootsie Daniel said that the production of the film was a crucial rehearsal, that it prepared the elders and gave them greater confidence “to talk for their country” in the context of the Federal Court hearings.\footnote{It did support Native Title because people from all different areas was talking about their homelands and talking about thalu sites\footnote{Sites in country where ceremonies to ‘increase’ various natural resources and phenomena were undertaken.} and how important their land was, and made mining companies to think […] It made my people strong, Ngarluma Yindjibarndi people strong from doing Exile.\footnote{In particular, Daniel said that the film helped her husband, one of the original, named Native Title claimants, to teach mining companies and anthropologists that they had to listen to the traditional owners.} Indeed, Lorraine Coppin pointed out that the Ngurra Wangkamagayi group had used the film for cross-cultural awareness training: “It’s a good teaching tool. Most people understand watching the film and then all the Ngaardangarli got to do is talk and answer questions because it’s all there”.\footnote{Carol Lockyer agreed, but pointed to the film’s deeper purpose:} Carol Lockyer agreed, but pointed to the film’s deeper purpose:

I mean it is still being used to give ideas to the white person about what cross-cultural is about, but a lot of Aboriginal people want to look at it in their own forum too, and that’s the beauty of it – the history of it, the history telling. And I am proud of those elders that done what they done because it set a pattern for every young Aboriginal people growing up.\footnote{Woodley noted that the telescoping of history and the concentration of the elders’ thought in 110 minutes heightened the power of their testimony about culture and history: “For the first time everybody was singing from the same songbook”.\footnote{He said the film was especially important in challenging the universally propagated opinion that mining was ‘right’ for everybody, and he elaborated the diversity of themes in the film that local Aboriginal people could draw on:} If he want to get into politics and human rights, then Exile will provide that. It shapes you if you passionate about that, because it shows you slavery, it shows}
you the pearling days and the chains, and the bad conditions and the Old Reserve. If you're involved in leadership and you want to lead your people properly, then it's got elements of that as well. And in our case in Juluwarlu, in documenting history, it's there too.\textsuperscript{39}

**Proof-Of-Concept**

While the documentary was imbued with and led by the voices of the elders and the customary community spokespeople, it also succeeded in amending the usual routines of representation by encouraging a broader field of speakers to come forward. Carol Lockyer noted: “They found their voice to speak out because they never had that voice to speak before – everyone else spoke up for them! They had an elder where only that person would speak for the people, whereas when *Exile* came out everybody sort of came out and wanted to have a say”.\textsuperscript{40}

Speaking about the example the documentary set for the media-making endeavours of Juluwarlu and its trainees, Juluwarlu TV station manager Keith Lethbridge commented: “It set a high precedent, that movie, the people that developed it, gumbali Solomon and all them mob. It is exactly what you need, like a cement to build from – the standard is there and it can be achieved because of the real people that set that standard, and the real hard core story that it has”.\textsuperscript{41} Thus the film served as more than just the sum of its history telling and cultural exposition, but a proof-of-concept – the elders’ command of the medium proved that media could, under their own authority, serve as an instrument of their knowledge, be deployed to promote tradition and give voice. The extrusion of the elders’ voices as a text (a film), allowed their utterances to be replayed continually in Roebourne and surrounds, and messages were also coming back to the community from across the nation following on its national television screening, distribution through Film Australia and receipt of assorted awards. It was an unprecedented experience that ruptured the usual proscription of the community’s voice in the mainstream.\textsuperscript{42}

**3.3 Secular Crucibles of Leadership**

At the pith of this study is the question of leadership. The leadership and acumen offered by Woodley and Coppin and the key elders they drew into the Juluwarlu project, was the single most important enabling element in its development – without
this Juluwarlu would not have emerged. Juluwarlu Administration Manager Phil Davies marked the consequence of this leadership:

Michael and Lorraine and the rest of the Yindjibarndi people had a vision and that’s why we’re sitting here today [...] they’ve been able to draw a team together because of their vision and their honesty, and everything that Juluwarlu does happens because of their vision.43

What, then, were the springs of their capacity for leadership?

While Lorraine Coppin completed the better part of her high school education and undertook some further TAFE training, Michael Woodley was a school dropout. Both maintain that the education that mattered most to them in the development of Juluwarlu came primarily through life experience, immersion in Law and culture and the counsel of their elders; but also from mass media, participation in meetings and committees, and collaboration with Wajbala fellow-travellers. I will return to the significance of the cultural teaching of their elders in depth, but will first sketch the secular influences on the development of Coppin and Woodley’s leadership.

As described, Woodley took up training through Rio Tinto’s Aboriginal Training and Liaison (ATAL) division and graduated to their workforce, serving for five years before ‘re-graduating’ to the service of his own community. This experience was undoubtedly a proving ground, for Woodley became one of the star recruits of ATAL and was featured in their promotional literature as an exemplar of Rio’s Indigenous training and employment accomplishments. Woodley and Coppin’s ‘career’ then moved into community development with their move to, and management of the Ngurrawaana Community. The few years they served with Ngurrawaana saw a growth in resident numbers and community improvements, including acquisition of a community vehicle and construction of service sheds, but they were spartan gains, scratched from hand-to-mouth Government grants and some ‘in-kind’ support. This experience was an invaluable induction to seat-of-the-pants management of an organisation, and also to the broader institutional network most remote communities necessarily engaged with. Woodley particularly acknowledged his service as an elected regional councillor to the ATSIC Ngaarda Ngarli Yarndu board as an important training ground in matters of governance, the function of community politics and the exercise of leadership on a
broader, more exposed stage. He remarked particularly on the mentorship provided by ATSIC regional chairman Barry Taylor.

We should mark here a consequence of the Howard Government’s elimination of ATSIC – the dismantling of an agency for the transfer of management and leadership skills to Indigenous people; an agency that contributed to the emergence of many of the nation’s Indigenous leaders. (See Addendum 5A, *The Sanderson Incident*, for further discussion of ATSIC’s value.) Woodley’s experience at ATSIC led to his service as board member and chair of Roebourne CDEP and convenor of the Ngarluma Yindjibarndi Foundation (NYFL). In particular, Woodley took valuable lessons away from this pan-community, dual language group institution, and a sober understanding of what might be achieved in particular frameworks of negotiation with resources corporations. He was also toughened to the negative effects of the ‘tall poppy syndrome’ (a phenomenon I will return to in *Community Politics*, Chapter 6). Coppin similarly served on various committees and boards and as chair of the Warawarni-gu Healing Art Centre.

**An Education at the Movies**

As sketched earlier in *The Spectre of Annihilation* (Chapter Two), the arrival of mass mediated popular culture via free-to-air television and video-rental had a strong effect on Woodley and Coppin’s generation, who were about eight years old in 1980, and members of the first generation in Roebourne weaned on TV and video from infancy. They belonged to the generation whose rapture for these mediums spurred the elders to make *Exile* as an antidote or intervention. Nevertheless, there were aspects of television and movie culture that had a salutary effect.

The history of the Indigenous community in Roebourne since the late 1950s testified to the chronic effects of dependency on the State and its servants who came to proffer welfare and control, and in some instances, succour. I suggest that this narrative of subjugation was ruptured for Woodley, not only by the assertiveness of his grandfather Woodley King, and that of other local protagonists like Allan Jacob, Johnny Walker, Roger Solomon and David Daniel (to mention a few), but also by elements of global popular culture, particularly as expressed in American feature films available as rental-video. These offered a language of larger-than-life heroism and an account of power and politics that television soap, news and current affairs lacked. Views of the
world altogether more activist reached the ghetto through these Hollywood films – classic ‘white hat-black hat’ parables of justice; good battling evil; David’s taking on and defeating Goliaths; sentimental tales of honour, love and friendship, fidelity to kin and nation; machinations of complex, malign power; the triumph of dissenters; and so on. Woodley has said that he took much away from films like Oliver Stone’s JFK and Steven Soderbergh’s Erin Brockovich: “It’s about courage – how far do you hold your nerve? At the end of the day big companies like that will use all their power just to prove that you’re wrong and they’re right. I liked that bit when she took that water in there, and they’re saying there is nothing wrong with the water”. (Brockovich challenged the smart suits and lawyers representing the polluting corporation to drink water she had taken downstream from their factory.)

In recent years Woodley and Coppin subscribed to Foxtel for the football, but also for the documentary channel on which they appreciated Michael Moore’s output in Fahrenheit 9/11 and Bowling for Columbine, and New York investment high-flyer Donald Trump’s story in which, Woodley reported, he opined that the essence of business success was in what one made of ‘the negotiation process’. Woodley remarked on a documentary of Nelson Mandela’s life, whose example profoundly moved him, and also the television series, Lonesome Dove, “a western cowboy movie about loyalty, mateship, hard times”. A study guide described this drama as “filled with sadness, despair, fear, and loneliness” and occasionally leavened by joy. It tracked moods and ideas concerning maturity and the search for meaning in the midst of death; the necessity of accepting that which could not be changed and changing when change was necessary; acceptance of one’s mistakes – it rehearsed the dialogue between good and evil, and allowed momentary triumph of good over evil. A drama, I imagined, that would have offered Woodley a symbolic orientation or point of reference for the challenges that confronted him in the Roebourne Village and the hyper-development mindset of the Pilbara.

‘Technopessimists’, wrote Stephen Riggins, forecast dire cultural consequences following on the introduction of television into Indigenous societies. One such was Inuit broadcaster Rosemarie Kuptana who likened the onslaught of mainstream southern Canadian television into Inuit communities in the absence of native television to the neutron bomb:
Neutron bomb television is the kind of television that destroys the soul of a people but leaves the shell of a people walking around. This is television in which the traditions, the skills, the culture, the language count for nothing. The pressure, especially on our children, to join the invading culture and language and leave behind a language and culture that count for nothing, is explosively powerful.  

This was a view the elders in *Exile* certainly shared.

Riggins pointed out that this, however, was not strictly the case, and that in fact television had positive effects as an educational resource and medium that assisted disadvantaged minorities to “deal with the modern world and to play an active role in it”. While Kuptana’s assessment may be valid in particular circumstances, Woodley and Coppin’s personal experience concurs with Riggins in demonstrating that mainstream media was not universally harmful, and indeed, could be gleaned for pleasure and erudition without it supplanting one’s cultural identity.

### 3.4 Template of the Law

While secular, educational, media and political instruments gathered to Woodley and Coppin’s leadership from the broader landscape of their experience, they were unequivocal about the source of their innermost motivation, which was more than motivation, for it represented the very locus of meaning for their lives as well as their work. In answer to a question about what gave him the ability to take on the role of leadership, Woodley answered: “For me it’s culture. It’s this thing in me that says if my culture don’t survive then it’s pointless me living, and I want to live ‘til I get old, but I need my culture to keep hanging on, and that’s my mentality”. Elsewhere he stressed: “What makes you confident is your Law and culture. If you’re a ‘new-age’ Ngaarda in today’s society and you practice your Law and culture first, and you make that your prime identity, other things, really, become a bonus”.

My purpose now is to indicate the fundamental place of Law in Yindjibarndi life, and elucidate some of the organisational and relational aspects of Law practice as it fertilized or bore on governance and administration in apparently secular runs of life, rather than in its essential, spiritual/ceremonial domain.
The Law practiced in Roebourne is called Birdarra. It is a ‘pageant’ of elements and influences that derive from and speak of the ‘creation’, country and the life within it including ‘living’ landforms and water, and it embodies and gives carriage to the relationships between the people, creatures, spirits and things that share existence in the ‘creation’. (Further exposition on the distinctive elements of Birdarra Law and its Yindjibarndi root are given in The Big Sister of Law in Addendum 6A.) Respect is fundamental to the conduct of traditional Law and to relations in Roebourne and Indigenous communities throughout the Pilbara. The most spectacular expression of Birdarra Law is found in the coming of age or initiation ceremony – a lengthy, intense process that requires close cooperation, exceptional leadership and a formidable organisational wherewithal.

**Persistence of Ngaarda ‘Free Space’**

Remarkably, Birdarra initiation ceremony survived translocation from Yindjibarndi country to the Ngarluma coastal plain in the sweep of government policy that drove Yindjibarndi people from ration camps and pastoral stations in their homelands to a series of reserves that culminated in the Old Roebourne Reserve and then the Village. Today all other language groups in Roebourne share Birdarra, and it is the only Law practiced there. Carol Lockyer pointed to the sanctuary from disorder the Law offered:

> It was a different world in the bush; they always had their bush meetings. They never lost it even though they had the drinking and all its upheavals, they still never lost it, and that was the beauty about it.\(^5^5\)

The Law, then, came to reside on the coast far from its Yindjibarndi hearth, where it confronted cycles of technological change, mass media, welfare, industrial work ethic, mining boom, mobile telephony, cash economy, alcohol, supermarkets, cars, the Wajbala education system, and so on – Birdarra Law weathered all of this, and indeed, as we shall learn, adapted some of these ‘services’ to its own purpose.

Woodley described Law grounds around the Pilbara as “a stage for people to show up their culture and their history”.\(^5^6\) The current generation of most senior Lawmen – not just Birdarra Lawmen, but carriers of the other ‘sibling’ Law across the Pilbara – would unfailingly travel the rounds of Law across the northwest, camp to camp, each year,
wherever it was in session – they were regular fixtures. For many men in the Village it was the primary space for expression of their identity. The ‘performance’ of Law everywhere was continually weighed up, and other practitioners, other communities, held the individuals or groups who demonstrated deft managerial and ritual acumen in great esteem. The vital thing about Law and culture, we might observe, was not simply that it carried forward the past, but that it preserved a discrete Indigenous space that in turn supported a network of relations that were vital to the maintenance of Ngaarda systems of knowledge that were in a perpetual state of negotiation and evolution: “The whole life out there is different to in town. It’s one of those places you feel kind of free, that give Ngaardangarli free space to get out and do what they want to do”. (Further exposition about the social organisation of Law is given in Birdarra Law – A Typical Production, in Addendum 7A.)

Asked what it was like going through the Law (being initiated), Woodley said:

> It was great. The feeling even before going through the Law is ‘can’t wait’. Young people from my culture all can’t wait to go through Law, it’s what we all been taught and what we all live for. And at the end of the day when you become a man in our community, in our culture, it falls on us – that responsibility that we are the next carriers or the next leaders of information, knowledge and cultural ceremonies.

Ngarluma elder Trevor Solomon confirmed the strong call of Law on the contemporary generation:

> Well it sure lifts up the ego of a lot of young people – you want to see them Law time! As soon as that bus come around and there is a call to go to another community they are all on it. Young blokes taking the leading role for this community, whether Migu [Michael Woodley] or Charlie Cheedy […] And when the old people over there at Yandeyarra, or Warralong or Jigalong see the Roebourne boys, they burst out crying because they can see that Roebourne Ngarluma and Yindjibarndi young fellas are carrying it on for the old people.
Openness and Creativity of Birdarra Law

The integrity of the central aspects of Birdarra initiation and ritual, its codes of transmission and performance, are of course always guarded in the privacy of the men’s camp in the river far out of sight and earshot of the family camps, however, the whole community comes together – children, women, men, and both Indigenous and non-Indigenous friends – to celebrate the public part of the ceremony where initiates are ritually delivered by the company of Jirnjangan Law workers back to their families for care and convalescence. This ‘open’ part of the ceremony occurs some 20 kilometres from Roebourne on the banks of a river in a dedicated Law camp whose bough sheds are renovated and reoccupied as each season begins, and, depending on the schedule of business, remains occupied for some two to three months over the summer – as perhaps two or three batches of Malulu (initiation candidate prior to initiation) follow each other to the end of their childhood and to their ‘rebirth’ as men.62

This extended ‘open’ part of Birdarra Law – the return of initiates to their families immediately after initiation and their convalescence in the company of their extended families – is unique amongst Laws in the Pilbara and, I venture, demonstrates certain qualities and abilities that boost its stakes. It is the openness of part of this ceremony to broader community participation that enabled its representation in the “Carrying
the Law” sequence of *Exile and The Kingdom*, and as I have indicated, this depiction of
the ceremony then played a role in the promotion and rekindling of Birdarra Law. I will
discuss later (in Chapter 5.7) how Law and culture found transmission in
contemporary media and how this utilization further illustrated the evolutionary
willingness of Law.

First it is important to appreciate the very appealing, creative and adaptive elements of
Birdarra ceremony in the hands of elders who had a special flair for performance, for
these qualities would also inform Juluwarlu’s development. The ‘stars’ of Birdarra Law
who defined its style in Woodley’s memory included Yilbi Warrie, Johnny Walker,
Kenny Jerrold, Solomon James, and his grandfather Woodley King. He recalled that his
grandfathers had “the style of being sweet” when they sang the Burndud. (The Burndud
is a song cycle sung for the initiation candidate in the preliminary stage of his passage.)
‘Sweet’, in relation to singing Burndud, connotes an approach that ‘bends’ and heightens
the sonority, timing and expression of the songs and allows the ‘stylist’ to be heard
above the driving rhythm of the sometimes hundred-man-strong chant. Woodley
explained that the Burndud singers are encircled by a ring of women dancing to their
chant and that a resolute beat and good, “sweet voice” is needed to inspire and draw
women to the circle.63 The example of his elders impressed on Woodley, that rather
than being a mimic, it was permissible to carry one’s own style in Law. His most
potent influences, Kenny Jerrold and Grandfather King, gave him to understand that
creativity and flexibility were keys to the survival of the Law:

Kenny was a visionary that brought style to culture. He was the coolest dude in
the Law ground – you think, ‘Shit, where this man get all his style from?’ Like
mixing up the colours you know [laughter]. When you do the Law and make
the marliyarra [ritual adornment] you get the red, the black, whatever – and
you see Kenny, he would pick a flower from the tree! He also rubbed off on
me. I thought, ‘Well you can’t do that, not in the Law and culture’, but Kenny
was always ‘pretty’ about how he did things – and that’s someone who was
confident, he’s got his style, it’s who he is. And that’s my grandfather as well, he
was also willing to try different things, new things, because he knew things were
changing and he wanted to, not change with it, but adjust with it, to also bring
the Ngaarda to fit in, to make the Ngaarda elite in who they are [in the secular
world], but also continue to keep their culture strong.64
‘Inter-National’ Relations and the Breadth of Law Networks

We should understand that the theatre of Birdarra Law was not parochial, but interconnected with ‘sibling’ schools of Law practiced by neighbouring tribal clusters hundreds of kilometres to the south, east and northeast. Law in each area then, occurred in cooperation with related but divergent schools of Law – cooperation built on historical communications and relationships. While the whole machinery of Law was set in motion on the pretext of enacting a rite of passage, it was all at once much bigger, for it brought into play relationships within and between communities, in personal, ritual and political dimensions. Part and parcel of Law business was the commuting between communities by sorties of Lawmen on prescribed missions with initiates, or by families gathering to the ground of a ceremony. In 2005 news reached Roebourne that two hundred Lawmen from some of the central Australian desert communities had come together at Warralong. At the Woodbrook ground, when a number of boys were on the same intake (sometimes as many as twelve), there would be upward of five hundred people gathering for the climax of the ceremony. Woodley was himself surprised at how far his own Law connections, formed by his forerunners in Law, extended:

We Ngaardangarli got connection with each other everywhere we go. I went to Looma for a Law meeting, I went there twice now and I never made any marngkaji [a role that obliges avoidance relationship] because they reckon I got family up there. That’s through the culture. If you didn’t have the culture you wouldn’t know where you stand in the Ngaarda family line. I thought I would go as far as Port Hedland maybe – but as far as Looma!

Looma lies on the Fitzroy River due east of Broome and some one thousand kilometres from Roebourne. The compass of Law, then, was ‘inter-national’ and daisy-chained in such a fashion that communities at several removes could transact ‘business’:

These mob in Jigalong they got more contacts that go out into the desert and the Warburton Ranges and all those sort of places, so they got that communication link as well. They all related back to us. If we want to take them [initiates] down there, we just go to Jigalong and we say we want you take us
to Warburton Ranges. It’s building the links, just keep building the relationships between the groups.¹⁷

Plate 14: Gathering of the local community and Ngaarda from neighbouring communities for Birdarra Law – jirnjanggnu Law workers bring initiates back to the ‘mothers/fathers’.

Plate 15: Garnggu (those in ‘mother/father’ relationship to initiate) weep for the boys-become-men.

**Ngaarda Work Ethic**

Talking to Woodside Energy boss, Don Voelte, about ‘work ethic’, Woodley used the example of Law to illustrate just how hard Aboriginal men were willing to work when their job was meaningful. He described how he and his fellow Lawmen had been maintaining the inexorable prelude to an immanent ceremony for the preceding two weeks by meeting every night after their regular jobs to sing the secret men’s bush songs for the Malulu who had travelled from Warralong. They would then go home for a bite to eat before attending another round of singing, this time down at the pipeline camp near the Village for the public Burndud song cycle, which would go until midnight.
Some men would then be up at dawn to catch the shuttle bus for work to the Whim Creek mine or the Burrup Peninsula. Keith Lethbridge compared the discipline of Law to the army or university:

There’s a big responsibility on young people to get through the Law. The Law is like an army say, you start off as a corporal and you work your way up to become a sergeant. What we class as most important is our elders – our elders are not just people with grey hair, they are the people with the information about the songs and plants and animals and different ‘countries’. And also the role of an elder is to teach, like an educator in a university. ⁶⁸

Without devotion and discipline, Woodley said, the Law would have died the death of a thousand short-cuts long ago:

There’s a lot of roles and tasks that people have to carry out themselves, and you have to make sure that this and that has been organised. If you don’t organise it properly, then you let that piece of the Law slip away. Some people will get upset about that but allow for it to happen anyway, and then the next year they say, ‘Oh well you allowed that to happen last year, we’ll let it slide this year again’. Before you know it you’re cutting little bits and pieces out of your Law all the time. ⁶⁹

At the end of the day it was the wherewithal of, and the ‘pull’ on the community by the boss Jirnjanggngu that would ensure the success of any particular meeting. ⁷⁰ It should also be acknowledged that the complexity of a meeting might be multiplied by the fact that several boys may be put through in a batch, requiring evermore careful coordination and agreement between parties. So then, prodigious skill and maturity on the part of Law brokers dealing across such a complex social landscape was needed – and the current and most senior Birdarra Lawman, Tim Douglas, is in Woodley’s eyes, one of the greats.

**Alcohol Problems and their Redress**

Serving as one of Douglas’ lieutenants for Birdarra Law, Woodley observed that during Law-time Douglas and his equals were in their element – creative and capable masters of the ‘game’: “They sit down and they can take in all points of view, and end up
making good decisions, the best decision, without anyone pulling one over them. In the way of the Law he is the final word, his is the final decision that carries and is never questioned or argued”. A key to maintaining authority and esteem rested in the fact that good leaders did not abuse their position and mediated the “strictness of the Law” evenly, without favouritism, without taking sides or becoming a tool for factional games.

The greatest challenge for Law leadership and the business of Law did not come from ritual or factional politics, however, but from the prosaic problems that worried Village life – alcohol abuse being one of the most grave. In such circumstances, the Law provided a potential for redress that was not so readily available in town life, and merits closer consideration.

On some days it was a struggle to muster enough young Law travellers to accompany their elders on trips abroad; or trips were sullied by sullen lack of initiative and teenage slothfulness (unwillingness to get wood for the fire or clean up after themselves). There was the problem too of inebriated spectatorship on the fringes of the Burndud, and the difficulty many youths had in committing to memory ritual songs and the dances, and the choreography of the ceremony, all of which fell out of their alcohol-addled heads. “You need a clear head”, Woodley remarked. In despondency some of the middle-aged singers had stopped attending Burndud sessions, especially those held on the Village fringes, complaining that they could not stand the rowdiness and disruption of the young ‘drunkers’. In any event, by the time of the Law season of Christmas 2006, a more constructive mood prevailed.

In December 2006 an intoxicated man drove donuts at speed around the open ground at the centre of the Woodbrook Law camp in his new Toyota tray-back, and rolled. He emerged from the wreck unhurt and had caused no injuries to others. This was a man who the previous week had been exemplary in his attendance to Law: “Couldn’t get a better man when he is sober”. Nevertheless, his offence constituted a serious insult to the families, the initiates and the Lawmen gathered at the camp. Redress ensued the following day with the Toyota wreck symbolically parked in the centre of the common, and the camp population gathered to witness an emotional and unreserved apology from the offender, which he addressed especially to the young convalescing initiates. Law lieutenants then instructed him to rake over the wheel
marks. Later the same day there was a debriefing (‘man’s meeting’) that included the initiates who were the subject of this meeting, and which used the offender’s transgression to talk about the damage grog was “bringing into our hearts” – the gross disrespect it represented. The wrongdoer was ‘growled’ by Lawmen and warned that his actions, for their disrespect of the Law, could trigger repercussions that no one could predict or control – that such disrespect of Law might catch him somewhere down the track in unexpected and dangerous circumstances, far from home, at the hands of distant Lawmen who might not be so merciful.\textsuperscript{76}

So then, within the context of Law, this ‘accident’ was not treated as just another careless misdemeanour that elided responsibility, but as an offence that earned opprobrium from peers and elders. This reprimand constituted a kind of counselling that was not usually undertaken in town, where action by police and punishment through the courts would have intervened.\textsuperscript{77}

**Etiquette and Dispute Resolution**

In the course of a ceremony disputes about the adequacy of preparation, quality of performance or the conduct of individuals would arise as a matter of course, indeed, some participants by virtue of their role in the ceremony, would have rights to voice moderating injunctions. For example, a father may defray anger over a scraggy, underlength Birdarra (the carpet of leaves laid at the threshold of the initiates’ delivery to their families), or the tardiness of its making at a group of Jirnjanggnu workers; or individuals who invited non-Indigenous guests unknown to others at a ceremony might be upbraided – “Think you’re a big shot got your Wajbala friends coming”.\textsuperscript{78} The Law could also accommodate the particular medical conditions of initiates, who, if they were judged at risk from the more ‘corporal’ course of initiation, were allowed to go through as Warmulu. This sometimes caused protest and disappointment from the initiate himself, but the Law had salve for him too, for it held that a Warmulu initiate was the equal of any other despite his less punishing passage; that Warmulu was considered ‘high Law’ and entailed the special responsibility of supporting and assisting his recuperating yalgu.\textsuperscript{79}

Woodley made clear that while, for example, a complainant might rebuke another ‘ordinary’ participant for not sitting Garnggu for their son (i.e. sitting in their appropriate position on the Birdarra upon return of their initiated son), the cultural
authority of someone of Tim Douglas’ stature (his knowledge of ceremony and song) is never challenged: “Disputes happen, right, but the disputes are not targeted mainly at the Law carriers, it’s targeted at more of a community level of concern – not at a Law level […] They never go to Tim and say, ‘Well Tim, I think you missed one song in the Burndud last night’ [laughter]. They never go down that path”.

For grievances concerning the impact on inter-family relationships resulting from the assignation of roles in initiation, there was a ritual court or formal space where these could be aired. Objections commonly concerned the automatic imposition of avoidance relationships between members of the initiate’s family and the marngkaji or chief initiation attendant – a person who before their assignation as marngkaji might have been friends with the family. This court convened in a gathering of all parties immediately after the return of the initiate to his family where the roles of the marngkaji were publically announced. Under mediation of elders and Law bosses, family members aggrieved by the arrangements and relationship sanctions placed on them could step forward and state the anomalies and discourtesies they sought to put right. This was a contained theatre of discontent, which did not necessarily translate into redress or any further action, but was intended for venting of feelings and opinions, and their laying to rest. When everyone had said their piece – and plaintiffs were expected to be cognisant of the limits of complaint and finally accept the decisions of the Law workers – these gatherings inevitably dispersed in a peaceable way.

Plate 16: Post-initiation debriefing and forum for mediation.
There were occasions too when criticisms were taken with a grain of salt, or certain complainants were disregarded, for in the Law ‘what goes round, comes round’. If a particular family had, in the context of everyday town life, offended or shown disrespect to a Law carrier, or not bothered to show up for ceremonies besides those involving their close family, then when it came time for the initiation of their sons, such misconduct might well be answered by a reluctance on the part of jirjangggnu to go the extra yard for, or participate at all in the meeting of the offending party.\textsuperscript{82}

Woodley stressed that the business of Law worked problems out year after year because leaders were given their due; and because their authority was both respected and supported, which in turn allowed for problems and disputes to be “worked on and worked out in a calm and rational manner”. This was in contradistinction to the conduct of town affairs. He elaborated:

In the Law structure you know who your leaders are and who are not leaders, that’s why it works. In a town life it’s easy to argue with people because everybody becomes even, everybody’s on a level footing. In the Law structure you can’t argue unless you know what you talking about. If you can back your words, you can argue, otherwise people shut their mouth.\textsuperscript{83}

**Not a ‘Spectator Sport’**

It was true too that the essential work of Law was sometimes left to a dedicated few who made up for others who failed to fulfil their obligations to the community and to families who, come ‘pinkeye’,\textsuperscript{*} expected their boys to be initiated. A particularly serious threat to the collective ethos of the Law was the trend that saw participants showing up only for the ceremonies that concerned their close family: “Only time you see them is when they put their son through Law, or they come for their brother’s Law, and then you don’t see them again”.\textsuperscript{84} Such ad hoc participation did not equip these part-timers for fulsome input into Law and saw them free-riding on other people’s coat tails. It was little help, Woodley lamented, to have a large crowd of photo-snapping spectators turn up to Woodbrook for the return of the initiated nuju,

\textsuperscript{*} The hot summer months from December through February when workers got time off from station work was referred to as pinkeye
when in reality the event swung on the leadership of a couple of old men. It was participation that made the event meaningful, not its spectacle.\textsuperscript{85} Certainly many participated in practical ways – building bough sheds, cooking, ferrying people around, fetching wood and cleaning up rubbish – but such involvement alone would not make the Law strong Woodley insisted – participants needed to sing the songs and ‘carry’ the Law: “So we try and say, really, Law is for \textit{Ngaardangarli} who carry the Law! […] You gotta be a deadly bough shed builder \textit{and} a good Law singer at the same time – a ‘good Law man’, you know”.\textsuperscript{86}

\textbf{The Consideration of ‘The New Lieutenants’}

Woodley’s work for the Law over the years had seen him, together with a steadfast group of peers, become part of the circle of support for headman Tim Douglas. These lieutenants took Douglas’ direction in organising ceremony, particularly dancers in the bush, and were bringing their own distinctive influence to this task. They took special care to look past the front rank of dancers to those with less experience, and would offer them coaching and an opportunity to perform for the initiates in the exclusive men’s bush camp – often for the first time in their lives. This brought these ‘shy’ men back into the ‘play’ and built depth into the company of bush dancers.

Some of these ‘less experienced’ \textit{Birdarra} men belonged to the generation senior to Woodley and his company, to the generation of their fathers and uncles who were caught up in the grim years following drinking rights and the mining boom, and who missed out on their education in Law – the ‘missing link’ as they were called. This strategy was a breakthrough; a breaking of the impasse that made many of these men outsiders under previous regimes of Law bosses whose style was altogether more severe and uncompromising. Closer relation between generations, inaugurated by ‘the new lieutenants’, was recuperating the shyness and shame of the ‘missing link’ – intimidated by the elders of their own time, they were now accepting the guidance of a confident, younger, more forgiving generation.

\textbf{What Makes Me Strong}

Through practice, it was clear to Woodley that confidence in cultural knowledge returned self-respect to \textit{Ngaardangarli}; gave the bearer of that knowledge the right, the wherewithal “to be a man in any walk of life”; provided him with a “shield”; enabled him to take on roles of responsibility in the community and in broader \textit{Wajbala} life;
gave him the right to hold an opinion and equipped him to defend country against the
depredations of mining: “You feel confident about culture and that just goes on to
doing other things. It gives you the decision-making. One of the frightening things for
Ngaardangarli is making decisions, but culture gives you all that”.87 Just how important
Law and culture is for Woodley, how much of a generative agency it has been, and
how indispensable it is to his movement through the wider world – how essential it is
in fact to the identity of a Ngaarda – bears redoubling here:

Once you start losing your identity you don’t fit in, Ngaarda don’t fit in, and the
culture gives that to you. Use me for an example – what makes me strong is
culture, just as simple as that, because it tells me who I am. It gives me the
strength to talk; it gives me the strength to do a lot of other stuff because at
the end of the day that’s something I can rely on to get me through. If you
come from a background where you are limited in [Western] education and
you’re limited in other ways because something happened down the track
[trauma of some kind], if you go back to your culture and start educating
yourself in your culture, it gives you encouragement, it gives you the confidence
to do other things you want to do.88

In the pantheon of essential cultural agents – that is the elders who instructed, gave
example and ‘feeling’ – Woodley named Allan Jacob, Wilson Wally, his grandfather
Woodley King, Johnny Walker, Yilbi Warrie and Kenny Jerrold as particularly stoic and
fierce leaders, as “true Ngaardangarli” who were “passionate about Law and culture
and history,” “that didn’t take a back step to anyone”.89 The greatest hands-on
influences on Juluwarlu in the years to 2008, however, were women (principally Polly
Churnside, Nita Fishook, Elsie Adams, Cherry Cheedy, Dora Solomon, Bridget Warrie,
Yiirdi Whalebone) and three men, Alec Ned, Darcy Hubert, and above all, Ned
Cheedy, who had far outlived his contemporaries and steadily worked with Juluwarlu
to make an unmatched record of Yindjibarndi country and culture. Cheedy was the
quiet achiever, Woodley observed, who did not assume a vocal, adversarial role in
community politics, and who, while other leaders headlined through the community’s
history, worked in the background, always learning, and finally ascending to the zenith
of respect in the community.90 Understanding that this thesis would make mention of
the elders who had inspired his life, Woodley wrote his own dedication – “Ned
Cheedy a Beautiful Mind”: 
I feel blessed that over the past 12 years we have been working with an extraordinary Yindjibarndi man who is a hundred years old – the oldest man in Roebourne. In our recordings of Yindjibarndi history and stories of the old days with this humble man – my grandfather Ned Cheedy – I find a beautiful, gentle and graceful man. My strength he brings back to me. My meaning of life grows in his presence. Through his eyes and wisdom *Ngaarda* life and the pureness of our Yindjibarndi culture speak to me more clear then ever. He makes me humble, more mature, and patient in my role as a Yindjibarndi contributor. This man gave me a second chance to discuss things I took for granted when I was younger – in him I speak again with my grandfather’s Woodley King and Yilbi Warrie, and in him I spend time with Johnny Walker, James Solomon, Allan Jacob, Kenny Jerrold, Jeffery and Darcy Hubert, and Alec Ned – great teachers all gone now. The example of Cheedy is precious to me in all levels as a man – husband, father and as a member of Yindjibarndi people.  

Plate 17: Yindjibarndi elder Ned Cheedy and his acolyte, Michael Woodley.

For her part, Coppin made special mention of Coppin Dale, Mabel Albert and Long Mack, and she acknowledged the intimate support of a close group of ‘old girls’ who, at the very beginnings of Juluwarlu, had a decisive effect. In a testament to the leadership of Lorraine Coppin, who was also mother of their six children, and who Woodley referred to as “the boss’s boss”, Woodley acknowledged:
Where do you find leadership? I can’t speak for where Lorraine found it, but she led before me. I used to go with her to meetings and she used to be the one standing up and I would be the one behind her, and she would be the one talking up and I would be learning off her. And that’s where I found my leadership training – it’s from this woman I used to chase to meetings because she made me do it. And she used to be there sitting down talking to government, ATSIC and whoever for fairness and justice, and I would be in the background sitting down quiet as a mouse.\(^93\)

Coppin summed up the qualities of a Ngaarda, a Law carrier, a leader – all these terms were equivalent – in this way:

That’s the Ngaarda’s way – you respect your elders; you respect your country; you respect your language. Always follow your Law; initiate your boys; always share your food, whatever you got. A true Ngaarda is a person who always looks after the mungularra, don’t disrespect the kids; always sharing his house, sharing with his people, and trying to make a go of whatever he’s doing in the community for his people. A Ngaarda is a person who always put his people first before himself. He gotta make a decision for all his people because he can’t go forward without them.\(^94\)

Keith Lethbridge confirmed that the a most important understanding for initiates was that “going through the Law is not just about being a man, getting married, having kids and ending up on the welfare – it’s about responsibility – not only to yourself, your family, but also to your Law and culture”.\(^95\) Through the Law, Woodley saw the possibility of re-knitting the bonds between young men and mentors or father figures, that were all too often fractured in the turmoil of the Village. Coppin confirmed that through the support of the relationships they had forged with their Law teachers and minders during their time in the bush, on their ceremonial travels, and in the recuperation camp, the self destructive behaviours of some aimless youth had improved after their initiation.\(^96\)

This belief in Law and culture as a redemptive force in the community echoed the vision of one of Coppin and Woodley’s mentors, Roger Solomon, who, even before
the distillation of his thought in *Exile and The Kingdom* – through his work as an alcohol councillor at the Mawarnkarra Health Service, and as co-founder (with his father James and David Daniel) of the Ngarluma Yindijbarndi Dance Group – advocated the teaching of Law and culture as a way to guide youth through their adolescence. He practiced this conviction on the back of his job with the Department of Aboriginal Sites, where he worked his government-issue Toyota hard, visiting country on any pretext in the company of men, women and children who otherwise rarely got the chance.

This work of revisiting, rehearsing and renewing knowledge for country was a duty that fitted squarely into Juluwarlu’s remit, and under the leadership of Woodley and Coppin, Juluwarlu had devised structural support for this core cultural work, which they considered essential to the running of their business.

**Summary**

The *Birdarra* system of knowledge transmission, leadership, governance, education and collectivism – that is, the whole network of relationships and responsibilities bound up in Law practice – has persisted, I would suggest, precisely because it has accommodated modernity and creativity, while at once preserving a ‘privacy’ and ‘constancy’ in which its essential discourse is upheld.

While Woodley and Coppin drew on various sources – worldly and traditional – in forging their capacity to navigate and transform the challenges they encountered, there is no question that the mentorship, instruction and leadership-training they received from the realm of Law and culture was the deepest spring and most essential warranty for their work. Indeed, the conduct of *Birdarra* Law demonstrated the embodiment of a parallel system of governance and leadership in the Roebourne community, one that Woodley and Coppin carried into the work of Juluwarlu. The influence of Law may not have been evident to the outsider passing through the Juluwarlu offices, but it was ever at the root of the way it conducted its business, and I suggest, was one of the keys to Juluwarlu’s success.

1 Michael Woodley interviewed by Gerd Samland, MDisc 8, Roebourne, August 2005; Michael Woodley interviewed by the author MDisc 1, Roebourne September 2006
2 Lorraine Coppin interviewed by the author, MDisc 4, Roebourne, September 2006
3 Bob Hart, interviewed by the author, MDisc 16, June 2006
The hands, which ‘sit’ at the four quarters of a divided circle, additionally represent the four groups of the Galiwarra skin or relationship system – Burungu, Bananga, Balyirri and Garinarra. A blue, encircling water motif stands for the living water, “which continuously flows through our lands and teachings”. The logo today is captioned with the words: “Time away from our dreams is a lifetime away from our Law, land and culture. Time away from our Law, land and culture is time we will never have or see again”.

The name Coppin and Woodley chose for their project - *Juluwarlu* - means ‘everyone’ or ‘all together as one’. The Juluwarlu logo depicts four hands in four shades of ochre – red, white, yellow and black.

A couple of other endemic attempts at cultural recording in Roebourne should be acknowledged: The Murujuga Nhangangunha Land Council was established to manage the Ngarluma Yindjibarndi native title claim and undertook for a time a program of recording elders which Lorraine Coppin was involved in, but the organisation foundered and recording evidence for the claim fell to anthropologists and lawyers employed by the Aboriginal Legal Service. Another attempt was made by Ngarra Wangkamagayi, which specialized in “cross-cultural awareness training for non-Indigenous mining company employees, police, magistrates, health workers, teachers, school children, etc.” According to Taylor and Scambary Ngarra Wangkamagayi provided “an important input to capacity building on the non-Indigenous side of the workforce in order to assist in making Pilbara Iron operations more amenable to Indigenous workers”. (Taylor: 2005) This organisation, however, was more truly focussed on cross-cultural education than dedicated cultural preservation, and waned under faltering leadership.

The name Coppin and Woodley chose for their project - *Juluwarlu* - means ‘everyone’ or ‘all together as one’. The Juluwarlu logo depicts four hands in four shades of ochre – red, white, yellow and black.
the responsibility for carrying it: “The circle of life will never end/ Mists in the morning, the breakfast fires, and the dawning/ The eyes of the world are now on you”. Exile, © MI Woodley 2005

Woodley’s thumbnail analysis of his elders’ approach to filmmaking (their ‘performance’) reveals both their conscious intention and hesitation: “You can see it in their body. AJ was passionate. He did it for a reason. For them it was like, ‘Well no one seen us on TV yet, they don’t know what we can do. I’m going to show them that we are articulate Ngaardangari, we can act in front of a TV. When we talk about our country it’s as important as our culture’. So they stood up to that challenge, that when you on TV you’ve got to look good because people watching you”. Michael Woodley, interviewed by the author, MDisc 26, Roebourne, November 4-7, 2008; The importance of carrying language and culture in media, especially for children, is also noted by Howell, and is further discussed in the concluding chapter. Howell, Jnr. W. J., Minority-Language Broadcasting and the Continuation of Celtic Culture in Wales and Ireland, in Riggins: 1992, p218

Tootsie Daniel interviewed by the author, MDisc 3, Roebourne, September 2006

Carol Lockyer interviewed by the author MDisc 1, Roebourne, September 2006

Ibid

Lorraine Coppin interviewed by the author, MDisc 4, Roebourne, September 2006

Allan Jacob in Exile and The Kingdom, Frank Rijavec, director, 16mm/video, Snakewood Films, Film Australia, distributor, 1993.

Michael Woodley interviewed by the author MDisc 2, Roebourne September 2006

Tootsie Daniel interviewed by the author, MDisc 3, Roebourne, September 2006

Ibid

Lorraine Coppin interviewed by the author, MDisc 4, Roebourne, September 2006

Trevor Solomon, interviewed by the author, MDisc 12, Roebourne, August, 2007

Keith Lethbridge interviewed by the author, MDisc 5, Roebourne, September 2006; This revival of Roebourne Law is all the more astonishing when one considers that in the 1970s and early 1980s neighbouring communities in the west-north-west deeply feared that, because of its perilous state, Roebourne Law would be lost altogether. Communication by the author with Paul Roberts (former teacher at Strelley Community and writer/co-producer of the documentary How the West Was Lost), February 2009

Tootsie Daniel interviewed by the author, MDisc 4, Roebourne, September 2006

Ibid

Ibid

Lorraine Coppin interviewed by the author, MDisc 4, Roebourne, September 2006; Violet Samson also thought that Exile opened up the eyes of the Wajbalas who had come for mining and lived in nearby towns (Karratha and Wickham), to the deeper history of the community: “What they done to the old people, in chains and that… put pictures to it to open people’s eyes, to know what’s happened to the Aboriginal people long time ago”. Violet Samson interviewed by the author, MDisc 3, Roebourne, September 2006

Carol Lockyer interviewed by the author MDisc 1, Roebourne, September 2006

Michael Woodley, interviewed by the author, MDisc 26, Roebourne, November 4-7, 2008

In regard to Exile’s role in critiquing mining development, Woodley enlarged: “Everybody accepted the mining as being something that was right – but we had no right to it basically […] When you look at it now, right, and you go back to Exile and you look at the mining boom, to someone who knows a bit about politics and about right and wrong and what we are entitled for – piss you off big time”. Michael Woodley interviewed by the author, MDisc 5, Roebourne, September 2006; Michael Woodley, interviewed by the author, MDisc 26, Roebourne, November 4-7, 2008

Carol Lockyer interviewed by the author MDisc 1, Roebourne, September 2006

Keith Lethbridge interviewed by the author, MDisc 5, Roebourne, September 2006

Woodley enlarged: “Those who are educated and are blessed with an economic [affluent] background, they have the luxury of putting ink to paper [or accessing mass media]. Exile and The Kingdom tells the story about our elders who never been educated, who never been to school. So the making of it gave our elders to express themselves, to put out the message that our culture is important, our history is important, our language is important and our land is important, and 15 years down the track you still got the elders talking about our passion, our country, and our culture of today [i.e. in the film]”. Michael Woodley, Juluwarlu Television Launch, recorded by the author, MDisc 13, Roebourne, 2 November 2005
Phil Davies, JAC Administration Manager/Anthropologist, recorded by the author, Capturing Community Stories Workshop, MDisc 10, Roebourne, August, 2007

Diary 6/2/07

Later of course, with the voices of the elders and Roger Solomon resounding from the screen, Exile and The Kingdom also described another ‘David and Goliath’ parable, of ‘fidelity to kin and nation’.

Michael Woodley interviewed by the author, MDisc 5, Roebourne, September 2006; Diary 4/9/06

Diary 6/2/07

Exile and The Kingdom also described another ‘David and Goliath’ parable, of ‘fidelity to kin and nation’.

Study Guide for Lonesome Dove

Riggins: 1992, p60

Ibid, p3

Ibid, p60

Michael Woodley interviewed by the author MDisc 2, Roebourne September 2006; Woodley elaborated: “Roebourne is where my mother was born, where I was born, so it’s home to me. But my identity relates back to a place called Millstream – a place of high significance to us culturally. It has several different identities: it’s Nhänggangunha, Jirndawurinhha, Miliyanka, it’s Bragumarr. There are special stories and songs connected to it. So that’s where my grandfathers were all born and that’s where my people come from. That’s my background and my passion”. Michael Woodley interviewed by Rebecca Woodhead, MDisc 9, Roebourne, October 2005

See the ‘When The World Was Soft’ and ‘Carrying The Law’ sections in Exile and The Kingdom for a simple exposition of Birdarra Law.

Carol Lockyer interviewed by the author MDisc 1, Roebourne, September 2006

Michael Woodley, interviewed by the author MDisc 26, Roebourne, November 4-7, 2008

Diary 24/1/05

Michael Woodley, interviewed by the author, MDisc 26, Roebourne, November 4-7, 2008

Diary 24/1/05

Michael Woodley interviewed by the author MDisc 6, Roebourne, September 2006

Diary 24/1/05

Michael Woodley interviewed by the author, MDisc 2, Roebourne September 2006

Diary 24/1/05

Michael Woodley interviewed by Gerd Samland, MDisc 8b, Roebourne, August 2005

Trevor Solomon, interviewed by the author, MDisc 12, Roebourne, August, 2007

The “Carrying The Law” sequence in Exile and The Kingdom (Exile: 1993) depicts this part of Birdarra initiation ceremony

Michael Woodley interviewed by Rebecca Woodhead, MDisc 9, Roebourne, October 2005

Michael Woodley interviewed by the author MDisc 2, Roebourne September 2006

Diary 31/12/05

Michael Woodley interviewed by the author MDisc 1, Roebourne September 2006

Diary 31/12/05

Michael Woodley interviewed by the author, MDisc 6, Roebourne, September 2006

Diary 31/12/05

Keith Lethbridge interviewed by Rebecca Woodhead, MDisc 9, Roebourne, November 2, 2005

Michael Woodley interviewed by the author, MDisc 6, Roebourne, September 2006

Diary 28/11/06

A particularly severe example of such equanimity and even-handedness came from a neighbouring community. A young Indigenous community leader running as an independent in the immanent State election assumed he was speaking off the record to a North West Times journalist, and in his naivety or carelessness said some things about initiation practices that brought Law into disrepute. He found his comments quoted in the next issue of the paper. This transgression destroyed his campaign, but more perilously, stirred concern in Law-abiding communities throughout the Pilbara. The father of the transgressor happened to be a leader for Law, and perhaps saved his son’s skin by having him brought to account for his error in ‘the ring’ where he was communally dressed down and dealt with in terms that satisfied the Law carriers. The father gave no protection to, nor offered any defence of his garrulous son, instead cautioning him that in past times he would have been killed. Diary 6/11/06, Diary 28/11/06

Diary 28/11/06
think that far, it’s a day-to-day thing for them. We tell them, ‘We see you every year and you still can’t get even one song! The reason why is cause you got that can in your hand. You’re not listening. Why you come?’ ” Michael Woodley interviewed by the author, MDisc 6, Roebourne, September 2006

Diary 18/12/06

Diary 10/12/06

Ibid

Ibid

Diary October 2004; Diary 9/12/06

Ibid

Ibid

Diary 18/12/06

Ibid

Diary 4/12/07

Ibid

Diary 9/12/06

Ibid

Diary 18/12/06

Ibid

Email from Michael Woodley to Frank Rijavec Re: Ned Cheedy, 17 April 2009

My discussion of customary Law, its influence and transmission, throughout this thesis is wanting in its attention to the relationships and mores that maintained between generations of women, and to their role in reproducing cultural knowledge. The acknowledgements in each of Juluwarlu’s five publications indicate just how dominant women were in this work, ever more so as the years have passed. See Jan Turner’s 1999 thesis, “Aboriginal Women’s Knowledge”, for more on this topic.

Michael Woodley recorded by the author, Capturing Community Stories Workshop, MDisc 10, Roebourne, August, 2007; Michael Woodley interviewed by the author MDisc 2, Roebourne September 2006

Lorraine Coppin interviewed by Gerd Samland, MDisc 8b, Roebourne, August 2005

Michael Woodley recorded by the author, Capturing Community Stories Workshop, MDisc 10, Roebourne, August, 2007

Diary 25/3/04, conversation with Lorraine Coppin; For another perspective on how customary law functioned in Roebourne, the reader should refer to Kathryn Trees’ comprehensive and instructive Contemporary Issues Facing Customary Law And The General Legal System: Roebourne in Trees: 2004

Note that for an earlier generation in Roebourne (primary school aged children in the late 1970s and early 1980s), the Yellow Bus was associated with trips out to country in the company of elders like Long Mack, Coppin Dale, Wannie Mack, Karri Monadee, Allan Jacob (a.k.a. Bus Driver) and others. This era was referred to as the ‘Yellow Bus days’ and evoked memories of rare trips out of the Village.

Diary 16/1/07
SETTING COURSE

The overtures of this account have given an indication of the environment that predisposed and urged Juluwarlu’s emergence. The chapters that follow aim to describe how Juluwarlu’s organisation and media developed in practice, and particularly how they were variously shaped or charged by the play of leadership, custom, and partnerships, and indeed, by necessity and opportunity. Before an account of Juluwarlu’s secondary and tertiary phases of development and their outcomes, it is important to understand that Juluwarlu’s experiences through 2003 and 2004 were pivotal in setting their course for 2005 and beyond.

To begin with, then, an overview of this precursive period, and its lessons.

4.1 Publication – Wanggalili
The earliest examples of Juluwarlu’s recording and collection, as we have learned, were relatively low-tech and subsistence funded (by CDEP). The first expression of their work that projected beyond the archive, was the publication Wanggalili (2003).\(^1\) This book was an illustrated catalogue of plants that gave both the Yindjibarndi and Ngarluma names, botanical and common names, and provenance; described traditional uses as food and medicine, and for ceremonial adornment, tool and weapon making; and correlated plants to creation stories.

This project acknowledges in first place the Yindjibarndi and Ngarluma elders who provided the knowledge for the book, followed by fourteen institutional partners and helpers, a dozen and a half friends and supporters, and finally the Juluwarlu production team. These credits encompass many of the participants in Juluwarlu’s development over the next five years and provide a snapshot of the relational network Juluwarlu had been steadily developing since 1999. The fostering of this network of relationships and working partnerships was fundamental to Juluwarlu, and this relational dimension of its development will resurface repeatedly in this account.

Revising Prescriptions of Linguists
Wanggalili was produced with funding from the Department of Indigenous Affairs (via the Aboriginal Lands Trust, WA), the Natural Heritage Trust (via ATSIC), and under
the auspices of Wangka Maya Pilbara Aboriginal Language Centre and their linguist. Juluwarlu had undertaken work under such external prescription with Wangka Maya before and discovered that emphasis was given to ‘preservation’ of language, and particularly the aggregation of Aboriginal words and dictionary-making. This method ran counter to the wide-ranging oral history recording Coppin and Woodley had been engaged in – and which encompassed Law and creation, song, country and geography, social history, biography, natural history, foods and medicines, genealogy, and so on. With Wanggalili Coppin was determined to break with Wangka Maya’s more constrained linguistic approach:

When we first came under Wangka Maya, they said a linguist was very important with our project, and we thought, ‘Oh righto then’ – but we didn’t feel that was the case for us. So we said, ‘Well bring her down here’ – since they got the money and it’s their policy. And thankfully it was Vicky [Webb] who we could handle [laughter]. We persuaded Wangka Maya and Vicky – ‘You guys’ policy is writing down the language and putting it in the dictionary, grammar and that sort of thing; our policy is collecting information and working with elders – we’ll worry about writing this dictionary thing later on’.²

Plate 18: Lorraine Coppin with Yindjibarndi Elder Cherry Cheedy identifying plants for the second edition of Wanggalili.
Coppin explained that Juluwarlu’s work “was all about working with the elders, getting their trust and doing what they like doing” – not linguistics. She stressed that what the elders and Juluwarlu wanted was paramount, “because we know what our culture can give us”. She said that the emphasis on ‘linguistics’ and making dictionaries “that none of us picks up to tell you the truth,” was misplaced “because our culture been passed on orally and visually”. She concluded that books like *Wanggalili* were “our way of doing things, it’s not what linguists want”.

*Wanggalili* collected knowledge that was fundamental to Yindjibarndi and Ngarluma connection with their country. Language was of course essential in this exercise, not for its own sake, but rather for its instrumentality. Linguist Vicki Webb, who had originally been delegated to work with Coppin by Wangka Maya, was later employed directly by Juluwarlu. She added: “It was a bit of a struggle wasn’t it, to convince Wangka Maya. There was a bit of opposition to that, with the dictionary. As it turned out […] Wangka Maya is now moving more towards cultural recording, than just concentrating on dictionary”. Coppin confirmed that Juluwarlu’s practice “changed the way Wangka Maya works – with our way”. She concluded: “It’s not really our way, it’s how Ngaarda’s are. For the seven years I been here I never picked up a Yindjibarndi dictionary yet”.

We might observe that the work of making dictionaries of endangered languages was expected of language centres; it was a methodology introduced by the linguists who worked in them and the academies from which they had emerged. Linguistic schools were occupied not so much with supporting communities in their daily cultural lives and ongoing processes of cultural production, but more often with triage projects to record and archive languages before they disappeared. This in turn had become a pigeonhole objective of funding agencies catering to Indigenous cultural programs. Juluwarlu brought its own perspective to this field – the perspective of ‘community’ that was much more interested in ‘living’ and reproducing its culture than just ‘preserving’ it. That Juluwarlu’s method ultimately fed back to alter the linguistic modus of Wangka Maya is an encouraging example of how cultural workers who are of the community they are serving, can renovate establishment practices.
4.2 Publication – Know the Song, Know the Country

At the same time as working with Wangka Maya on Wanggalili, Juluwarlu embarked on the revision and re-publication of *Know the Song, Know the Country* (KSKC) in collaboration with myself. This inaugurated my working relationship with Juluwarlu (in March 2003). I had originally worked with the Roebourne community in 1995 to write, edit and publish this book, which extruded the key cultural and historical narratives of the documentary *Exile and The Kingdom*. (*Know the Song, Know the Country* is attached to this dissertation as Addendum 1D.) Revision and republication of KSKC was motivated by the strong take-up and application of the book within local Aboriginal communities, as well as by the education, tourism and mining sectors – a demand that had seen the first edition out of print by 2000.

**Funding**

Applications for funding (approximately $32,000) to the Rio Tinto WA Futures Fund and the local Ngarluma Yindjibarndi Foundation failed. Ultimately it was the agency of two individuals, Meath Hammond and Mark Simpson, employed respectively by Woodside Energy limited and Rio Tinto ATAL, who committed their companies to a fifty-fifty contribution that gave Juluwarlu the green light. It is important to note that both Hammond and Simpson knew Woodley and Coppin, understood something of the significance of Juluwarlu’s larger project, used the book in their work, and appreciated the history of my connection to the community. They were neither distant abstract entities like the Rio Tinto WA Futures Fund, nor from a politically charged local organisation like the Ngarluma Yindjibarndi Foundation. It is significant that this was the first private sector funding Juluwarlu had attained for its work.

Good news of funding for the book was followed almost immediately with the double fatality of Yindjibarndi elder Kenny Jerrold and his grandchild in a road accident. The mood in the community plummeted. Juluwarlu went into mourning. Jerrold possessed an immense store of knowledge for Yindjibarndi country and Birdarra Law and had become a critical agent of community business since the passing of higher-ranking Lawmen; and was one of Michael Woodley’s closest mentors and collaborators, particularly in recording the songs of Birdarra Law. His death cast a tough resolve over the remaking of the book.
The Way We Worked

Over ten days in March 2004 Juluwarlu coordinated a series of round-table workshops to amend and update the book texts and revise song transcriptions and translations. Firstly, the end of the cultural/social/historical narrative was rewritten to more forthrightly set out the community’s current troubles and challenges with alcohol and social breakdown, and to put in stronger relief the prejudice and inequality that thwarted the community’s ability to improve their lives since the onset of mining in the 1960s. 8 This sharpening reflected the current generation’s determination to more directly assert the rights of their community in the ‘third wave’ of the resources boom.

The greatest time and effort, however, were given to the revision of transcriptions and translations of the thirteen songs in the book. I had originally translated three songs with elders during the editing of Exile in 1989 and found in them an immense complexity and astonishing ‘poetic’ imagery. I was unsure how well we had plumbed their meaning at the time, for the songs were commonly peppered with words of archaic and neighbouring languages, and included repeating, slightly varying cycles of verse, and sounds which had no meaning, but were part of a singer’s aural ‘sweetening’ of the song. I had included the remaining ten songs as they had been transcribed and
translated in *Taruru*, the book of Aboriginal song poetry recorded in the Pilbara from
1964 through 1968 by linguist Carl Georg von Brandenstein.\(^9\)

The reworking of the songs involved a group of elders and language workers at
Juluwarlu in going over archival recordings of the songs phrase by phrase, breaking
them down word by word, until a consensus on interpretation was reached. Even with
this intensive process some gaps of understanding remained, whereupon the most
senior elder, Ned Cheedy, and the group would settle on their best interpretation.
Such interpretive quandary was not out of the ordinary for such songs for the reasons
already mentioned, and indeed, was more pronounced with older ceremonial songs
such as *Burndud*, which stemmed from times even more distant than the *jawi* and *jalurra*
we were transcribing. (See About the Music in Exile and The Kingdom, in the Addendum
8A, for explanation about Yindjibarndi and Ngarluma songs.) In 1989 Yilbi Warrie
acknowledged that even he could not translate word for word all the ceremonial songs
that he carried, and so their mysteries provided boundless scope for discussion and
interpretation amongst elders.

**Guides Through The Mystery**

In transcribing and translating these songs, it would have been impossible to settle on
any but the crudest interpretation if we had not had recourse to the elders’
knowledge. Certainly the Yindjibarndi dictionary would have been of little use. During
the production of *Exile* a dozen and a half men and women who possessed a high
degree of knowledge and who could inform and direct translation and interpretation
still lived. For *Know the Song, Know the Country*, Juluwarlu could call on just one senior
man and four senior women. With the death of Jerrold still so close, it was never
more apparent how precious Juluwarlu’s undertaking was, and how unlikely it was that
the world of these songs would ever be travelled again in the company of these guides.

Under the leadership of Woodley and Coppin, the exhaustive process Juluwarlu
followed in rendering transcriptions and translations for the songs, then, produced
more exact results than my efforts fifteen years earlier, and also substantially revised
the work of linguist, von Brandenstein, by providing greater detail and by stripping
away ‘poetic license’ in the translations. These workshops themselves were audio-
recorded by Juluwarlu and so discussions about people, places and culture that
extended beyond the scope of the interpretation of the songs, and which in the future could provide for on-going cultural work, were preserved.

Understanding the effort and time needed to fathom just 160 lines of song verse brought Juluwarlu to the disquieting realization that such luxury would not be possible for the many hundreds of other recordings and references in its archive, and that every single illumination was a bonus. The audio recordings used in translating the songs, which dated back just 40 years, also demonstrated their singular value, for Juluwarlu could not have embarked on the transcription and translation of the Yindjibarndi songs in question without the priceless asset of von Brandenstein’s original recordings. It is important to consider, also, that the deeper, eternal secretions of this interpretive work would not have occurred without the formal, logistical, administrative dimension of the project – that is, without the action of conceiving and then embarking on the job of re-issuing Know the Song, Know the Country. This action had a primary value in and of itself.

**Political Sensitivities & Recuperating Copyright**

It should be noted that Ngurin Aboriginal Corporation, who had represented the community in the syndicate that financed Exile in the late 1980s, and who would have been the natural choice of organisation to produce and own the first edition of the book, had been placed under administration in 1995 and was effectively defunct. So then, it was Ieramugadu Group that published the first edition of the book. However, Ieramugadu’s star had also waned in the intervening years and was lately fraught by factional disputes amongst Ngarluma groups vying for control of the organisation. Juluwarlu Aboriginal Corporation, then, with its abiding cultural focus, was perfectly placed to rescue and resurrect the book. There was, however, no assurance that Ieramugadu’s current proprietors (whoever they were, for legitimacy was disputed) would agree to transfer copyright of the book to Juluwarlu so that it could be revised and republished.

Control and ownership of Ieramugadu Group, which had been established as a pan-community organisation whose membership was indiscriminately open to all Indigenous residents of Roebourne, had, since Native Title ‘consciousness’, been taken control of by Ngarluma on the premise that the Group’s business and its pastoral station leases were on Ngarluma country. In April 2004 one Ngarluma activist asserted
to Juluwarlu that the book’s ownership clearly lay with Ieramugadu and should rightfully be retained by Ngarluma. Juluwarlu was quite conscious of intra and intertribal tensions and was not confident of overcoming such complications in the republication project, and so it fell to me, as a ‘neutral’ third party, to resolve the issue. In May 2004 my chief object on arrival in Roebourne was to meet with the ostensible Ieramugadu chairperson to state the case for Juluwarlu’s stewardship of the project. In pragmatic spirit, agreement in writing was finally given for Juluwarlu’s ascension to ownership of the book’s copyright, which in turn cleared the way for Juluwarlu to follow through with republication.

** Priming of Partnerships **

*Know the Song, Know the Country* was launched in July 2004 with the Village community and guests from Pilbara Indigenous organisations, government agencies, and resource companies. The attendance of representatives from the Waters & Rivers Commission, who introduced themselves to Coppin on this occasion and made an offer of assistance for any future project, was particularly important for Juluwarlu’s next big project, and marked the beginning of an enduring partnership.

My experience of re-engagement with the Roebourne community via Juluwarlu ultimately prompted my decision to embark on an ‘action research’ project through Murdoch University, and encouraged me to precisely configure this research to sustain my further work with Juluwarlu. This prospect was made all the more attractive for its remove from the increasingly buttoned-up terrain of public broadcast television in 2004, which I had relied upon for my livelihood since the mid-90s. (See *Constraining TV Documentary* in Addendum 3A for my perspective of the industry at that point.) Essentially my postgraduate project sought to remedy one of *Exile and The Kingdom’s* ‘failures’: Following Van Willigen’s estimation of successful community development as being that which had “positive impact on the community”, *Exile* was successful. However, it failed on Van Willigen’s supplementary criteria, which required “sustained developmental action following the withdrawal of the community development professional”. *Exile’s* function of cultural production was not reproduced and established in the community.

A central tenet of our revived working relationship, then, was to establish sustainable, locally-based means of media production. Over the fifteen months it took to remake
Know the Song, Know the Country, discussions between Woodley, Coppin and myself often turned to the objectives they held for the organisation and to the obstacles in their path. They expressed a strong desire to carry forward their archiving, oral history and publishing work into digital media production and distribution, an aspiration that wanted and waited for resources and capacity while their elders grew older. On the back of the experience and bond we formed on KSKC, we conceived Juluwarlu’s next major project, Ngurra Two Rivers.

4.3 Fieldwork & Digital Recording – Ngurra Two Rivers

Working with the Wangka Maya Pilbara Aboriginal Language Centre, Juluwarlu had conceived of an expansive, all-encompassing cultural recording project in 2002 called The Ngaluma Indjibandi Oral History Project, and then in 2003, revised this as The Mapping Project, which proposed to record ‘significant Aboriginal places within two chosen areas of the Ngarluma and Yindjibarndi country, Millstream National Park and Sherlock Station’. Neither of these projects found financial support and had not been able to proceed, however they clearly signalled the aspiration that would be consummated with the Ngurra Two Rivers cultural recording project.

In the second half of 2004, Juluwarlu planned and executed a program of four major cultural field trips into Yindjibarndi and Ngarluma country which recorded 45 hours of MiniDVCAM digital video and included unprecedented coverage of the public aspect of Law. The project centred on the two great rivers that traverse Yindjibarndi country and the eastern part of Ngarluma country - respectively Yarndanyirranha (Fortescue) and Jigurranha (Sherlock). These were ‘rivers of life’ in the sense that they encapsulated core chapters of the cultural canon and social experience of the Yindjibarndi and Ngarluma. While the Jigurranha section was cut short (as I shall explain), these field trips served to demonstrate and reconfirm the specific cultural and historical links of elders and their families with the country in question; they documented creation beliefs and the inscriptions of creation beings, plus the songs and language and GPS coordinates for these; filmed thalu increase sites, home camps, workplaces and places of birth and burial; recorded genealogy, biography and family experiences; and gathered knowledge of flora and fauna and their uses as food, medicine and ceremonial adornment. More essentially, perhaps, these journeys documented Yindjibarndi and Ngarluma people in the throes of enjoying their country
and all it had to offer – knowledge, fish, game, bush medicine, good times, and for some, visitation of significant sites for the first time.

The numbers participating in these trips varied with 33 people in September travelling to the lower and central reaches of Yindjibarndi country; 24 in October to the lower reaches of the Sherlock in Ngarluma country; 60 in November to the upper reaches of Yindjibarndi country; and 25 in December to Yindjibarndi country. (Refer to Ngurra Two Rivers Fieldtrips in Addendum 9A for an account of each of the four trips.)

Plate 20: Recording interviews at the Sherlock Station shearer’s quarters for Ngurra Two Rivers (October 2004).

**Funding**

Juluwarlu had early indication of partial funding for the project from Mawarnkarra Aboriginal Health Service and the Waters & Rivers Commission. Its first chore was the search for complementary funding. As it happened, a large company, Brambles Monadelphous Joint Venture, had proposed to support a major cultural project in Roebourne – “A Cultural History of the Ngarluma and Yindjibarndi People” – and had approached Murdoch University and the Ngarluma Yindjibarndi Foundation (NYFL) to progress this aim. This corporate proposition appeared to be well matched to Juluwarlu’s objective, and Juluwarlu made concerted effort over several months to negotiate commitment from Brambles and NYFL. It should be noted that Brambles was involved in contracting to big resource companies in the Pilbara (Rio Tinto,
Woodside, etc.) for construction of infrastructure, and that Rio and Woodside required successful tenderers to abide by protocols requiring consultation with and demonstration of ‘good relations’ with local Indigenous peoples. Brambles offer of assistance for a cultural project in Roebourne coincided with its bid to construct a rail spur for Rio Tinto in Yindjibarndi country. Apparently, then, its proposal to fund a local cultural project was a routine operational matter to demonstrate compliance with Rio’s Indigenous protocols. However, despite their repeated attempts, Juluwarlu was unable to secure a firm commitment from Brambles or NYFL for any funding, and so decided to pursue other more fruitful possibilities. (It should be noted, that while Brambles succeeded in its tender to Rio, their proposal for “A Cultural History of the Ngarluma and Yindjibarndi People” never materialized. It collapsed amid confusion between Brambles, Murdoch University, NYFL and Juluwarlu over whether Brambles had or had not made a cash commitment of $60,000 to the project.)

Building on the commitments from Mawarnkarra Aboriginal Medical Service and the Waters & Rivers Commission, another partner, the Australasian CRC for Interaction Design (ACID), was cultivated via the auspice of Murdoch University. Finally the key cash providers for *Ngurra Two Rivers* were: The ACID – $45,000; Mawarnkarra Aboriginal Medical Service – $35,000; and Waters & Rivers Commission – $15,000. An essential contribution also came from Juluwarlu’s quantum of CDEP funding which subsidized overheads and the employment of key personnel.

**Modifying Terms of Funding**

It is important to understand that each component of cash funding for *Ngurra Two Rivers* was contingent on disparate terms and required discrete negotiation. The Waters & Rivers Commission contribution was least complex. It was motivated first of all by their appreciation of the two books Juluwarlu had published – *Wanggalili* and *Know the Song, Know the Country* – by their ‘public interest’ in recording the cultural, social and historical heritage of the two rivers concerned, and their desire to promote community awareness and conservation of these rivers. The Waters & Rivers Commission attached absolutely no obligation or stipulation to its funding, except that it served Juluwarlu’s cultural aims.

The $35,000 contribution from Mawarnkarra Aboriginal Health Service needed adaptation to *Ngurra Two Rivers* for it was originally meant for another project to
document genealogies of Roebourne families. Juluwarlu proposed to incorporate this element into the interview plans of *Ngurra Two Rivers*, and value-add with information about elders’ birthplaces and *ngurra* (country belonging to a particular family clans), and thereby maximize the economy of fieldwork across multiple objectives. A complication arose in the delivery of this component of the funding however. As a result of Wangka Maya’s role as the auspice agency, the agreement governing the ‘genealogy project’ was made between Wangka Maya and Mawarnkarra, and documentation indicated that ownership of the recorded cultural materials would technically reside with Wangka Maya – a contingency Juluwarlu would not accept. This was eventually resolved by arrangement that bequeathed ownership of primary records to Juluwarlu and the informants, and allowed for usage of the edited form – the Family Histories & Relationships documentary titled *Wanggangarra* – by Mawarnkarra.

ACID’s interest followed on their Digital Songlines Program, which aimed to apply 3D interactive games software to the presentation of Indigenous ‘virtual heritage’ in communities, cultural institutions and commercial businesses. Specifically, ACID wanted to collaborate with Juluwarlu in using Yindjibarndi cultural content in the construction of a ‘demonstrator’ that showcased their presentation software. However, a series of questions and problems arose regarding the terms and the character of the original ACID/Murdoch University proposal, and upon which funding was contingent. Juluwarlu’s observations and the remedies were as follows:

i. The project appeared to have a technological imperative, with most of the resources directed at the high-tech packaging of the form rather than towards the partnered Indigenous community and the work Juluwarlu needed to undertake to record and preserve primary cultural materials: Remedy – Juluwarlu negotiated a larger allocation of resources towards the digital recording of images and oral history. To this end it was agreed that the project would occur in two phases: the first concentrating on field recording; the second on post-production of the 3D, games-based, interactive artefact;

ii. It was originally proposed that project outputs would be aimed at public exhibition of cultural heritage; museums; interpretive centres; science centres; public consumption; international and national tourism; and requirements for the tourism market, rather than functions of cultural maintenance and
reproduction within the Roebourne community. The primary audience seemed to be one, that on the whole, the community itself was not a part of: Remedy – it was agreed that the primary field recordings would address and involve the community in first position, and be recorded with a view to their maximum value for the maintenance of local Indigenous culture.

iii. The stated aim was to “establish an infrastructure capability comprising hardware, network and software at ACID and Murdoch”: Remedy – Juluwarlu negotiated installation of digital media recording infrastructure at Juluwarlu. This would supply Juluwarlu with their first professional digital video recording equipment and microphone, video projector, and a power generator.

iv. There appeared to be no mechanism or method that would ensure a real sense of ownership of the project by Roebourne participants: Remedy – it was agreed that the primary cultural materials that were recorded by Juluwarlu remained the property of the informants with agreement for specified usage by Juluwarlu in the first instance, and by ACID under licence; and that Juluwarlu would become the hub for this activity.17

The ACID funding was particularly important in allowing Juluwarlu to commence the fieldwork, becoming available in short time and providing for the fundamental aspects of my participation over six months. Note that while my ‘researcher’ role was enabled and funded by ACID through the auspice of Murdoch University, to all intents and purposes I had elected to work as an employee of Juluwarlu – that is, under the management and guidance of Juluwarlu principals Woodley and Coppin – to co-manage the logistical and financial aspects of the project, and particularly, to provide technical oversight to the digital recording and offer training in this process.

It is significant to note that, unlike Know the Song, Know the Country, no private sector funding was found for the project. Neither was funding obtained directly from Indigenous government departments, as was the case with Wanggañili. Rather, Ngurra Two Rivers was made possible by allocations from research, health and environment organisations. Notable was Juluwarlu’s ability to recuperate or adapt diverse sources of funding to its purpose – a characteristic that would come to epitomize its development.
Accrual of Organisational Wherewithal

As the date of the first field trip approached, the scale, complexity and accelerating momentum of the operation, which outreached the scope of anything Juluwarlu had attempted before, took its toll. Preparation included planning and scheduling of fieldwork; allocation of personnel and their responsibilities; provisioning of fieldwork supplies and equipment; the purchasing of digital recording equipment; liaison with Mawarnkarra, Waters & Rivers, ACID and Murdoch regarding cash-flow; rehearsals of the recording process; and research and preparation of interview plans. It was a job learned in the saddle. Coppin felt under immense pressure, a weight made more intense by the fact that Woodley was largely taken up with his commitments to the ATSIC regional council and was away for crucial periods. Cracks also appeared in the auspice arrangement for financial and administrative services between Juluwarlu and Wangka Maya. With Wangka Maya’s 200 kilometre remove in Port Hedland, their own heavy load of commitments to other language groups in the region, and the fact that Juluwarlu did not have a ready in-house accounting system or dedicated administrator, Juluwarlu’s task of tracking and micro-managing the budget on a daily basis was particularly difficult.

With each successive field trip, however, the logistical, communications, production management, expenditure management and provisioning routines improved and became less stressful, so that by Christmas Juluwarlu had honed many of the essential organisational skills it needed to continue its growth. Juluwarlu’s experience regarding financial management and project management in particular, stimulated their desire to cut the administrative apron strings to Wangka Maya in the new year so that they could better manage accounting directly, in-house.

Strengthening Partnerships

Juluwarlu’s capacity to undertake this project was again assisted in crucial ways by partnerships it had fostered – in the first place with a coterie of elders, and then with its band of friends and helpers from the Village, and with Wajbalas. For example, the working relationship that began during these field trips with Paul Berry, who volunteered to oversee and provide training in mapping and GPS operation, would continue through a series of projects until 2008, and became central to Juluwarlu’s expansion into heritage management operations. The Waters & Rivers Commission
(later to be folded into the Department of Water) honoured their promise with both a cash and in-kind contribution of driver and vehicle, and assistance with GPS and stills photography. Their commitment to Juluwarlu was sustained in the years ahead with financial support for two further projects. Murdoch University also contributed via my post graduate candidature, which supported my participation as co-producer and cameraman. Ultimately the success of our teamwork on the Ngurra Two Rivers project prompted my decision to suspend enrolment at Murdoch for 12 months in order to accept an offer of a fulltime job at Juluwarlu over 2005. This allowed us to follow through with the various projects and plans we had set in train.

**Political Opposition & Ngarluma Division**

Just a week before the field trips began, at a meeting of elders convened to provide advice to the NYFL Cultural Centre project, voices were raised against the Ngurra Two Rivers project with particular objection to the prospect of ‘Frank Rijavec’ and Juluwarlu filming sacred sites and events at the Woodbrook Law ground. Objectors singled out scenes in Exile and The Kingdom that depicted the Burndud ring in the bedrock of Yarndanyirranha and public aspects of the Birdarra initiation ceremony such as images of the initiates in their convalescence skirts. They pointed out that Law was due again and said it should not be filmed.

A counter-view was put by elders at this meeting, which maintained that the elders of a previous generation – elders whose authority in Law was peerless – had set a precedent by sanctioning and commanding the depiction of country and public aspects of Law in Exile. The contemporary elders asked why such recording should be unacceptable now when elders had sanctioned it a decade previously? Pastor David Stevens, it should be noted, had also videotaped the public aspect of Law with the permission of an even earlier generation of elders in the early 1970s. In fact the sight of families video recording their boy’s ceremony in the Law camp had become increasingly common since the availability of handicams – akin to home movies of weddings and christenings and bar mitzvahs the world over. The objections, Juluwarlu judged, were made not because of genuine concern about the filming per se, but rather, were politically motivated to frustrate Juluwarlu, and so filming proceeded.

The most dramatic political consequence of the project came with the intercession by some Ngarluma, the ‘Croydon faction’, who objected to Ngarluma elder Frank Smith
or his family speaking for Jigurranka up-stream from a juncture marked by the Malinyjirna Crossing.24 Juluwarlu’s recording, then, was contained between Malinyjirna Crossing and the river mouth. In reality this turf war made little sense as Smith knew as much of the cultural and social history of the upper reaches of the river as its lower reaches, and had family connection running all the way to the river’s source. Frank Smith tried to conciliate with the antagonists, to clarify the intention of the project, and to discuss how it might go ahead amicably. However, opposition to recording from the Croydon faction proved to be intransigent; they warned that if Smith and Juluwarlu recorded anywhere upstream of Malinyjirna Crossing, there would be copyright issues. The objectors offered as authority the fact that they had given evidence for that country in the Federal Court (Native Title hearings).25 Despite support from other sections of Ngarluma, including some family members of the Croydon faction, Frank Smith, in consultation with Juluwarlu, resolved to abide by their proscription and limit Juluwarlu’s work to lower Jigurranka.26 Thus Juluwarlu, nor anyone else, has ever undertaken a comprehensive video record of cultural knowledge for the upper reaches of the Sherlock River.

The sensitivity of the Croydon faction was perhaps bound up with jockeying amongst several Ngarluma groups over propriety in dealing with Native Title business and exploration/mining proponents. In fact, a high priority for Frank Smith was to record Two Sister’s Hill, which he understood had been signed away to a nickel and copper miner by another faction of Ngarluma without consultation within the broader Ngarluma group. Smith was concerned that the hills would be mined and the landmarks for the story of the Two Sisters would be erased; that there would be nothing to show for this creation story in the future.27 He was determined to film the site before mining started, to make a ‘before and after’ record of Two Sisters Hill and the nearby soak and camping place where the grinding stones of his ancestors still lay.28

This rupture signalled a much deeper divide that would lead to the irrevocable, perhaps inevitable demarcation of recording for Ngarluma and Yindjibarndi cultural heritage. I will return to this in a dedicated exposition in Community Politics (Chapter 6), for it provides insight to the currents that move under the surface of such ructions.
Findings Regarding Fieldwork Method

While Juluwarlu essentially abided by its remit to record knowledge bearing upon the two rivers concerned, genealogy and birthplaces related to the Mawarnkarra elements of the work, and thirdly the materials needed for the ACID demonstrator, such definitive objectives softened as the expedition got further away from town, and the more traditional owners gave themselves to the embrace of country. The elders, Coppin, Woodley and I, and variously family members and the crew, contributed ideas and direction cooperatively, and ultimately the nature of what was recorded was guided by who was travelling with us, and the locations we reached. So, on finding an eagle’s nest with fledgling – incidental narratives and songs about jarburrungu (the eagle), were recounted; on passing an old spreading majgan (snappy gum) tree that had shed its bark and glowed red in the afternoon – elders told the story of how bargunyji (olive rock python) lost his teeth after biting into this tree and making it bleed – these and other stories were duly recorded with video and GPS. Juluwarlu recorded whatever it could, with the presentiment that second chances were unlikely.  

Plate 21: Ngarluma elder Frank Smith (right) giving testimony about the social and cultural history of the Sherlock River for the Ngurra Two Rivers project (Ricky Smith, left).
Plate 22: Recording the story about how bargunyji lost his teeth after biting into the majgan tree.

Coppin did, however, express some disappointment that not all the elders, specifically some of the women, had opened or warmed to the camera in the way she hoped they would. She said that while travelling in the car they talked about anything and everything, but found it difficult to find words for an on-camera interview. She intimated that perhaps the chemistry of relations required for some of the women to give over their knowledge was more complex and thorny than with others, and that they worked better in smaller groups, in female company, and in focussed exchange with a particular interlocutor. Also, some of these women expressed superstitions about being recorded on video and feared the possible retribution or criticism this would invite from antagonists in the community who, they claimed, would seek to deride them for putting themselves forward on the video. Indeed, these lessons would be remembered and alternative arrangements were tried in recording sessions that ensued through 2005.

In pre-production I had suggested limiting the size of the expeditionary parties for the sake of organisational simplicity and focus on the work, however the make up of the groups was guided by other contingencies, primarily relationship, courtesy, and respect. It made better sense to include everyone who wanted to come and who, in the broadest sense, had shown abiding commitment and support to the Juluwarlu project. Relationship was primary.
To varying degrees Michael Woodley, Lorraine Coppin, Tyson Mowarin and Brendan Bobby received training in technical aspects of booming a microphone, video camera, interview techniques, mapping and GPS, stills photography, production management and documentary production methods. However, the over-riding imperative for Juluwarlu was that the elders and what they had to say, and the country itself were recorded at their best. It was made clear to me that it was my responsibility to facilitate this, so ultimately I did most of the camera work, with Mowarin taking charge of the camera at less critical times. The technical training, then, was far from rigorous or methodical. Mowarin, as the nominated camera/sound trainee received most attention, with the idea that once I departed, he would be in a position to provide some training to others at Juluwarlu. In any case, during the trips themselves, Coppin and Woodley were fully occupied with the exigencies of communication across the group, conducting the interviews, looking after the needs of elders and children, and providing a common point of leadership that kept the show on the road. They had little time to dedicate themselves to the finer points videography.

**Applying the Recordings**

In its original conception *Ngurra Two Rivers* was to provide materials for two documentaries about the Fortescue and Sherlock rivers for Juluwarlu – the Family Histories & Relationships documentary titled *Wanggangarra* for Mawarnkarra, and the ACID interactive cultural ‘game’. Ultimately only *Wanggangarra* was produced, although this still awaits finishing and release. (See Chapter 5 for details bout *Wanggangarra.*) To gauge this ‘shortfall’ in achieving certain outputs as a ‘failure’ would belie the inestimable value of the raw recordings alone, and the capacity building this project provided for Juluwarlu. The videographed Law ceremony, for example, would serve as a reference in its unedited form, and over subsequent months and years images and information gathered on these trips were retrieved from the archive and used in other works, dealing principally with Native Title and heritage issues addressed to the Office of Native Title.

Juluwarlu proceeded with the *Ngurra Two Rivers* field trips with eyes wide open regarding the difficulties it might face in postproduction, and certainly it was made clear to major partner ACID, that the first phase of the project should focus on cultural recording as necessity. With only a small and vulnerable pool of elders
surviving, this urgency for recording permeated Juluwarlu’s reason for being. As Coppin explained: “The important thing for me is to collect it from elders. Once they gone they gone, and gone with them our knowledge […] There’s only eight knowledgeable elders we got left, and two of them are men who can tell you about all the men’s initiation stuff when we initiate our boys. That’s why the most important work for Juluwarlu is collecting it – every day we should just sit down with our elders and collect what they have”. It should be concluded, then, that the highest purpose of the project was achieved.

**Bringing Life to the ‘Lonely’ Country**

It is important to recognize an important point of difference between Juluwarlu and every other party in the ambit of, or associated with the Ngurra Two Rivers project – Brambles Monadelphous Joint Venture; Murdoch University; Ngarluma Yindjibarndi Foundation; Waters & Rivers Commission; Mawarnkarra Aboriginal Medical Service; and ACID. Juluwarlu’s motivation for recording cultural knowledge was at the core of its organisation, and a compact made with key elders who supported its work bound Juluwarlu. So then, Juluwarlu’s purpose was sovereign and ultimately free from the logic or motivation of the other interested parties. At the final flag, Juluwarlu was compelled to see the project proceed under whichever structural and funding arrangements made this possible – whether at a greater or lesser intensity, with smaller expeditionary groups if necessary, employing Juluwarlu’s own in-house resources, the funds already committed from the Waters & Rivers Commission and/or Mawarnkarra, and with the skills I brought – all the while attentive to the fact that what mattered most was to travel in country with the old people and roll the cameras.

In his testimonies for *Buminyijnha* (Tablelands Police Station or ration camp) and *Wuyumarrri* (Gregory’s Gorge) recorded for *Exile and The Kingdom* in 1987, Woodley King lamented that people were not visiting their country often enough; that the country was atrophying with loneliness for its people; and that only the ministering of the ngurrara (ancestors of the country) could make the country alive again. Juluwarlu’s work heeded King’s exhortation to visit the ‘lonely country’, and in the longer run, guaranteed the ability of future generations to tend their country with the knowledge Juluwarlu held in store for them. *Ngurra Two Rivers* both allowed elders to record cultural and historical information that illuminated their culture and history, and that captured the biographical shape and texture of their lives – and made it possible for
several generations of their families to visit these places for the first time. There had never been such a concerted, purposeful and communal gathering on country of Yindjibarndi people since olden times – perhaps since the days before forced relocation to coastal reserves, when families still worked the inland pastoral stations and people gathered at Buminyjinha Ration Camp for Law. Certainly, during the production of *Exile*, we had never tried anything so ambitious.

Plate 23: Yiirdi Whalebone and Sylvie Allan visiting Yiirdimanarah, and the nearby ruins of the shepherd’s hut where Yiirdi was born.

### 4.4 Financial Uncertainties

Taking the year of 2004 as a whole, then – there was no shortage of ideas or projects at Juluwarlu, the chronic difficulty lay with making time, acquiring resources and co-workers, and facilitating training for the personnel who were to carry out the projects.\(^{32}\) The tenuousness of Juluwarlu’s existence, its scramble to muster resources for its projects, and the speculative nature of its forward plans, cast a perpetual shadow over the day-to-day effort to keep cultural projects running. It was conceivable that a succession of two or three unlucky events could bring the organisation to its knees, to a point where many of its hard-won gains might be lost. It was only the subsistence of CDEP funding for wages, one 4WD vehicle, a meagre fuel and miscellaneous overheads allowance and the peppercorn rental of premises that stood between Juluwarlu’s persistence and a retreat back to a corner of the living room at home. Woodley explained: “We have no ongoing funding to allow us to plan. We have government agencies that would fund us for a project. We have companies that would contribute some funds for a project – it’s only on that basis. What we would like to have is some long-term sustainability where we can plan and not have to worry, lose sleep about where our next funds coming from”.\(^{33}\)
While there was a lot of money flowing into the ‘third phase’ of the resources boom, Indigenous access to development funding was tethered to miserable routines of mendicancy or on-going horse-trading related to cultural heritage clearances and mining access agreements – and all the personality-driven political and administrative complication this entailed (a matter I will return to at length). While industry had engaged some Indigenous corporations as contractors in labour provision, plant operation and site preparation, there was less interest or understanding of how Indigenous cultural recording and media production might contribute to the enhancement of life and the economy in the Pilbara.

In 2004, as Juluwarlu worked on *Know the Song, Know the Country* and *Ngurra Two Rivers*, the problem of precarious subsistence, of how Juluwarlu might extend its operations beyond the life of projects in hand, prompted work on a host of forward plans. The actual work of going into the field and recording for *Ngurra Two Rivers* often seemed no more than an interlude amid the unceasing administrative and managerial pressures that saw many small, under-funded and understaffed organisations like Juluwarlu falter and succumb. (See Addendum 10A, *Administrative & Managerial Tasks 2004*, for a summary of Juluwarlu’s workload at this point.) The stresses of this workload provoked the development of several funding submissions by Juluwarlu that included, as apriority, employment packages for an Administration Manager and Media Production & Training Coordinator. A handful of these submissions were successful, and, together with a few other key developments, were critical to consolidating Juluwarlu’s operations for 2005.

Of the approximately 22 institutions Juluwarlu dealt with over 2004, aside from the three dedicated funding providers for *Ngurra Two Rivers*, commitment or forward commitment issued from about six: the Department of Education & Training ($68,000 for a Media Production Coordinator); Ngarluma Yindjibarndi Foundation ($100,000 for an Administration Manager); Woodside Energy ($6,000 for refurbishment of Juluwarlu Media Centre; provision of subsidized staff housing for the Media Production and Training Coordinator; and sponsorship for a helicopter to allow Juluwarlu to undertake aerial photography of both the *Yarndanyirranha* and *Jigurranha* waterways); the Warrgamugardi Yirdiyabura Pathways to Employment Program (support for 3 full time workplace-based trainees) sponsored by Woodside; the Community Development &
Employment Program (overheads and cultural workers’ wages); and Shire of Roebourne (support for refurbishment of Juluwarlu Media Centre).

Other pivotal future-building achievements in 2004 included the attainment of fee-for-service contracts with NYFL (contract to undertake a community consultancy for its proposed Cultural Centre) and ACID (extension of the Ngurra Two Rivers project contracted directly between Juluwarlu and ACID this time), which helped to supplement Juluwarlu’s grant funding; and resumption of financial management from Wangka Maya, which allowed for more efficient, transparent and real time accounting. (For a more detailed outline of these achievements see Future-Building Achievements 2004 in Addendum 11A)

Aside from the failure to secure support from Brambles for cultural production in Roebourne, there was considerable investment of staff time in discussions and submissions to a host of other parties that also failed. Along with the successes, it is important to acknowledge these failures, for in reality they took up far more time than the negotiation of Juluwarlu’s successful developments, and indicate more soberly the doggedness behind any apparent success. These failures included various liaisons with and submissions to Straits Resources, the Museum of Western Australia, Pilbara Iron, Robe River Joint Venture, Apprenticeships WA, Burrup Fertilizers, the Pilbara Fund, the Indigenous Land Corporation, and the Australian Film Commission.

I have given some idea of the processes and team work involved in the developmental gains Juluwarlu made, but a factor more difficult to describe was the depth of good will Woodley and Coppin had built with key elders and community members, and also within the broader Wajbala community, particularly amongst the staff of some bureaucracies and corporations. The growth Juluwarlu saw in 2004 would not have been possible without these relational foundations, which had been sedimented over the previous four years.

I want to make a final point here. It was the down-to-earth ‘industrial’ experience garnered along the way that gave to Juluwarlu’s ‘sovereign purpose’, that opened their practice to the ‘lonely country’. It was their growing institutional confidence and experience that made it possible for Juluwarlu to revise the prescriptions of linguists; to cobble together disparate sources of support; to navigate institutional and
community politics; to come to grips with the demands of fieldwork; to realize the alchemy of partnership; to renovate the terms of funding; to yield to the necessity of primary recording at the expense of final output, or ‘product’; and finally, to walk the ‘financial high wire’ and attain resources sufficient to charting a forward course.

The object of ensuing chapters will be to describe how the potential mounted in the decisive year of 2004 was carried forward and consolidated into relatively stable, ongoing practice in 2005 and the years after.

**Coda – in Memoriam**

I relocated with my family to the Pilbara to take up my position as Media Production & Training Coordinator in January 2005. On the day of my arrival in Roebourne news came of Darcy Hubert’s death. Darcy was the Yindjibarndi elder who accompanied us on the *Ngurra Two Rivers* field trips in 2004 and was a primary informant for *Wanggali*. Another piece of the puzzle had been lost. The grief at Juluwarlu was tempered only by the knowledge that he had enjoyed two memorable trips with his people deep into Yindjibarndi country and had committed some of his knowledge to video before he died. Over the period November 2003 to January 2005 others – Pigeon (Kenny Jerrold), Guinness Gilbey, Nita Fishook, and Scaley (Lawrence Whalebone) – all exceptional for their cultural and historical standing – also died. Their deaths eternal reminders of the urgency of Juluwarlu’s work.

Plate 24: Darcy Hubert (centre) on his last visit to Burlumbanha (September 2004), RIP.
It should be remarked that Juluwarlu’s cultural recording work independently echoed James Clifford’s ambitions for ethnography, in that Juluwarlu was not compelled to essentialise past traditions, but instead was intimately involved in substantiating their ‘modernization’; they deployed multiple documentary methods over a broad range of precisely situated Yindjibarndi life; their recordings represented a ‘series’ rather than a ‘panoply’; and they circumvented questions of representational ‘authenticity’ and the production of ‘fictional’ ethnographic texts that Clifford claimed lay at the root of ethnography’s problem. Juluwarlu was able to achieve this because its identity and that of its principals was formed and forming at the epicentre of the “conjunctural processes” that caught them between cultures, and implicated them in others. Clifford questioned the ethnographer’s (or any scholar’s, researcher’s, bureaucrat’s) authority to objectively and realistically portray the ‘other’, and thereby shape representations of ‘culture’ and ‘history’. (Clifford:1988 p11) Juluwarlu overcame the problem of ‘ethnographic authoritative voice’ that Clifford condemned, because the primary recording activists at Juluwarlu did not merely monitor and shape the recording of their culture, they were in fact Indigenous cultural activists with inter-generational linkages who teamed with and directed, rather than were, non-Indigenous professionals. Ultimately, then, Juluwarlu achieved an “inclusive polyphonous” mode of representation that expressed the many voices in their society and more accurately reflected their ‘culture’ than any single-voiced ethnographic authority. Clifford’s claim for such alternative ethnography was that it was capable of reinterpreting deracinated cultures and contested history in order to powerfully enact “an impure present-becoming-future” (Clifford: 1988 p344).

By 1993 there were a plethora of media production and archiving technologies/methods that could have sustained the cultural reproduction work of Exile – the decisive problem was a skills deficit within the community and the withdrawal of partners who brought these skills and the possibility of skills-sharing to the community.

The opinion of Michael Woodley, personal communication with the author, September 2004

Email from Frank Rijavec to Kathy Trees, Subject: ACID feedback, 30 March 2004; Diary 15/6/04

Diary 3/10/04

Diary 30/9/04
26 Diary 16/2/05; Diary 30/9/04
27 Diary 6/9/04
28 Diary 14/9/04
29 Diary 28/9/04
30 Diary 15/9/04
31 Lorraine Coppin interviewed by Gerd Samland, MDisc 8b, Roebourne, August 2005
32 Diary 4/8/04
33 Michael Woodley interviewed by Rebecca Woodhead, MDisc 9, Roebourne, October 2005
34 Diary 14/1/05
CORE BUSINESS

On their website Juluwarlu declare that their mission is to bring together all extant Yindjibarndi cultural materials and knowledge from divers sources, to add to and enrich these with ‘living’ knowledge and finally allow for an authentic and “comprehensive story of our ancient people” to be told. ¹ Juluwarlu make clear that their “long-term goal is maintenance of traditional culture and the development of a strong self-confident Indigenous identity amongst the future generations of Yindjibarndi people”. ²

At Juluwarlu from 2005, these aims were expressed in an intensification of its operations at every level, and was marked by recruitment of staff and the inauguration of a training program for Indigenous media workers; the building of a media production centre and consolidation of in-house production; attainment of a television license and commencement of broadcast; up-keep of ‘core business’ in cultural recording and publication; consolidation of their physical archive and installation of a digital archive interface; expansion into consultancy and fee for service work within and beyond the local community; and comprehensive engagement with resources corporations and other institutions in both prosecuting Yindjibarndi rights and seeking business and funding. (See Addendums 4D and 5D for Juluwarlu’s Newsletter accounts of their activities over 2005-06.)

I will expound here the operations of each division of Juluwarlu’s growing capacity in order to provide a practical understanding of how the organisation matured through its ‘second phase’, and also as a prequel to tertiary developments that ramified the capacity of the Yindjibarndi traditional owner group more generally. This growth would have been impossible without this building of industrial or organisational wherewithal. First to Juluwarlu’s archiving operations:

5.1 Archiving – Drawing Together the Dispersed Body
A recurring theme in the process of healing the depredations of colonial usurpation and latter-day social engineering – that is, the unremitting dispersal of Ngaarda from their Ngurra to reserves and missions distant from their country, and the removal and
institutionalisation of children – is the retrieval or drawing together of parts of the dispersed ‘body’ of the tribe or family, sometimes literally as in the repatriation of bones from museums, universities and ‘private collections’ around the world; or by the reunification of families; or the recovery of identity lost in the dispersal and passage of time; or by the renewal of genealogical, traditional, and historical knowledge.

Juluwarlu’s effort at retrieval of cultural knowledge over a decade has succeeded in amassing thousands of still photographs, hundreds of hours of video and sound recordings, reports and dissertations, artefacts, maps, and other records – redeemed from linguists, anthropologists, former teachers, pastoralists, community welfare officers, policemen, business people, filmmakers, libraries, museums, Indigenous affairs bodies and other institutional databases, and so on. This collection was acknowledged as the most significant of its kind in Western Australia.3 Juluwarlu duly installed a large fireproof safe and several fireproof filing cabinets, and other specialist archiving equipment to house these materials, and is endeavouring to make digital back-ups of its most precious materials. (See Donations to Archive 2005 in Addendum 12A for details concerning nature and sources of donated materials.)

Plate 25: Margaret Stevens and husband Pastor David with Lorraine Coppin – donors to the archive of photographs spanning 40 years in Roebourne.

**Utility of the Archive**

Re-presentation of archival material was a key research tool during the production of Exile and The Kingdom, particularly the audio recordings of linguist Carl Georg von Brandenstein and slides retrieved from pastoralists. For example, one of von Brandenstein’s recordings, when played back to Woodley King, provoked him to recall...
how his old people had responded to the cruel and greedy incursions of the pastoralists by working *thalu* sites to increase the numbers of dingoes, the ferocity of cyclones, and the heat of the sun. This process of unearthing and replaying elements of the archive, as we have learned, was also a crucial method in the revision of *Know the Song, know the Country*, especially in transcription and re-translation of the songs. I will describe the function of the archive in relation to the production of specific publications, videos and cultural mapping projects ahead, but here wish to describe how a particular recording donated by Llyrus Weightman, of now deceased senior lawman Kenny Jerrold speaking about industrial development on the Burrup Peninsula, radically informed the present.

In a highly publicized program with a price tag in the millions, the Western Australian government and Woodside Energy extolled their careful collaboration with traditional owners over the fate of rock engravings that lay in the path of industrial infrastructure development on the Burrup Peninsula. The discredited ‘method’ of earlier decades crudely tagged and removed rocks with engravings to a fenced storage compound. With the 2007-2008, 17 square kilometre development of the Pluto on-shore gas liquefaction plant on the Burrup Peninsula, a more ‘enlightened’, up to date practice saw some 150 of these petroglyphs removed and repositioned out of harm’s way in accordance with the directions of a few Indigenous consultants.

Weightman’s video-8 showed Jerrold standing on a rock scree on the Burrup expressing a contrary view. He said that the rocks should never be moved. That it would be better if they were crushed into the ground where they lay. This accorded with the belief that the meaning and ‘effect’ of the engravings was bestowed precisely by where they were situated in the landscape, by their aspect, and by their conjunction with each other. These engravings or ‘expressions’ were not considered to be the work of *Ngaarda* (humans), but of the creation spirits, and the meaning intended by the spirits was not simply imbued in an engraving itself, but by its relation to its neighbours and the country. Consequently moving any individual inscription left by the creation spirits stripped it of its Law and meaning and rendered it as mere artefact that might please the consultant, tourist or developer, but for men who carried Law, was empty, and worse, symbolic of how *Wajbala* development had sterilized and manipulated their culture. Jerrold’s statement stands as a rare declaration on this issue from a previous generation.
Difficulties of Retrieval

While Coppin and her team were successful in winning the trust of a good number of donors, they knew of many more who each held a piece of the puzzle. There was a sense at Juluwarlu that this knowledge, wherever it resided, rightfully belonged with the families and tribes from whom it was ‘collected’ and should be returned as a matter of courtesy.\(^4\) Coppin was painfully aware that the only surviving records of many of her old people, now deceased, existed nowhere but in the field notes of linguists, anthropologists and social workers, records that now remained as the only traces of these elders’ knowledge – “that’s all we got”.\(^5\) Resistance by some professionals – principally anthropologists still working in the field – who while not flatly refusing to return materials they collected in the community, never delivered, caused her and her co-workers considerable disquiet:

> We can use that information more than they can. I mean some of that information they might have is what we lost, stories and songs that we can bring back to our kids. Don’t they understand that them people! There are some old people my mothers talk about that I never saw. We know that some of these anthropologists got stuff that belong to them. We would like to get it back and see it and feel it because we know our elders worked with it and saw it and felt it. Well if our elders wasn’t in the first place sharing stuff, they wouldn’t have got it, and all we want is a bit of share of it too so we can learn from it.\(^6\)

Notwithstanding the fact that Juluwarlu offered a service whereby original materials could be returned to donors after being digitally copied, we might perhaps understand the recalcitrance of some professionals if we recognize that they themselves felt a great deal of propriety over materials they had spent long days and weeks in the Pilbara sun recording; that their diaries recorded confidences, observations and faux pas they did not want to reveal; that they felt possessive of their professional archives, which provided not only for their early career degrees, but continued to provide for their professional livelihoods as they plied their trade as anthropologists in the service of traditional owners, government, and corporations. Their archives represented a sizeable value, more valuable perhaps while they remained exclusive? However, the
question remains – given the importance of these records to the Yindjibarndi, what can be done?

5.2 Installing Digital Inter-Face For The Archive

From the outset, Coppin was acutely aware of the vulnerable status of the precious and burgeoning body of the archive – what if there was a fire? What if a cyclone ripped through or a vandal broke in and trashed the building? What was the extreme heat doing to the prints and negatives and tapes? Even the routine courtesy of showing or playing back material to interested community was fraught with the risks of handling original materials.

A key brief in 2005 was to review all options for a ‘digital archive interface’ or display system that would allow for archival materials to be ‘digitised’ into a computer where they could be catalogued, searched and accessed ‘virtually’ while the originals were safely warehoused. After reviewing several systems Juluwarlu elected to purchase Ara Irititja – a system developed and managed by the Social History Unit of the Pitjantjatjara Council in collaboration with Anangu Pitjantjatjara. Ara Irititja had been developed specifically to “bring back home materials of cultural and historical significance to Anangu” and was franchised to other interested parties. Its facility included fields of data entry capable of describing large collections of photographs, images of art/craft works and traditional objects, diaries, journals, manuscripts, movies and sound recordings. It featured software that regulated access to private or sensitive materials; could perform as a dynamic database that could be augmented or corrected by
viewers with the appropriate access permission; allowed users to print photographs directly from the database; and most importantly, had been trailed and proven in remote Indigenous communities. (For a discussion of the pros and cons of Ara Irititja software and latest developments see Issues Concerning Ara Irititja in Addendum 13A.)

Upon installation Ara Irititja was re-badged as Ganyjagayi Mirnu, which translates from Yindjibarndi as 'keeping knowledge'. It could also be taken to mean 'learning'. The installation of Ganyjagayi Mirnu all at once provoked requirement for other computer-based applications and skills that were needed to prepare images for ingest into the computer archive. For example, Coppin explained that after installation of Ganyjagayi Mirnu she was compelled to learn how to make high quality scans of transparencies and prints, and then “use Photoshop to fix the red eye and darkness in the photo, and if they are really old photos that have been ruined by the wet you try and fix it up the best you can”. “When you first save it,” she elaborated, “you have to save it under a large TIFF image, because the quality of TIFF you can use for the full publications and posters; and for Ganyjagayi Mirnu we gotta take the picture down to a small jpeg which can fit into Ganyjagayi Mirnu”.

As a matter of course, this process introduced various levels of back-up whereby physical originals and the high quality scans were put into deep storage, a process that Coppin said eased her mind: “The archive its very easy for us, once we store the originals away in the safe we don’t have to worry about it. We can work with the copy”.

Performing the Archive

The awkward process of rummaging through books or packets of hundreds of original slides and loading projector cartridges in some kind of order meant that before the advent of Ganyjagayi Mirnu, the exposure of the archive to the community was a special event. Within a period of two years of its installation, Juluwarlu had loaded over 5000 images and several hundred documents into the system. As Ganyjagayi Mirnu consolidated, interaction with the archive became more spontaneous and staff were able to more easily respond to impromptu requests for showings. For example, upon ingestion of 50 photographs donated by anthropologist Jenny Gibson, which dated from the late 1960s, they were projected for viewing by a group of elders and Coppin was immediately able to annotate them. At the public launch of Ganyjagayi Mirnu in November 2005, Coppin and co-worker Rebecca Cheedy were able to screen moments from Ngurra Two Rivers by searching for ‘Cheedy’, choosing the movie clip of
the Burndud song for jarburrungu (eagle) sung by him; and then skip to another song, a nurnda (dance) song about jarburrungu, this time sung by Yiirdi Whalebone; and then to a scene from the same field trip where Alec Ned took water from a pool in his mouth and sprayed it in the air, introducing the visiting party to the spirits of the country at Jinangarli. On another occasion in October 2006, Juluwarlu video-recorded the end of year windup of the Roebourne Magpies football club, and courtesy of the laptop-portability of Ganyjagayi Mirnu, Coppin was able to coincidentally perform excerpts of the digital archive to families who came together for this function. Community members often visited Juluwarlu to get photos of themselves from their youth or of relatives they had known only as children, or the performance of Law, and Juluwarlu encouraged such access, not only for the pleasure and edification of visitors, but to assist Juluwarlu in the identification of people and places in the collection, to add to or correct entries.

Increasingly, formal sessions were convened with particular informants to plumb the depths of discrete photographic collections. The performance of Ganyjagayi Mirnu to groups could be a moving spectacle as the projected images and sounds ‘awakened’ an observer’s memory. This process ramified as members of the group engaged not only with the database, but with each other in recollection; striking out on unpredictable bearings as their discussion blossomed into corroboration, ornamentation, and debate about people or events that the archive had replayed. New information uncovered in these sessions could in turn be recorded in the information fields of each entry, thus providing a process for the exponential growth of the archive. Such sessions were often also recorded on audio or video by Juluwarlu staff and archived for future reference.
In this way the electronic archive acted as an instrument of revelation and ongoing knowledge collection, just as an interlocutor might, for it could ‘speak’ its knowledge as well as ‘listen’ or receive. The archive, then, particularly in its electronic, responsive form, was more than a book or video could ever be, in the sense that it was able to incorporate response and thus grow – to function as an Indigenous knowledge ‘growth engine’. This was also the experience in the Pitjantjatjara Yankutjatjara lands where media workers alarmed by the exponential mortality of knowledge carriers would visit elders in the bush “who were on their last legs”, with their portable Ara Irititja:

We would take Ara Irititja on the laptop version and use the photos to prompt and gather more info. So then we have this circle happening: So you’re making the video; you’re generating stories for the video; but at the same time you are generating information that goes on to the archive to fill in the gaps about who was that in that photo, ‘That’s you there but who was that?’ It’s a great prompter because otherwise you’d just be sitting someone under a tree there and where’s the start point?16

As a documentary filmmaker who has laboured to construct ‘television-friendly’ narratives, seeing the interaction between the Ganyjagayi Mirnu and its ‘interlocutors’ was a humbling experience. Here was a database-organism, if you will, that possessed no innate sequence or story, only a few levers (meta-data fields and the search function) that could extrude a set of materials according to name or date or location or type of media, etc., and that could all at once entertain, captivate, engage and educate the user. I observed that an individual’s self-navigated, original journey through the database, was in itself a performance of the information in the archive that was as compelling as a crafted documentary for them.17 To be sure, this database acted as an enchantment that could re-present itself in endlessly variable ways according to the predilection of any given viewer.

**Learning From The Archive**

As it grew, the Juluwarlu archive came to hold many different renditions of ritual songs for Birdarra Law. These represented a range of singers with varying styles from disparate eras including the Exile recordings; retrieved archival versions recorded on the Old Reserve; the recordings made of Kenny Jerrold by Woodley; and examples of Tim Douglas leading the current generation. Woodley discovered that this allowed
him to compare different versions and so track changes in trends, styles, and the sequence that ceremonial songs were sung in, and by such comparison he was able to identify anomalies in present-day recital. One such anomaly was discovered by Bridget Warrie when watching a recent recording of the delivery of Nuju to the waiting Garnngu at the Birdarra. She reprimanded Woodley that Lawmen had switched from the Thurndinha to the Marliyarra song at the moment when the Nuju dipped his hand in the flour, when they should have continued the Thurndinha song throughout the Nuju’s progress along the Birdarra until he reached the burnda (earthen bed). Woodley checked this by referring to a ceremony recorded on an early monochrome, reel-to-reel, video portapak by Pastor David Stevens in the early 1970s and found it just as Bridget Warrie described. Woodley also noted that in recent recordings the Burndud ‘paddler’ (lead singer) Tim Douglas carried features of performance propounded by Jiliwi (Johnny Walker) which held that as long as the opening group of songs were ordered correctly (about ten of them), then there was room for variation of the order of clusters of songs within the body of the canon, and there was no right or wrong order amongst these. Woodley said that this knowledge was crucial in making young, and more senior Lawmen alike, aware that tradition was mediated by the agency of leadership.


Similarly, slides dating back to the mid-1960s and video from the early 1970s, revealed an individuation of style in ceremonial adornment, the arrangement or combination of colours in paint and wool, feathers and plant materials. The historical record showed adornment styles waxed and waned; and that within limits there was room in the Law for interpretation, improvisation and creativity – for the expression of individuality.\(^{18}\)
Plate 29: Transparencies showing front and back view of the marni body adornment of Garngggu in Birdarra Law symbolically representing Yarndanyirranha (Fortescue River) – circa 1965 [Ron Hold].

Plate 30: A variation of Marni design recorded in October 2004.

Coppin observed that image and sound, particularly in the testimony of an elder, had a much stronger effect on Ngaarda than texts or ‘book learning’:

When you see your elder telling that story you see their features and their body language – that’s telling you a story too. They might be calmly telling you a story, but then you see their face very sad when they start talking about their culture and something significant to them. That’s what I like about the media.19
There is a scene in *Exile and The Kingdom* where Allan Jacob stands on the bedrock of Yarndanyirranha (the Fortescue River) at the sacred site of Jinangarli. He addresses the creation spirits – “I belong here! We've come to see the country the place where the god’s left their footsteps. We've all come to see the country and we're bringing the children to see. Don't harm us” – and a little later he directly addresses his own people: “This Law not belong to me, I'm not just making this Law. Law here written, this one here, see? [Pointing to the rock he stands on.]”\(^{20}\) The impression that this oration made on Trevor Solomon, who saw through the abstraction of the film to perceive 'the spirit of the man', bears out Coppin’s observation in regard to the importance of gesture, recorded as sound and image, in the expression of elders:

You can see how old Jijili, [Allan Jacob] when he stands in the country itself, in the Yindjibarndi country, in the Birlinbirlin country at the Jinangarli – he really expresses himself out, not via the word, but 'spiritual'. He breathes it out, you can hear his voice.\(^{21}\)

**Archive Resources**

The quest for resources for the archive met early support from Woodside Energy in March 2005 with a grant of general-purpose funds totalling $175,000 over four years that contributed to divers projects including purchase and installation of the electronic archiving system, computer hardware, and physical archive storage equipment. A month later the Indigenous Coordination Centre in Broome 'reallocated' $50,000 that had not been taken up or expended in other programs before the fall of the financial year to assist in the purchase of some of the big ticket physical storage items such as the Compactus filing & storage system, and fire proof safe and filing cabinets. The Ngarluma Yindjibarndi Foundation provided a $100,000 employment package for the Archivist/Linguist.\(^{22}\) In May Juluwarlu received more good news with a $25,000 grant from the ArtsWest Community and Ethnic Media program, which assisted in bolstering both the electronic and physical archive fit-out, and in launching a Juluwarlu website.

I should point out, Juluwarlu did not have a comprehensive business plan delineating its funding drive, and at this stage none of the institutions Juluwarlu appealed to demanded such. This would come later. Instead Juluwarlu pragmatically fashioned budgets and project outlines that matched its most urgent needs to what it might
realistically expect from a particular contributor. Juluwarlu continually amended and extended budgets and plans as exigencies required, so that each subsequent submission made up for shortfalls or oversights in the previous ones. In this way they found their way opportunistically rather than by ‘business plan’.

Personnel of course were instrumental in developing and maintaining both the physical and digital dimensions of the archive. In May 2005 Vicki Webb, who had worked with Coppin on Wanggalili, was recruited as Linguist/Archivist, a position that required her to work across both the electronic and physical archive, have mastery of the software applications and be able to provide some in-house training. Coppin, along with trainee Rebecca Cheedy and Linguist Vicki Webb, travelled to Ara Intiija headquarters in Adelaide to receive specialized training before turning to the enormous task of preparing materials for ingestion into Ganyjagayi Mirnu. Information Technology Manager Alan Thomson also brought assistance to the IT needs of the archive, particularly in streamlining settings and preferences of systems and softwares to overcome crashes, and in managing the challenging issue of digital storage. As the archive grew, need for a dedicated and suitably qualified archive manager became more urgent, and so, in response to an offer in late 2007 an old friend of the group, Jo Pritchard, left her Shire of Roebourne Local History Archive position to join Juluwarlu as Archive/Research Officer.

**Summary**

Coppin said that each time she played back historical materials from the archive “we get some tears with it, always tears, and then joy comes after that. And just gives me a good feeling because you know you are helping your people, and you’re bringing their culture and their history alive again”. She foresaw the value of the archive far into the future: “One of our younger generation might be a future director and be able to come in here one day and say – ‘I want to make a movie about this and I want to go through the archive and try and find it’. Here we have all this information for them”. Indeed, the archive held enough material to provide for any number of projects for decades ahead, for whatever new media platforms that might arise.

In mid-2007 Juluwarlu contracted archivist Jennifer Ford to map out the extent of the archive and make recommendations for the consolidation and systematisation of cataloguing. In writing her report Ford remarked: “The Juluwarlu Aboriginal
Corporation Archive is a collection of great significance to local Indigenous and non-Indigenous people, and has state significance as one of few such archives in Western Australia and similar national importance, again as one of few such archives in Australia.”  She went on to say that the work of Juluwarlu in sustaining the collection and recording of local cultural and social history was invaluable for recording and preserving an authentic history of Yindjibarndi traditional and contemporary life. She also observed that the most “effective and appropriate contemporary methods and media technology are used” in this work. (See Archive Statement of Significance in Addendum 3B for Ford’s report.) It is notable that while other such repositories of Indigenous materials existed, Juluwarlu’s was rare in both being managed by local Ngaarda and being located in the bosom of its user community (The Ara Irititja Project, by contrast, was based at Marleston in suburban Adelaide and had a non-Indigenous manager).

Plate 31: A public viewing of Ganyjagayi Mirnu at the NYFL AGM (November 2005).

We shall see that along with the strengths endowed by a stronger than ever administrative and operational experience, it was the systematic organisation of Juluwarlu’s archiving system, together with complimentary software like FileMaker and InDesign, that allowed it to readily muster materials for any particular publication, cultural mapping project, documentary, etc., and also assisted in producing books more quickly. Later the archive would also assist Juluwarlu’s management of heritage for
the Yindjibarndi traditional owner group and provide resources for projects Juluwarlu decided, from time to time, to undertake for corporate and government organisations.

5.3 Fieldwork and Making Books

In the wake of Juluwarlu’s *Ngurra Two Rivers* field trips, further recording sessions followed through 2005 – to Millstream and the old Buminyji ration camp, Cooyapooya Station, Yanduna Ration Camp, Yawajunha, along the Ngurin River, and around the oval table at Juluwarlu. These converged on a new book about Pilbara fauna ‘from a Yindjibarndi perspective’ called *Garruragan*, and on a second volume of *Wanggalili*. Coppin varied the *Ngurra Two Rivers* method, most significantly by making two of these fieldtrips ‘women-only’, including the crew. This aimed to make the elders, who were overwhelmingly women, “feel more comfortable in telling their stories”.27

In May 2005 a party of 30 women returned from Millstream with some 6 hours of video that included much else besides information about plants and animals – most particularly, interviews delving into personal and family history. One woman spoke of the burden of ill feeling she carried towards her brother’s spouse for the terrible punishment he suffered for ‘marrying’ against the Law 20 years earlier. Another recounted the story of her grandfather who was arrested in the 1930s for a revenge killing, tried and sentenced to death by *Wajbalas*, but escaped his hanging by becoming a crow and flying out of the Roebourne Jail and up the Ngurin river. One of the Juluwarlu trainees, Wendy Hubert, said this women’s-only excursion allowed for the speaking out of these and other stories, of getting them off one’s chest; she said the gathering (recording event) provided a space for healing.28

**Technology Vitalizing the Information Cycle**

As information was collected for the books, it was logged into a FileMaker database, which drew not only from the most recent field recordings, but also from the archive of older recordings and papers by linguists and anthropologists. Much as in the manner of *Ganyjagayi Mirnu*, the FileMaker database for each book was then played back and revised in subsequent workshops where a typical scene would include one or more elders in dialogue with Coppin, while images of plants, animals and the growing text fields that informed them were projected onto a screen at the opposite end of the table. And so each page of the book was rehearsed; what was known was recited and questions were posed about anomalies or gaps. This in turn prompted corrections or
supplementation from the elders; more recent accounts were cross-referenced with earlier ones from the archive; and all at once a trainee would video record what was said. The archive thus functioned as a ‘time machine’ in which elders long dead could ‘speak’ with the living (via anthropological records) in the process of reproducing their shared culture.29

Garruragan had been in preparation for over 12 months when it was launched in November 2005. In 95 pages it explained the cultural significance of animals in Yindjibarndi and English, and described modes of hunting and preparing bush meat for eating ‘in the wild’. Principal funding for Garruragan came from ATSIC. Unlike Wanggalili, it did not include parallel transcription of names and texts in the Ngarluma language, for Ngarluma and Yindjibarndi had, after the experience of Ngurra Two Rivers, formally parted ways in regard to cultural recording and publishing (see Chapter 6).

Plate 32: Working with Ned Cheedy on the Yindjibarndi mapping and publishing project, Ngurra Warndurala Buluyugayi.

Ngurra Warndurala Buluyugayi Nhanggangunha

Garruragan was followed by Ngurra Warndurala Buluyugayi Nhanggangunha - Exploring Yindjibarndi Country – Millstream, a project that signalled a major advance in Juluwarlu’s cultural recording and publishing practice.30 Principal funding of $90,000 came from the
Indigenous Australians Caring for Country program of the federal Department of the Environment, Water, Heritage and the Arts (DEWHA). Field trips commenced in earnest in September 2006 to locations at Millstream described by a ten by ten kilometre grid. In describing the project to a workshop of Indigenous cultural recording aspirants, Woodley explained that Juluwarlu’s ambition for Ngurra Warndurala Buluyugayi was to map the entire 22,000 square kilometre extent of Yindjibarndi country, beginning with the Millstream section of the grid.31 The work of mapping each section followed the pattern established for Garruragan and Wanggalili with a program of fieldwork, collation of germane in-house and archival materials, and their compilation in a dedicated FileMaker database.

**Media Driving Visitation**

With the consolidation of Ngurra Warndurala Buluyugayi, the process of on-going cultural recording trips and visitation by elders and their families to country had never been so intense and regular, and was routinely making discoveries. When the party arrived at a pool near Millstream and several catfish were caught, it was learned that Bridget Warrie’s moiety was ganggurria (catfish), and that Bridget’s mother (Lila Snowball) had eaten ganggurria at this pool, an event that sparked Bridget’s ‘conception’. This detail was duly included in the book.32 Another instance of the culturally regenerative possibility of Juluwarlu’s work was the visit to a women’s fertility site, Malarni, of some 25 people including women and children, men and boys. The trip was prompted by a retrieved record that anthropologist Kingsley Palmer had made of Woodley King. This site consisted of quartzite rocks riddled with holes that women beseeched to ‘make babies’. Palmer’s transcript read in part: “To perform the ceremony for this increase site, a spear or stick was thrust into the holes in the rocks. The woman performing the ceremony would call out the name of the woman who wanted a child, and where she was living. The spirit of the child would then find her. Due to this site, Millstream had the biggest population of children and adults anywhere in the area, according to elders”.33 Some of the men who had read Palmer’s transcription began to demonstrate with sticks in the holes of the rocks, an event that sent the women present, who were wholly unimpressed, into flight back to the bus from which they would not alight again until they had travelled a good distance from Malarni.34 This record by Palmer, and those of many others, were proving the value of Juluwarlu’s retrieval program. Finally, all the information gathered and sequenced in
FileMaker was transferred into InDesign desktop publishing software where the book took shape.

**Correcting the Record**

Just as Juluwarlu’s work in re-transcribing and retranslating songs for the book *Know the Song, Know the Country* discovered errors of interpretation in past records, the mapping project had significant work to do in correcting the records retrieved from the Department of Indigenous Affairs (DIA) and others, some of which dated back 30 years. All of these old records denoted sites with map grid references, which could be up to 200 metres off contemporary GPS reckonings. A major task on every field trip, then, along with the video recording, was the logging of precise GPS waypoints. To this purpose, with the sponsorship of the Department of Environment, a new Indigenous trainee, Warrick Sambo, was employed by Juluwarlu to be trained by surveyor Paul Berry who had undertaken the same role for the *Ngurra Two Rivers* fieldtrips in 2004.

The positioning data Berry and Sambo captured in the field was then uploaded into the MapInfo ‘location intelligence’ application, which could be integrated with maps, data, and aerial images of country downloaded from the State Government database Landgate, and also from Google Earth. Woodley said that the facility of referencing old coordinates against recent aerial images of country helped enormously in finding particular hills and pools that were difficult to locate when in the field.

The anomalies they found in the official Aboriginal Sites data registered with DIA concerned not only locale, but also the size and names of particular sites. One site in the Millstream grid was named for the archaeologist who documented some 300 artefacts he ‘discovered’ there, and which he then removed and shipped off to museums in England and Perth, thus expunging this physical evidence of Yindjibarndi occupancy. Woodley was piqued at the hubris that named his ancestral country for an archaeologist collector:

> The site’s named after them because they found all these grinding stones and axes! And this guy he just went there, found this site, and took them all away – and they named this site after him! So we’re going back and giving proper Ngaarda name, fixing up all that sort of stuff.35
When it was published in November 2007 in an initial print run of 2000, the book included a number of detailed maps showing locations and names of 53 sites around Millstream, and was the first issue of the mapping project series. The extensive video record of the fieldtrips was slated for the production of a DVD documentary that would be included with the book in future editions.

**Extending Ngurra Warndurala Buluyugayi**

In July of 2007, the Department of Water and DEWHA granted funds to extend the mapping project to the Wuyumarri (Gregory’s Gorge) locale. By the end of 2008 additional assistance from State Government’s Pilbara Development Commission, Rangelands NRM Coordination, NYFL and the Yindjibarndi Aboriginal Corporation allowed for another two locales – Yawajunha (country surrounding the Harding Dam) and Winyjuwarranha (Hooley) – to be added. The budget for each grid/edition averaged $140,000. (See *Juluwarlu Financial Summary* in Addendum 14A for Juluwarlu’s funding overview of these and other projects.) Acting on their policy of recording at the direction of their elders, whether dedicated project funding happened to be available or not, Juluwarlu had in fact begun recording the Yawajunha area many months before funding was confirmed. This was at the urging of elders Dora Solomon and Bridget Warrie who wanted to record the country of their youth and their family histories. Bridget Warrie died before the Yawajunha book was finished in September 2008, but not before recording a good number of her stories.

Plate 33: Yindjibarndi elder Bridget Warrie working with fellow elders at oval table at Juluwarlu, RIP.
Financial Strategy
The objective of Ngurra Warndurala Buluyugayi – to record and aggregate cultural and historical information for the entire 22,000 square kilometres of Yindjibarndi country – if proposed and staged as one project would have foundered on its immodest scale. The good judgment of Woodley, Coppin and Administrator, Phil Davies, was to begin with an iconic locale – Millstream – and complete this as a self-contained pilot. This inaugural edition was financed with Federal Government funds that in effect, enabled Juluwarlu to prove their concept and consolidate a method for the larger, ongoing project. The Millstream pilot had the immediate effect of spurring interest from the Department Of Water who drew on the Millstream aquifer for town water supplies on the coast, interest that ultimately translated into a commitment of funding for the next stage. Total financing for the ten-year mapping and publishing program, then, was not necessary for its continuation; finance for the next stage was enough and Juluwarlu maintained the larger project by securing sponsorship in bites, in the way perhaps that proscribed share issues might be released to investors. This had the advantage that particular parcels or grids within Yindjibarndi territory could be presented to the most likely sponsors, precisely as the second grid, Wuyumarri or Gregory’s Gorge, which encompassed the river heartland that is precious both environmentally and culturally, was marketed to the Department of Water.

It was notable – emblematic of its institutional mentality perhaps – that while the Department of Conservation & Land Management, the governing authority for the Millstream Chichester National Park, was prepared to invest between two and three hundred thousand dollars to buy coverage in Australian Geographic for advertorial coverage of National parks in its domain, it did not offer any financial assistance for either the Millstream or Gregory Gorge editions of Ngurra Warndurala Buluyugayi, which fell within or directly neighboured its dominion. 38

Implications Of Going Public
Ngurra Warndurala Buluyugayi provided explicit rendition of many cultural and historical aspects of Yindjibarndi country at Millstream and reaches of the river up and downstream of Gregory Gorge. As the Juluwarlu website makes clear, the Millstream book was a calculated exercise in disclosure:
The Millstream-Chichester National Park encloses an area around the Fortescue River which is the heartland of the Yindjibarndi people [...] Ngurra Warndurala Buluyugayi: Exploring Yindjibarndi Country is published in full colour with hundreds of photographs and maps detailing all the sites. Also included is a fold-out A3 size map of the whole Park making this an essential guide for any visitor, tourist or anyone who seeks a deeper understanding of our beautiful country.39

Anxiety on the part of traditional owners in regard to public disclosure of their sacred places has commonly arisen from negative effects of such disclosure – littering, erosion, and graffitiiing of sites, and the stripping of their private ‘charm’ by the traffic of tourists. This act of publication by Juluwarlu was certainly an attempt to correct and complete partial records in the public domain as we have seen, and most importantly, it provided a resource for the Yindjibarndi nation, but it also possessed symbolic power. Juluwarlu and Yindjibarndi openness, I suggest, was an act of reassertion, of re-inscription of cultural identity on the Millstream National Park ‘for all the world to see’; a refusal to secrete and guard their cultural riches because of fearfulness; and a rejection of the helplessness Indigenous people often felt in regard to the actions of developers on their country. This freely available publication ran counter to practices that viewed traditional knowledge as something to be guarded by senior custodians and conferred as a privilege to the chosen who had either earned the honour or stood in line to receive that knowledge. Ngurra Warndurala Buluyugayi announced that knowledge of Yindjibarndi country should be disseminated as widely as possible and that everyone might be strengthened by the open-handed exchange of this knowledge.

Going on the record with Ngurra Warndurala Buluyugayi was also important in providing an alternative to the PR drivel of touristic promotions such as the Australian Geographic article about Millstream that the Department of Conservation & Land Management had paid so dearly for.40 Little wonder then, that Juluwarlu sought to inscribe meanings more potently Yindjibarndi on the landscape, while at the same time not eschewing the same tourist demographic, and making positive connection to the broader body of Yindjibarndi people.

Of course, another consequence of such bold and comprehensive cultural documentation of country was that it pre-empted moves for development or
economic exploitation, once again running counter to convention in which cultural heritage surveys and documentation usually post-dated a stated intention by a developer to disturb country and possibly destroy its traditional heritage values. With this book and Juluwarlu’s recording practices more generally, Yindjibarndi declared that attention to their cultural heritage would not be directed by the interest of developers, but by the priorities of traditional owners. (See Chapter 8 and The Consequence of Taking Charge for illustration of how Ngurra Warndurala Buluyugayi Wuyumarri preserved a record of Gurrwaying Yinda before Rio Tinto’s summary destruction of the site.)

The act of publication was also important for the scheme’s continuation, for while the archive should be considered as the foremost expression of Juluwarlu’s work, its arcane world could not easily be explained to funding bodies, and nor was it an ‘artefact’ that could be distributed through the community. The publication of books, then, became the archive’s most broadly disseminated articulation. While it was difficult to explain the value of another dozen hours of recording undertaken for a particular project, and which comprised multiple threads and layers of information about a host of subjects, the publication of a book made an immediate impression, presented a palpable guarantee to a sponsor or to a community member seeking bonafides for Juluwarlu’s activities. The completion of each book was also an honouring of Juluwarlu’s compact with the elders, a way of “growing their trust” by “making sure that we deliver something back to them in a publication, where we say, ‘This is what we spoke about in the last twelve months, now it’s in a book, it can be delivered into the schools where the kids are being taught’.”

Production of Ngurra Warndurala Buluyugayi was marked by another death in March 2007. Cherry Cheedy was the last of the Gilbey siblings born around Tambrey and Coolawanyah stations. Wanting to see the book project to its conclusion, and in honour of their mother’s knowledge, Marion and Jane Cheedy, who worked as teaching aides and language tutors at the Roebourne Primary School, came to Juluwarlu to translate her interviews from Yindjibarndi into English.
In closing, the exceedingly layered and integrated nature of the mapping project should be noted. It incorporated various technologies and software applications including GIS, digital video, database and publishing; involved participants from diverse, even disparate pockets of society including a core of elders, Juluwarlu crews, the broader Indigenous community, Wajbala ‘professional’ collaborators, and familiars from government departments; demonstrated an organisational wherewithal for recording in exceedingly difficult terrain; and a capacity for pre and postproduction that encompassed the entire book making process, excluding only the printing.

5.4 Digital Video Capability – Murru Warru Mya

Behind the main Juluwarlu office/archive – a large open space that was built as a kindergarten – is a two-bedroom teacher’s house. While windows, doors and fittings had been wrecked, the roof and walls were built to withstand cyclones and Juluwarlu won a reprieve for this shell from the Shire of Roebourne. By February 2005 it was renovated to serve as a video production centre, and by mid-2005 as the home of Juluwarlu’s Open Narrow Cast Television broadcasting facility. It was named Murru Warru Mya Media Centre in memory of John Pat. (Murru Warru derives from waramurrungga, the flying fox, for the birthmark on his back that looked like a bat.) Murru Warru belonged to the peer group just ahead of Woodley and Coppin, he was their older brother, and Juluwarlu wanted to remember his life, not so much as the ‘death in custody’ that triggered the Royal Commission, but as a life that meant something above and beyond the senseless and brutal circumstances of his death. A dedication on the Juluwarlu web site states:
From the tragedy that happened on that fateful night, the Murru Warru Centre will do everything in its power to build and deliver positive messages of hope for all. Despite past events we must triumph and raise from our own fears of empowerment and become strong, continue to stand and face our fears, in remembrance of those who have fallen. In the name of Murru Warru John Peter Pat.\textsuperscript{43}

As we have learned, video was routinely used for cultural recording attending publications and was warehoused as raw bolts of information in the archive. Following is a more specific exposition of how digital media was applied in both secular and cultural documentaries.

\textit{Wanggangarra – ‘that which gives life’}

\textit{Wanggangarra} was conceived as a twenty-five documentary about families and their origins in country (genealogy); the concept of home or \textit{ngurra} (country); and traditions of ‘skin relationship’ within extended families and the broader community. At the root of this relational system, the documentary stated, was respect:

Respect is not just given or owed to elders and others in your family and community, respect is something each man and woman earns by the way they live their life. Just as the young respect their elders, so elders have to respect their young. In the end it all comes back to make a strong family; a strong community; it gives you strength in your own life; it is what gives you life – \textit{Wanggangarra!}\textsuperscript{44}

\textit{Wanggangarra}, then, is a Yindjibarndi expression meaning ‘that which gives life’. This was certainly the most ambitious and elaborate of all the video productions to be undertaken at Juluwarlu in 2005 through 2006. The film was scripted in a series of workshops from June through August and editing was delegated to trainee Tyson Mowarin.\textsuperscript{45} Postproduction for \textit{Wanggangarra} called on images from recent recordings of Law at Woodbrook, the photographic archive, aerial coverage of \textit{ngurra}, excerpts from the archive, but chiefly the \textit{Ngurra Two Rivers} recordings. While \textit{Exile and The Kingdom} had introduced some of the same concepts, \textit{Wanggangarra} would unravel and expand on \textit{Exile}’s sketch and explore these ideas with a sophistication that had not
been documented in any form for the Pilbara tribes. (Refer to *Wanggangarra Script* in Addendum 4B for the script of the video.) The most esoteric aspect of the film was its explanation of the multilateral structure of relationships running in every direction through an example extended family of several generations – “relationships important for keeping the peace, maintaining respect, and helping the community to work together”. While a general audience would have grasped much of the film, this section was clearly directed at local Indigenous audiences and would have been difficult for most viewers outside the milieu of these relationships. (An excerpt from the DVD *Wanggangarra* is included as Addendum 2C.)

The skill that Mowarin applied to editing *Wanggangarra* warrants special mention. *Wanggangarra* took form as a highly stylised and intense montage overlaid by commentary. In the illustration of the multidimensional structure of family relationships, Mowarin employed many layers of composited video and screen design which ‘shuffled’ dozens of photographs of the various generations of the example family, and overlaid relation-name graphics employing all the facility of LiveType and Final Cut Pro. Mowarin had developed this ornate style, which seemed to gel with his ‘Generation Y’ sensibility and became his trademark, under the tuition of Alan Thomson during the production of the NYFL Cultural Centre Community Consultation documentaries (discussed ahead). (Also see Training later in this chapter and Commissions for Corporations in Chapter 7 for an account of Mowarin’s training experiences.)

In October 2006 *Wanggangarra* was awarded Best Language & Culture Video at the 8th National Remote Indigenous Media Festival at Wirrimanu (Balgo) where it was presented as a work in progress. The film’s stylisation was divergent, even dissonant compared to the figurative, reflexive work that had come from the more remote desert communities, but this did not faze veteran Warlpiri video maker, Francis Kelly, who was one of the judges and understood the potential of *Wanggangarra*’s highly wrought style for teaching skin and respect to young people.
Re-Versioning *Exile and The Kingdom* as DVD

As outlaid, community organisations and a host of public and private institutions routinely used *Exile and The Kingdom* in its VHS form for education and cross-cultural awareness training. Juluwarlu made it a priority to re-issue the film as DVD and to add new features – particularly direct menu access to the film’s 12 chapters so that it could more readily be used in education; and extras including 22 illustrated biographies of the interviewees, 34 traditional songs, printer friendly teaching notes and a PDF version of the booklet *Know the Song, Know the Country*. (*Exile as DVD* is included as Addendum 1C.)

The biographies, which were set out in plates embellished with photographs of the people, country, its plants and animals, were edited and prosified with cultural worker, Wendy Hubert, who was able to lend intimate and personal inflections to the stories of men and women she had known since girlhood. Again the records of professionals who had worked in the Pilbara in previous decades proved valuable, with the biography of Algie Patterson being substantially supplied by linguist, Alan Dench, who had recorded many hours of testimony and song with Patterson. For biographical details of Tim Kerr, I sought out his relatives at the old Mount Welcome homestead, however, after listening to the selection of song extras intended for the DVD reissue, our dialogue turned instead to a grave omission – the songs of one of the great song men of Roebourne, Wilungungku (Milton Lockyer).

It emerged that *Jiliwi* (Johnny Walker) carried Wilungungku’s songs, information that prompted me and Woodley to look in the archive again where we found two recordings by Wilungungku made by von Brandenstein and sung by Jiliwi, which were duly included. As usual, the production of the DVD involved elders in vetting and interpreting materials, a process that brought to light new information, mobilized knowledge in the archive and spurred cultural reproduction or renewal.
A most important corollary effect for Juluwarlu of its initiative to reissue *Exile* digitally, was a renewal of community ownership of the film: firstly, by rescuing beneficial community copyright that had fallen into abeyance after the former holder, Ngurra Wangkamagayi Aboriginal Corporation, was deregistered; secondly, by financing the re-versioning, and thereby earning a right to first position in recoupment of their investment (courtesy of a grant from Meath Hammond of Woodside Energy); thirdly, by managing the production work; and fourthly, by restating ownership through public launch, promotion on their website, and direct sales. It should be marked, that it was for the graphic design work, video remastering and DVD authoring on this project that Alan Thomson was engaged for the first time, a connection that would ultimately see him move to the Pilbara to take up full time employment as Juluwarlu’s IT Manager.

In 2009 *Exile and The Kingdom* remained a recommended resource for English and Society & Environment curriculum in Western Australian high schools. Teaching notes remarked that its educational value lay in addressing “Preconceived notions of Aboriginal people”, by providing students with an opportunity “to analyse their ideas and views of Aboriginal people and to investigate how/why these were formed,” to “challenge what they know about Aboriginal people,” and by encouraging “respect for others & their rights”.48
NYFL Cultural Centre Consultancy

The management and recording of the community consultation process for the Ngarluma Yindjibarndi Foundation’s Cultural Centre was the first major fee-for-service commission that Juluwarlu undertook, and demonstrated how diversification into ‘Indigenous Knowledge and Consulting’, incorporating video, aided Juluwarlu’s push to sustainability. (See Addendum 4D and 5D for Newsletter reports and images of the Cultural Centre Consultancy.) Over the duration of this consultancy Tyson Mowarin video recorded focus groups at various art centres in the region, and at a major workshop attended by 170 people, where guest speakers and Traditional Owners brainstormed ideas. Coppin also practiced her camera on recording the Ngurrawaana focus group. Ultimately some 20 hours of video were recorded with every community organisation bearing on Roebourne life. This was distilled into a 26-minute DVD of community opinion about the proposed Cultural Centre, which was screened for participants at a subsequent community workshop. (See Cultural Centre Consultancy DVD in Addendum 11C.) It was later extolled in a speech by Ngarluma elder, Trevor Solomon, as an example of how people could work together across generations and tribes, just as the elders had done in times before when no one was “classed out”. The success of this first stage of the consultancy, which was formalized in a comprehensive report by Phil Davies, extended to a second Phase in 2006 and confirmed Juluwarlu’s ability to coordinate complex cultural consultancy and liaison projects. (Later experiences of fee-for-service work are discussed in Commissions for Corporations in Chapter 7.5.)

Overview of Video Output

An overview of the 2004-08 period shows that Juluwarlu video crews attended to a diverse range of community current affairs, cultural assignments and the needs of other organisations. (Refer to Digest of Production in Addendum 16A for details of productions.) Examples of special note include the ‘video minuting’ of the Yindjibarndi Aboriginal Corporation meeting at which elder Ned Cheedy was appointed ‘Councillor in Chief’ of the Yindjibarndi Aboriginal Corporation, a historic event that was decisive in settling issues of governance in the group. Such ‘video minuting’ of Yindjibarndi Native Title business became a routine signature of their accountability and transparency, and was consequential in dealings with corporate interlocutors (examples will be tendered in Chapters 7 and 8). Video recorded also, was the opening of the school at Ngurrawaana, the first ever in Yindjibarndi country. All of these
records of Roebourne’s community life were accreted in Juluwarlu’s archive for future projects.

While some cultural recording was oriented to particular publications or to heritage surveys, an enormous amount of video about elders’ lives and their cultural knowledge was amassed without any consideration of its ‘utility’ or where the resources for post-production as films or books would come from. Much remains un-logged and unedited, but archived for the day when resources and skills become available for long-form scripting, transcription, analysis, etc. Most important was that the recordings were made – due to death and illness it would not be possible to make them today.

Copyright & Payment

The question of who owned cultural materials and who had the right to record and ‘hold’ them was an issue that Juluwarlu paid close attention to – particularly after difficulties in recording heritage for the Sherlock River during Ngurra Two Rivers. During the Ngurra Two Rivers project in 2004 Juluwarlu did not undertake any formal ‘contracting’ with elders regarding the recording. I understood that business was being conducted according to Ngaarda protocols that placed ‘respect’ in first place. The participants on those field trips agreed to participate, then, not by ‘legal’ agreement, but in accord with their estimation of Woodley and Coppin, and how they conducted themselves in the broader sphere of respect relationships.

This relational ‘agreement’ was more straightforward in the Yindjibarndi segments of the project because Coppin and Woodley had direct affiliation and leadership standing within Yindjibarndi and in the Law, but was equally applicable with the Ngarluma recordings made under the authority of Frank Smith and his Ngarluma associates. As I have outlined in Chapter 3.4 (Template of the Law), there was a system of relations among people that transcended tribal or language affiliation, and which was expressed in routine ways on the Law ground and in daily community affairs. This was the principle that allowed the Jigurranha cohort of Ngarluma and others to record with Juluwarlu. It might be noted that the Croydon faction of Ngarluma who cleaved from the Ngurra Two Rivers project for political reasons, was led by women who were not so intimately bound in respect relationships governing the ‘men’s business’ aspect of Law, and who shared no forum of regular discourse with Woodley.
All elders who participated in cultural recording trips were paid a token amount for each day in the field, not so much in consideration of the essentially priceless work they were doing, but as a per diem of appreciation and respect. Generally, the younger, that is to say middle-aged participants who were not primary informants, were not thus remunerated, a fact that caused some confusion when their requests for payment were declined. Juluwarlu explained to these supplicants the shoestring nature of its budget. While small amounts of money were paid to elders, Woodley was adamant that cultural recording by Juluwarlu was never predicated on this exchange, and that elders understood this:

It’s not about the money, and it shouldn’t be about the money. It should be about the knowledge and the history that you’re passing down. And they see that as being an important thing, and they’re happy with what we do with it at the end of the day.\(^5^1\)

During the *Ngurra Two Rivers* project there had been a bid from a particularly important Ngarluma traditional owner for payment of ‘survey rates’ of $500 per day for his knowledge – the rate mining companies were paying traditional owners for heritage clearances ahead of development.\(^5^2\) This bid was backed by an allegation from a member of the Croydon faction of Ngarluma that ‘Frank Rijavec got rich off Exile’, and that ‘Frank Rijavec and Murdoch University had a lot of money and that they should pay $700 a day’.\(^5^3\) After witnessing the ‘cash for comment’ trade in cultural knowledge that attended Native Title, and the ‘baksheesh’ or cash-up-front arrangements exploited by mining companies keen to hurry along heritage and land access deals, Juluwarlu found such self interest in the course of community-based cultural work, objectionable, and dismissed it. (These issues will be enlarged in *Community Politics* and *Notes on Corporate Environment*.)\(^5^4\)

**Copyright & Native Title**

The phenomenon of Native Title acutely affected views in the community about ownership regarding cultural knowledge, as Michael Woodley explained:

The sad thing about Native Title, it brings in this thing about division of information and ownership of information. Look, my grandfather knew other people's songs and stories, they spoke about country openly and they carried
some of that knowledge with them. Since Native Title came it sort of put those barriers in there, and Yindjibarndi were told not to speak about Ngarluma country and so on.\textsuperscript{55}

Native Title, as we shall learn, grew to be the elephant in the room of Juluwarlu’s operations (see \textit{Community Politics} and \textit{Recuperating Native Title} in Chapter 8).

Cleavage following on Native Title raised disquieting quandaries for both Ngarluma and Yindjibarndi people. There were circumstances – history that relocated people on reserves and stations across tribal borders, and inter-marriage – that saw the cultural and historical knowledge and genealogies of one traditional owner group being held by individuals from another group. Knowledge for Croydon Station, which was in Ngarluma country, was also carried by surviving Yindjibarndi women who lived there for much of their lives, in some instances married to Ngarluma men. Because some Ngarluma traditional owners objected to an organisation they identified as ‘Yindjibarndi’ recording this information, these women were denied the opportunity of recording their knowledge for Croydon. Two of these women have since died taking their Ngarluma knowledge with them, thus, in the final analysis, denying to Ngarluma aspects of knowledge that inform their heritage.

Notions of familial ownership become even more convoluted when, as Woodley explained, elder ‘A’ sang a jawi song dreamt by elder ‘B’: “So who owns the copyright? And you can’t ask the original owner because he died back in 1930. A family member might say my father sang that song why are you using it!”\textsuperscript{56}

After serious consideration and consultation with elders, Juluwarlu arrived at the position that ‘ownership’ of Yindjibarndi cultural knowledge offered by particular informants should not devolve to the family of the informant. They maintained that such knowledge was not ‘invented’ by a particular informant, but inherited through complex pathways that were never simply patrilineal or matrilineal, and involved Yindjibarndi ancestors common to the majority of Yindjibarndi families, and should therefore belong irrevocably and unquestionably to the common weal of Yindjibarndi who wanted to carry and enjoy their inheritance today and in the future. Access to the Juluwarlu archives was a given to anyone who identified with this aim of cultural preservation and maintenance.
It was not however, open for the use of others who may require this knowledge, such as government or corporate agencies proposing development in traditional lands, or extra-community organisations that intended to use the material for commercial or educational purposes. While such utilization was not categorically prohibited, it was the prerogative of the community and its elders to adjudicate this on a case-by-case basis.

**Wajbala Copyright**

Licensing agreements between Juluwarlu and other parties such as ACID and Mawarnkarra ultimately necessitated a pragmatic engagement with Australian copyright protocols. To be able to bind third parties to specified usage agreements, Juluwarlu necessarily assumed entitlement to manage such rights in *Wajbala* way, and so accordingly, secured release forms (retrospectively in the case of *Ngurra Two Rivers*) from key participants, thus providing Juluwarlu with the capacity to manage the recordings on behalf of the community. (See Addendum 9B for *Sample Copyright Release Form* used by Juluwarlu.)

It was an irony perhaps that a usage release form that invoked Australian Copyright law was used by Juluwarlu to guarantee the broader interests of ‘*Ngaarda* copyright’ in order to ensure that traditional information within the community was preserved and its enjoyment remained unfettered: “That’s our protection against other family members who might have an axe to grind. And it’s the last thing that we want to do, but we feel we need to protect the elders’ information”.

Woodley believed that this honoured the intention of elders who signed release forms: “It comes down to the elderly group saying, ‘This is Yindjibarndi history, it belongs to Yindjibarndi people, we are Yindjibarndi elders and we are the ones that give guidance about how it is used’.”

**Awards**

The recording work of Juluwarlu and the elders through 2004-2005 did not go unnoticed. In 2005 Ned Cheedy and his wife Cherry were honoured with the Wangka Maya Pilbara Aboriginal Language Centre *Individual Contribution to Pilbara Aboriginal Language Maintenance and Promotion* award for their work on *Ngurra Two Rivers*, and for Ned’s on-going transmission of knowledge. The testimonial accompanying this award noted Ned’s pro-action in initiating recording: “If he remembered something like a
song or story Ned would ask one of his children to take him to Juluwarlu while it was still fresh in his mind so that they could record him for the Yindjibarndi archive”. Juluwarlu was also honoured with the Wangka Maya award for Promotion of Pilbara Aboriginal Languages Through Media. Special mention was made of Juluwarlu’s work in publishing three books, recording close to 100 hours of video with elders, and for establishing Juluwarlu Television.

5.5 Juluwarlu Television
Woodley, Coppin and I talked about the possibility of establishing an Indigenous television service for Roebourne and I started researching possibilities in 2004. While I was aware of the history of the development of the Broadcast for Remote Aboriginal Communities Scheme (BRACS) and had delivered training to BRACS operators at Jigalong, Parnngurr and Yandeyarra during the late 1980s, I did not become aware of Indigenous Community Television (ICTV) until early 2005. It was a revelation. (See The Example of ICTV in Addendum 17A for exposition of ICTV’s achievement.) The example of this flourishing, open-access network, which aggregated and broadcast programming primarily from Pitjantjatjara Yankunytjatjara Media, Warlpiri Media, Ngaanyatjarra Media and Pilbara and Kimberley Aboriginal Media to some 150 Indigenous communities throughout Australia, provided an immense fillip and resource for Juluwarlu’s plans. Through ICTV Roebourne media makers could learn about how other communities around Australia made television just as they were setting out; on the dial that had been the exclusive domain of the corporate networks – WIN, GWN, ABC and SBS – Juluwarlu media trainees would have another reference that showed them that another kind of television was possible. Most importantly, ICTV was a form of television that was within their grasp because its open access protocol would allow Juluwarlu to include its own programs on ICTV.

Winning the License
With this potential in mind Juluwarlu made an application to the Australian Broadcasting Authority (ABA) on 4 March 2005 specifying only that the type of licence Juluwarlu required (‘Tick one box only’) was for ‘Retransmission of existing broadcasting service’ with a ‘Satellite input’ – that is ICTV. There was a complication in that Roebourne’s status differed from that of the dozens of other communities that held special television licenses designated for ‘remote’ Indigenous communities – Roebourne, according to administrative guidelines, was a gazetted town, not a ‘remote
Aboriginal community’. Juluwarlu did not therefore qualify for either a BRACS license or a Remote Indigenous Broadcast Service (RIBS) license. Note that ICTV was being broadcast almost exclusively to remote communities that possessed BRACS or RIBS TV licenses (with satellite decoders tuned to the rebroadcaster, Imparja Channel 31), and was not available as a free-to-air broadcast in towns such as Halls Creek, Fitzroy Crossing, Alice Springs, Darwin, Townsville, Broome – nor in any other town in Australia at this time. There was no made-to-measure regulatory facility for Indigenous free-to-air broadcasting for towns with large Indigenous communities.

After prevarication over several months, a 5 year Open Narrow Cast (ONC) television license with a waiver on the stipulation for public auction was granted to Juluwarlu by the last ever meeting of the ABA Board on 23 June 2005. The approval came with the rider that this decision in no way represented a precedent for Indigenous groups in other towns or cities, especially regarding the waiver on the customary public auction requirement for ONC license allotment. It was a momentous decision that ICTV members celebrated, as Keith Lethbridge remarked: “They were happy because for years Pilbara never been involved, and they’ve always been humbugging me saying let’s get together with the Pilbara mob, but there’s never been an organisation like Juluwarlu to pull the people together”.

We should note that an advantage of the ONC over the Community Television class of license lay in the more liberal rules governing inclusion of sponsorship and advertising for ONC broadcasters, which in turn gave them more scope for raising revenue from advertising and sponsorship. Another advantage was the conditional, ‘special interest’ nature of the ONC license, which aimed to service just one community or interest group – the Indigenous – rather than the conglomerate of groups that commonly needed to be accommodated within a Community TV service.

The success of our application to the ABA, which delivered much more than Juluwarlu had asked for, was aided perhaps by the emphasis in Juluwarlu’s submission of its network of partnerships and financial support from organisations like NYFL, DET, Mawarnkarra, W&RC, ACID and Woodside Energy. Juluwarlu’s application was particularly bolstered by Woodside’s confirmation of funding for purchase and installation of the necessary receiver-transmitter-antenna equipment for ICTV retransmission. Also, Juluwarlu argued that with a permanent staff of eight, two
Macintosh G5/FinalCutPro editing stations, digital camera equipment, a training program and the most comprehensive Indigenous audio-visual/photographic archive in the Pilbara, it was better resourced than most of the BRACS installations in the country.\textsuperscript{66}

A critical element of the case Juluwarlu put for a local free-to-air Indigenous community TV license was the fact that, overwhelmingly, people in Roebourne did not have computers in their homes, and this militated against web/computer-based delivery of media. On the other hand, every house in the Village had a TV set, and so Local Area Broadcast was best placed to deliver ‘for community benefit’ media production and distribution.

Several historic features distinguished the ONC Television License in Roebourne – which was originally dubbed JTV (Juluwarlu Television). It became only the second ONC license with an Indigenous focus in the country (Goolarri Television in Broome was the other).\textsuperscript{67} Roebourne became the first town in Australia to broadcast ICTV free-to-air (Goolarri did not provide this service for Broome), and Juluwarlu would be broadcasting to the largest catchment serviced by any ICTV re-transmitter in the country, with a population of 4000 people in its catchment – not just in Roebourne, but in Wickham, Point Samson, Cossack, the Roebourne Regional Prison and several satellite communities. Unique also, was the fact that Juluwarlu’s installation was funded without any state or federal government funding, as were virtually all the BRACS and RIBS installations.

\textbf{Juluwarlu TV in Action – Broadcasting Through the ICTV Network}

In mid-2005 Juluwarlu proceeded with technical installation of its broadcasting receiver/transmission hardware and also acted to contribute its programming to the ICTV network. To this purpose Banyjima video maker, Keith Lethbridge, who had joined Juluwarlu as the Station Manager in July, prepared a documentary that introduced Juluwarlu, key elders like Ned Cheedy and Bridget Warrie, Juluwarlu’s principals Lorraine Coppin and Michael Woodley, and the community of Roebourne in general. (The DVD \textit{Introduction to JTV} is included as Addendum 3C.) Also submitted to ICTV were the NYFL Cultural Centre Consultancy documentary that showcased the community’s development of its cultural centre, the documentary \textit{Exile and The Kingdom}, and a film that the Department of Conservation & Land Management had commissioned about Yindjibarndi participation in the Millstream Chichester National
These would become the first Roebourne programs broadcast on the ICTV network.

As the 2006 training program at Juluwarlu gained momentum (see Chapter 5.6 for exposition of Training), the number of programs sent to ICTV snowballed. By March some fourteen new programs produced at Juluwarlu by trainees would be despatched including Domestic Violence, Banyjima Reburial, Drive Sober, Juluwarlu Promo, Roebourne Tour, Save Our Hospital, Lockyer Memorial, Kicking The Can, Cooking Goanna, Majgan Tree, Log Fishing at Western Creek, Police Visit at Roebourne Primary School, Exile Part II, and Cossack Heritage Trail. (See Addendums 4C-10C for examples of media trainee productions.) By September 2006 Juluwarlu would be sending hard drives loaded with programming directly to PY Media in Alice Springs for loading into the ICTV play-out wheel. Thus Juluwarlu’s retransmission of ICTV slowly became a feature of the ‘mediascape’ in Roebourne. Trainee Rebecca Cheedy observed, “Our Community Consultation for the culture centre plays on the ICTV channel, and yeah, no matter how many times it plays, they still enjoy watching it; seeing their family or someone on the TV”. Woodley commented: “Having free-to-air [Indigenous] television in Roebourne has people excited about ICTV and it has opened our eyes in terms of seeing what other Aboriginal people are doing in the country. It’s a new phase, and having the trainees and Juluwarlu trained up in that just [shows] us different ways of getting the message across”.71
On the 2nd of November 2005, film development manager Harry Bardwell and Indigenous project officer Lynette Narkle from Western Australia’s film support agency, ScreenWest, travelled to Roebourne to attend the launch of Juluwarlu’s community television station. Bardwell later recalled: “I came up here about two years ago for your opening, it was terrific and what you’re doing, I think, is like the leading group of a way that we can go with Indigenous media and capturing the stories”. Upon witnessing Juluwarlu’s operations, he said, he immediately recognized it as “an excellent case study or a starting point for everybody to look at”. This encounter was to serve as a stimulus for the establishment by ScreenWest of the Indigenous Community Stories program which would offer Indigenous people in all regions of Western Australia, who did not have the resources of Juluwarlu, the opportunity to use the latest technology to capture their local stories and oral traditions.

Growing Up into the Network: Juluwarlu at the Balgo Festival

In October 2006 Juluwarlu was represented for the first time at the National Remote Indigenous Media Festival in Balgo (Wirrimanu) when fourteen trainees and staff from Juluwarlu made the three and a half thousand kilometre round trip to Wirrimanu. This annual media Festival is the premier event for Indigenous media makers (radio and television) across the nation, and typically attracted representatives from Pintubi Anmatjere Warlpiri Media and Communications; Pilbara & Kimberley Aboriginal Media, Ngaanyatjarra Media, Top End Aboriginal Bush Broadcasting Association, Bachelor College, Queensland Remote Aboriginal Media, Torres Strait Island Media Association, Central Australian Aboriginal Media Association; Australian Indigenous Communications Association, and elsewhere. The Festival hosted nightly screenings, workshops on editing, talks about technical developments and broader policy and funding issues, and awards presentations. While this was the first ever attendance at this Festival by Roebourne media workers, they were not strangers: Wirrimanu BRACS coordinator Patsy Mudgett said that the Wirrimanu mob already knew the Roebourne mob from their work on ICTV; and Juluwarlu trainee Wendy Hubert described how an elderly woman from the Wirrimanu Community had approached her and explained, ‘You’re not the only people with a snake,’ and that, like the Roebourne mob, her people had a ‘cheeky snake’ too. Hubert explained that this woman had watched Exile on ICTV and had appreciated the story of Barrimirndi as told by Yindjibarndi matriarch Yali King.
Roebourne media workers screened some 15 of their productions at the Festival and were acknowledged for their accomplishments with awards for Best Language & Culture Video (for Wanggangarra), Best Promotional Video (for Kicking the Can), and Best Emerging Female Talent (Tenellia Lockyer). The Wirrimanu experience deepened Roebourne media workers’ appreciation of the breadth of the national Indigenous media environment; provided a broader context for their own development and an understanding of the value of their work beyond their community; and boosted their confidence and identities as media makers. At Wirrimanu they also witnessed how television broadcast served to telegraph the identity of the Roebourne community to distant places.

Plate 37: Juluwarlu media trainee, Tyson Mowarin, receiving award for Emerging Male Talent at the 8th National Remote Indigenous Media Festival at Balgo in 2006 (Wirrimanu).

**Obstacles**

While JTV was more often than not able to receive (via satellite) and rebroadcast ICTV in its first two years, it was plagued with technical problems that frustrated its ability to switch from the ICTV satellite-feed to the broadcast of exclusively local programming. There were huge time lags in identifying and resolving both chronic and accidental (lightning strike, wind damage) technical issues with the transmitter, antenna, and cabling; with establishing a studio-to-transmitter microlink; and commissioning the automated play-out system.

It was unfortunate too that just on two years after the grant of the Open Narrow Cast license to Juluwarlu, on 13 July 2007, ICTV’s access to the Imparja Channel 31 carrier was terminated by the policy action of DCITA and Minister Helen Coonan’s office.
(See Open Letter to Coonan in Addendum 5B, and The Real Deal Parts 1&2 in Addendum 6B for discussion of this action and its broader ramifications.) This resulted in the termination of the broadcast of Juluwarlu’s own programming within the ICTV schedule, thus further stymieing local production. Difficulties in establishing direct local broadcasting capacity meant that Juluwarlu Television thereafter defaulted to retransmission of the newly installed NITV, which we should note, operated on a corporate and more exclusive regime of participation rather than free-access, community-television principles; and did not include any programming from Roebourne, or for that matter from the other remote communities that had made up ICTV.75 While Juluwarlu resolved its technical difficulties later in 2007, enabling it to broadcast local original material directly from its studio, only sporadic direct broadcast of local programming would occur, and no routine schedule of local broadcast consolidated. So then at the time of writing (March 2009) Juluwarlu’s ONC license was limited to broadcasting NITV retransmission.

As it was, energy around Juluwarlu’s broadcasting endeavour dissipated and the character of Juluwarlu’s video production over the course of 2006-2007 purposefully converged on the core work of Yindjibarndi cultural recording, heritage recording in the wake of land disturbance associated with various mining developments, video-minuting of key Yindjibarndi traditional owner meetings, and fee-for-service work for corporate and community clients. (These later two dimensions of production will be explored in Notes on Corporate Environment in Chapter 7, and Shifting the Goal Posts in Chapter 8.)

Further difficulty resulted from my resignation from the position of Media Production & Training Coordinator in January 2006. Over subsequent years, Juluwarlu tilted at solutions but never satisfactorily resolved the deficit. It is true that for a period Keith Lethbridge played an important role in initiating production, especially in the later months of 2005 and during the trainee heydays of early 2006 when he pulled together programs such as Introducing Juluwarlu, Domestic Violence, Normie Alone, Save Our Hospital, and Banyjima Reburial; when he mentored trainees; and when he compiled hard drives loaded with Juluwarlu productions for ICTV – however, events mitigated against his becoming an effective manager for JTV.76 The abeyance of direction and management in the JTV division of Juluwarlu persisted through 2006/2007 while Juluwarlu struggled to find funding for an employment package that might attract a
suitable candidate.\textsuperscript{77} It is sobering to note that none of the institutions approached for funding for a Station Manager in 2006-2007 were willing to invest in this facility.\textsuperscript{78} Woodley has suggested that locally-based corporate giant, Rio Tinto, was loath to support Juluwarlu Television because it was a community-based idea and not one issuing from their own Indigenous affairs or community assistance programs; and because it was not so easily harnessed for company promotional purposes. (See Notes on Corporate Environment for further discussion on this theme.)

For two short seasons, while Pilbara TAFE honoured its commitment to provide a media trainer to work with Juluwarlu trainees in their workplace, the influence of these trainers, particularly Wayne Cant in early 2006, had a strong effect on the production output of Juluwarlu trainees, and essentially ghosted for the Station Manager’s role. This performance proved JTV’s potential as a broadcaster but was as ephemeral as the tenure of these trainers at the TAFE. Notwithstanding the unevenness of the start-up of television broadcasting, Juluwarlu would seek remedy by broadening its ambition for broadcasting.

**Networking Ngaarda Television**

The idea for networking JTV throughout the Pilbara and providing a service that reached beyond the community of Roebourne was incipient from the moment Juluwarlu was granted its license. In August 2005 Woodley explained that while Juluwarlu was about documenting and putting history out to Roebourne Ngaardangarli, he hoped that JTV would grow into a community television broadcaster that could also serve the Ngarluma, Banyjima, Gurrama, Innawongga, Karriera and Talajnji people: “Broadcasting to all these Ngaardangarliyandu information and messages – that’s what it’s for, it’s for Aboriginal people across the Pilbara”.\textsuperscript{79} From mid 2006 to Christmas 2007 Woodley sought support to develop JTV into a Pilbara-wide centre of excellence for new media, archiving and television. He likened this centre to an Indigenous university specializing in the field where media technology met Indigenous culture.\textsuperscript{80} Plans for such expansion might appear unsafe in the light of the difficulty in raising sufficient capital to employ appropriately skilled technicians and a manager for JTV, and in resolving technical and production complications, however Woodley thought the opposite – that the networking of JTV would provide greater opportunity for success by virtue of the broader consortium of interests and resources that could be harnessed to its development.
In March 2007, in a meeting to discuss how to advance prospects for JTV and broaden its remit, a decision was reached to re-badge ‘Juluwarlu Television’ as ‘Ngaarda Television’ (NTV). While ‘Juluwarlu’ meant ‘everyone’ or ‘all together’ in Yindjibarndi, the word had become the signature of a particular organisation and was identified with the Yindjibarndi language group. ‘Ngaarda’ on the other hand, while a Yindjibarndi word, was widely used throughout the Pilbara for ‘man’ in both the gendered and genderless sense of the term, or ‘the people’. In re-badging the broadcasting arm of Juluwarlu, there was a deliberate intention to restate that the television station was not the property of Juluwarlu Aboriginal Corporation, as such, but open to and for the benefit of the wider Pilbara Indigenous community. It was to be ‘the people’s’ television. The object of Ngaarda TV would be to appeal to a variety of language groups across the Pilbara.

Woodley then embarked on a strategy of recruiting several major Pilbara Indigenous corporations that were in receipt of funds from mining and compensation agreements, to partnership in Ngaarda Television. He envisioned that each corporation – Innawongga-Banyjima-Nyiyaparli (IBN), Eastern Gurrama, NYFL, Plan B, and Gumala – would become partners in the service through annual sponsorship or investment subscription of $100,000 per group. The benefits to subscribers would include programming dedicated to the discrete language groups and reticulation of programming to the places of principal habitation of these groups (including further flung and smaller settlements like Marble Bar, Jigalong, Punmu, Wakathuni, Strelley, Warralong, Ngarrawaana, etc.)

To this purpose Juluwarlu produced a DVD, Ngaarda TV Breaking New Ground (included as Addendum 12C), which set out the concept and advocated its benefits to prospective supporters. (See also Addendum 8B for a transcription of the voice-over narration of the DVD.) In a medley of Indigenous voices, both male and female, this DVD entreated prospective partners to join a venture that would create “an opportunity to become recognized, respected and involved in media technology that will deliver our voice throughout this region and send a message from Ngaardangarli that we are doing something positive for ourselves and our communities”. It declared that Ngaarda TV would promote access to Ngaarda heritage, history and language, and assist Aboriginal people in their cultural, artistic, social, economic, political and
environmental pursuits. It proposed that this goal would be achieved by establishing “a Pilbara-wide footprint broadcasting into towns like Karratha, Dampier, Wickham, Point Samson, Onslow, Tom Price, Newman, Paraburdoo, Port and South Hedland, and Marble Bar, and all the Indigenous communities in between”. In style it echoed corporate video promotional films; it was an accomplished marketing tool sharply focussed on raising a budget for Ngaarda TV that would underwrite a Station Manager and enhanced production and distribution capacity. In late September 2007 an AGM of NYFL voted in support of a $100,000 investment in Ngaarda TV, and soon after the Innawonga-Banyjima-Nyiyaparli group also agreed to contribute $100,000.

It is interesting to note here the utility of the promotional DVD, which galvanised genuine excitement and interest in the Ngaarda TV concept – its deployment was decisive according to Woodley: “It puts a sparkle in people’s eyes”. We should also remark here the network of traditional Law relations (described in Template of the Law in Chapter 3), which prefigured connections between neighbouring groups and provided another dimension to the idea of networking Ngaarda TV.

It now remained for Juluwarlu/Ngaarda TV to develop a feasibility and business plan describing how Ngaarda TV would serve syndicate members. One of the more inscrutable challenges lay in how programming would be delivered to members of all the sponsorship groups in accordance with Ngaarda TV’s express goal “to have a Pilbara-wide footprint”. The problem was that while there were a handful of communities in the Pilbara with RIBS retransmission services – Yandeyarra, Youngaleena, Wakathuni, Jigalong, Parnngurr, Punmu – there were no in situ receiver and re-transmission facilities in the 30 towns and settlements Ngaarda TV most needed to reach. At the beginning of 2008 former TAFE media lecturer James Hayward, who had worked with Juluwarlu trainees for some months in 2007, was contracted to provide a consultancy that would deliver the service promised in the Ngaarda TV promotional DVD. The challenge of how to establish the ‘Pilbara-wide footprint’ immediately confronted him. In June 2008 Hayward developed the “Ngaarda Television 5 Year Development Plan/Business Plan” which amongst other things aspired to employ a Television Station and Radio Manager; employ a Technician to roll out the broadcasting technology into the towns and communities; establish a Governing Committee for the station; and come to grips with “the most practical, efficient and cost-effective way to implement the technology into each Pilbara community so they
can receive the broadcast and uplift their locally produced content onto Ngaarda Community Television and Radio". (Ngaarda TV 5 Year Plan is included as Addendum 3D).

In its focus on the complex and expensive process of networking Ngaarda TV, what the “Ngaarda Television 5 Year Development Plan/Business Plan” elided was a plan to progress the urgent task of developing Ngaarda TV’s full potential within its existing technical parameters – of proving community television within the current Roebourne-Wickham-Point Samson-Cossack footprint, and of strengthening Ngaarda TV’s capacity to make video quickly and routinely for its existing catchment.

Despite an injection of $200,000 from NYFL and IBN over 2008 and the employment of media specialist James Hayward, by early 2009 neither the networking plan nor the consolidation of broadcast and production within the existing broadcast area had been achieved, even though all technical problems regarding the direct studio-to-mast television link had been solved. So Ngaarda TV simply continued retransmitting NITV. 88

**Summary**

In the term of this study, then, Juluwarlu had not attained its aim to routinely produce and broadcast local content. (See The Promise of Juluwarlu Television in Addendum 18A for broader exposition of community aspirations for the service at commencement.) Nor had it evolved mechanisms of open access by which all groups within the community might contribute. Consequently the ONC license was unable to “play an important role in community-building, in keeping culture and knowledge strong and in stimulating real employment and business opportunities” as outlined in a press release at the time of the JTV launch in November 2005. 89 Additionally, by early 2009 all of Juluwarlu’s media trainees had left the organisation, except for Coppin, no Indigenous personnel had been recruited to replace them, and most media production had devolved to non-Indigenous volunteers. 90

Perhaps a clue to the problem, over and above the difficulties indicated earlier – failure to recruit a station manager, demise of effective TAFE training, and Government axing of ICTV – lay in Juluwarlu’s decision to engage consultants with a commercial/corporate background to direct their broadcasting division through 2008 – rather than practitioners with experience in community-based media production and training who
understood the low-budget, open-access, community-television ethos that characterized most remote Indigenous TV installations in Australia, and which had produced the results demonstrated by ICTV. One might also ask where my collaboration and partnership had gone, and why I was not involved in strategy and implementation that might have assisted a better result? While I offered long-distance commentary on the phone (and critical feedback to Hayward’s “Ngaarda Television 5 Year Development Plan/Business Plan”), I was ‘missing in action’, enmeshed in the business of writing this dissertation!

Conceivably, the very reasons for the dynamism of Juluwarlu’s cultural recording and publishing for the Yindjibarndi language group, and its management and advocacy work for the Yindjibarndi Aboriginal Corporation (a function detailed in Chapter 8), were the same reasons that posed a problem for television broadcast per se – that is, these functions (cultural recording etc.) were not open-access, but delimited to Yindjibarndi country and directed by a core of Yindjibarndi traditional owners. We might ask, was Juluwarlu’s single-minded and necessary servicing of Yindjibarndi cultural and political needs, irreconcilable in some way with its ability to deliver community television?91

As I have noted, we should understand that while Juluwarlu’s broadcasting project was unresolved, its media practice nevertheless moved ahead in other divisions of its operations. We should also recognize that the possession of the ONC license and the promise it offered, in itself served as stimulus or leverage for Juluwarlu in its pursuit of support for its broader operations; and was influential in the success of some funding submissions. We can conclude that through these trials in broadcasting, with all their technical and management complexity, by the synergy and cross subsidy across its operations, and by fillip of its ONC license, Juluwarlu was able to stimulate and extend its business plans; motivate training and video production (albeit unevenly); gain valuable insight into, and participation in the wider national network of remote Indigenous television production and broadcast;92 and, notwithstanding constant technical and financial challenges, was able to strengthen its operational base – high hopes for Ngaarda Television remained:

I think the vision of the future for the Aboriginal people of this country is to be heard and recognized, and that’s always the goal for us, to be recognized and acknowledged and respected in our country. Ngaarda Television down the
track will probably end up doing that, you know – ‘This is us, this is our voice, this is our message, this is our country and we’re here to stay a very very long time’. 93

While the preceding focus on ‘core business’ indicates the context in which media training took place, it has largely skirted the logistical aspects of training, a matter I must return to now, for training was as much a central plank of ‘core business’ as ‘production’ itself.

5.6 Training

Prior to the Nguurra Two Rivers project in the second half of 2004 and the inauguration of a media and IT training program at Juluwarlu in 2005, training was ad hoc, and as Coppin explained, she learned what she had to in an opportunistic way:

In the years before we had this training with TAFE, we learned as we went. We didn’t have a course set up – I learned from Vicki [Wangka Maya linguist], we just taught each other to learn the computer program that put these books together. On the job training, ‘help menu’ and stuff like that was very useful, because our elders not going to wait for you to get training, they gonna just go! 94

The major problem Juluwarlu faced in expanding its capability was lack of funding to recruit additional trainees and provide trainers in the workplace. Following is an account of how the training program developed at Juluwarlu, and the tenets that guided this development; how the media trainees at Juluwarlu fared; the structural means that supported their training; and finally, the lessons Juluwarlu took from this experience.

At the end of 2004 after discussions with Meath Hammond and Larry Kickett of Woodside Energy, Juluwarlu obtained a funding commitment from Woodside’s Warrgamugardi Yirdiyabura Pathways to Employment Program (WY Program) for employment of three fulltime trainees to be based at Juluwarlu. It was this funding that enabled Lorraine Coppin, Tyson Mowarin and Rebecca Cheedy to be employed and trained from 2005 through 2007 (prior to this they worked at Juluwarlu on CDEP wages). WY Program funding was conditional on training being certificated and delivered
by a Registered Training Organisation (RTO). Woodley initially approached the Pilbara College of TAFE regarding provision of media training but did not receive a helpful response, so at the beginning of 2005 Juluwarlu made arrangements with Broome-based Goolarri Media Enterprises to deliver Certificate III in Screen. Goolarri delivered this training in one-week blocks in Broome, three times over the year in March, June and October (about 15 days over the year), and then attended Juluwarlu in December to assess the trainees. By the middle of the year, however, when Juluwarlu trainees had engaged in just two of the one-week training blocks at Goolarri, it was evident that the arrangement was not working. Goolarri was 800 kilometres away and the logistics of being trained over this distance proved impractical and did not meet Juluwarlu’s expectations and needs.95

Nonetheless, enrolment at Goolarri was essential, at least on paper, in delivering 'certificated’ training and thereby triggering the WY Program funding and the nominal education subsidies available from Government for the trainees, and Juluwarlu persisted with this arrangement until a better alternative was found.96 In the meantime, over 2005, rather than training being delivered by a defined, institutional curriculum, it largely occurred informally within the context of the rich production environment that was developing at Juluwarlu in archiving, cultural recording, fee-for-service work, and later, Ngaarda TV, and was substantially delivered by Juluwarlu’s Media Production & Training Coordinator (Frank Rijavec), and later TV Station manager (Keith Lethbridge), linguist (Vicki Webb) and IT contractor (Alan Thomson). Coppin and Woodley, of course, also provided mentorship and training to trainees and staff alike, sharing the knowledge they had been acquiring for years concerning the country and its culture, fieldwork and interview technique, cultural protocol and respect when working with the elders, and so on.

Principal training in 2005, then, occurred in the throes of the production work described in Core Business (see Digest of Production in Addendum 16A for a summary of this work). As Rebecca Cheedy explained:

We film, we do the sound, we doing our digital archive, we go on field trips with our elders, take animal photos for our books, fauna and flora, special events like footy, and we had a march against domestic violence here about
two weeks ago, ceremonies like Law time out at Woodbrook, and the primary school as well if they have something happening there.  

In the process trainees learned to conceive and manage discrete projects, operate video and stills cameras, record sound, set up Macintosh computers, load software, import media (scanning photographs and transparencies, digitising video and sound), edit video with Final Cut Pro, enhance stills and sound, create music tracks, and output as required on DVD, CD, as photographic prints, in newsletters and so on. Wendy Hubert also dedicated herself to genealogical recording in a digital environment for the first time with Family Tree Maker software; and specialized training on the Ara Irititja software took Coppin and her team to Adelaide and then later in the year to a museum conference in Perth dealing with collections policy and archiving. Mowarin was particularly entrepreneurial in creating opportunities for his own training beyond the Juluwarlu workplace. In August, armed with a small handicam, he attended the Garma Festival at Yirrkala in Arnhemland where he filmed testimonials and station promotions for JTV with 'identities' including film star Jack Thomson, Gumatj clan elder Galarrwuy Yunupingu, country singer Warren H. Nelson, and Federal Senator Aiden Ridgeway. These became incorporated into the promotional documentary Lethbridge produced about JTV which aired on ICTV (see attachment 3C). 

As a matter of course trainees educated each other about the World Wide Web and its uses for entertainment, research and email. At the end-of-year assessments by Goolarri, Mowarin was awarded his Certificate III, while Coppin and Cheedy needed only to complete some minor tasks before certification.

**2006 Expansion With TAFE**

By mid-June 2005 Juluwarlu had already begun to plan for an alternative arrangement with Pilbara TAFE who had undergone a management and staffing reshuffle and were becoming more receptive to delivering media training as required by Juluwarlu. Their willingness was encouraged by the intervention of Juluwarlu supporter and Department of Education and Training projects officer, Fiona Grierson, who lobbied the Managing Director of Pilbara TAFE Mike O’Loughlin on Juluwarlu’s behalf. Juluwarlu and TAFE finally concluded an MOU outlining provisions whereby TAFE would deliver Certificate III in Multimedia in the Juluwarlu workplace for 2006. It was significant that the MOU Juluwarlu negotiated with TAFE was a first for a town-based Indigenous corporation such as Juluwarlu, and in the absence of a precedent,
TAFE based the MOU on one they had previously concluded with miner Rio Tinto.¹⁰¹ Juluwarlu broke new ground in the Pilbara by negotiating such an agreement in a field—media—that was radically divergent from the more commonplace training agreements that provided for skills in the resources industry.

This arrangement allowed Juluwarlu to add eight new Indigenous Media Trainees to the existing five at the commencement of 2006.¹⁰² (See Addendum 5D for the June 2006 issue of the Juluwarlu Newsletter, which provides cameos of all the media trainees.) By mid-February, under the tutelage of TAFE lecturer Wayne Cant, they had begun shooting their first films. (See Digest of Production in Addendum 16A for details of trainee productions.) Coppin, who was barely in her mid-thirties and one of the ‘old hands’ who had learned media technology the hard way, through trial and error, or from occasional helpers, marvelled at the speed of take-up by ‘the young ones’:

Some of the programs they pick up very quick. When I first started using it I had to hound whoever was teaching me for months to teach me. But with these guys you just teach them once and it’s just like that [snaps fingers], and you gotta learn off them now!¹⁰³

Senior trainee Mowarin observed that as their confidence grew, some of the new trainees took to impromptu filming expeditions:

They been out a lot on their own filming stuff. Like one day driving back from town I saw them three, Lyle and the two Glens walking along with the camera. They just got an idea to go down and do a street talk, like asking people on the street how they like living in Roebourne and stuff.¹⁰⁴

Woodley said he was astonished at trainees’ accomplishments in creating their own scripts, producing them and recording narration in their own voices within a matter of some 6 weeks after their commencement in training, and offered an explanation for their success: “I think what makes them more confident is that they’re working in a Ngaarda environment, so the organisation also belongs to them as well, and that’s what gives them a bit more encouragement, it’s that Ngaarda environment.”¹⁰⁵
The output of the trainees in the first half of 2006 was startling, and was undoubtedly encouraged by the focussed effort of the TAFE trainer and boosted by the knowledge that their work would be broadcast on ICTV and Ngaarda TV. As Keith Lethbridge observed: “Here they sit back knowing that everything they make will go around Australia, and they love it, and that’s the main driver here. It’s the fame and politics, because they’re able to use their voice in a positive way”.  

This success, however, did not sustain. By mid 2006 the attention of TAFE trainer Cant noticeably declined and then he resigned, and it was reported that the trainees were ‘losing focus’, and that morale was low in the Murru Warru Media Centre. To be sure, with Cant’s departure the rate of video production (particularly outside the cultural recording genre) plummeted and never regained such intensity of output. There was no timely move by Pilbara TAFE to replace Cant, and Juluwarlu was left with only the part-time services of an ICT trainer for the remainder of the year.

**Training by Commissioned/Corporate Work**

The period after Cant’s resignation proved difficult for the media centre trainees, however, with the support of Juluwarlu staff, and with the galvanizing effect of on-going projects and daily work commitments, the trainees muddled through. Particularly helpful in weathering this trough was the commissioned and corporate work that began coming Juluwarlu’s way in 2006. Fee-for-service work like the NYFL Cultural Centre Community Consultation, Central Negotiating Committee (CNC) recordings, the instructional video *Drill & Blast* for Rio Tinto, the promotion for *Ngaarda* Civil & Mining’s employment program (in partnership with Lasso Productions), the heritage protocols documentary for Woodside Energy, and various heritage survey recordings for the Yindjibarndi Aboriginal Corporation, although fraught in some instances, served an important role in training. (See also *Commissions for Corporations* in Chapter 7 for more on trainees’ participation in commissioned work.)
Certainly the income these commissions provided to Juluwarlu had a stabilizing influence, but they also imposed the project-oriented focus that came with the imperative of schedules and delivery obligations to external clients.\textsuperscript{107} This work variously engaged trainees and staff in camerawork, editing, fieldwork, graphic design, voice-over recording, and construction of music tracks (using GarageBand and SoundTracker). Indeed, this on-the-job training provided a dynamic variation from Juluwarlu’s community-oriented cultural recording and archiving work. It immersed trainees in social and professional environments far from home – in commercial postproduction houses in Perth; regional gatherings of Indigenous and corporate representatives in the CNC meetings; inside some of the local community organisations and institutions for the Cultural Centre consultancies; and took them to the farthest reaches of Yindjibarndi country (the Rio Tinto Gorge) for heritage clearance recording.\textsuperscript{108}

Despite setbacks, by year’s end good reckonings outweighed the bad, with Coppin remarking on the importance of the trainees’ work for the archive;\textsuperscript{109} Mowarin enjoying the vitality brought by more people in the workplace, and the respect he was gaining as a media worker from the wider community;\textsuperscript{110} Lethbridge impressed by the collegiality and atmosphere of cooperation that helped the trainees overcome some of the hurdles they faced;\textsuperscript{111} James expressing pride in her documentaries \textit{Cossack Heritage}
Trail and Majgan Tree and in attainment of her Certificate III in Multimedia, and gratitude in being able to work with the elders;\textsuperscript{112} and Cheedy remarking on the inspiration she gained from her grandfather [Ned Cheedy] for cultural recording.\textsuperscript{113}

2007 and the Demise of Formal Training

There would be a gap of six months after the resignation of TAFE lecturer Wayne Cant before a new media lecturer was appointed in January 2007. Unfortunately he was housed in South Hedland and was unable to attend Juluwarlu more than two days per week. Nevertheless a productive atmosphere prevailed in the budding months of the year with a number of significant achievements.\textsuperscript{114} In mid-June, however, lecturer Hayward also resigned and by the end of October formal training from TAFE had devolved to a day per week.\textsuperscript{115}

By the end of 2007 Mowarin, James, Glass, Wally, Toby, and the Locker sisters had acquired their Certificate III in Multimedia and the local training paradigm was exhausted because Pilbara TAFE could not provide any advance on this qualification.\textsuperscript{116} Some traineeships had lapsed without completion, and the WY Program training subsidy had reached full term. Expiry of some of the trainees’ terms meant that their government training subsidies were curtailed. Juluwarlu subsidised the wages of some of its trainees for several months after their training rebates ceased, however, even before half-term in 2007 Juluwarlu was running short of operational funds and finally had to resort to paying base CDEP wages. This demotion and dilution of training supervision diminished motivation and it was then that attendance of some trainees – particularly those who needed more guidance and structured learning – declined. At various times Juluwarlu applied for support to extend its training and employment program, including to NYFL, the Rio Tinto Aboriginal Foundation and the Department of Education, Employment and Workplace Relations, to no avail. It appeared that Juluwarlu could no longer support Indigenous employees in the training paradigm.

At the time of writing (March 2009) all but one of the trainees that had been enrolled at one time or another had left Juluwarlu: one moved on to the Ngarluma Aboriginal Corporation putting his skills to use there and in his own freelance business (Tyson Mowarin);\textsuperscript{117} another moved to Perth to continue studying media at tertiary level and later was awarded an Indigenous Media Internship at the Film & Television Institute (Katherine Glass); four stayed on in media and archiving, but left in 2008 when their
training terms and/or funding for their positions expired. Only Lorraine Coppin remained.

Of those that dropped out, it was the young women just out of teenage-hood that left soonest. Faring better were older males in their late twenties and thirties. Perhaps younger trainees did not have a sufficient level of oversight and needed a more ordered mode of training? We might construe that maturity or a measure of life experience were important factors for success in the Juluwarlu training/work environment, that they helped trainees weather fluxes. And it must be said that each of the trainees who endured, were not comparable, but attained their own levels and specialities, and found their own niche within Juluwarlu.

At last, I suggest that above all it was the rupture in TAFE training in mid-2006 that set off the chain reaction that saw decline in trainee numbers, and then the faltering of the community television arm of Juluwarlu’s operations. Had delivery of TAFE training been consistent through the year and emulated the dramatic early achievements of 2006, there would have been greater probability of Juluwarlu attaining momentum for regular, direct-broadcast of trainee productions to the community of Roebourne. The dynamism of broadcast (the ‘taste’ for it), the feedback from community viewers, the experience of personal satisfaction among the practitioners, may then have charged an environment in which systems of production, the trainees’ concentration, the diligence of trainers and external financial support were better galvanized to community broadcasting. As it was, with the abeyance of the training program, impetus for documentary-style current affairs production waned and Juluwarlu fell short of reaching its full potential in broadcasting.

**Learning-in-the-Saddle**

In spite of difficulties and decline, the brighter lessons of training should be remembered. The revolving door of staff in most state institutions (education, community services, housing, policing, etc.) was a familiar experience and the Juluwarlu executive took the erratic nature of TAFE training with some equanimity. To a degree Juluwarlu buffered itself from this disruption because they did not depend exclusively on TAFE (or Goolarri), but allowed for a medley of training and development experiences within the workplace.\(^{118}\) It is this feature that endowed flexibility sufficient to sustaining training even as its key supports fell away.
The ‘style’ of training at Juluwarlu was very much applied or learning-by-practice, and
de-emphasised the theoretical aspect of technical training that generally characterized
formal, institutional education. It must be said; most of the trainees were not well
disposed to institutional modes. Technical training divorced from the motivation or
purpose of making media did not seem convincing in the context of media production
at Juluwarlu, and so minimal effort was given to technical description of media tools or
structural approaches to tasks, such as breaking filming projects into storyboards,
shooting by script, or logging footage before editing for example. Trainees did,
however, happily engage directly with impromptu editing or shooting, and managed
these tasks by taking advice from fellow trainees or staff.\textsuperscript{119}

It should be acknowledged that the facility of affordable, ‘modern’ digital video
equipment, and the stability, user-friendliness and highly integrated environment of the
computers that the trainees had at their disposal, allowed them to automate many
technical functions such as focus, white balance, sound recording levels, exposure, and
after some rudimentary directions, find their way by trial and error through the drag
and drop environment of Final Cut Pro on Apple Macintosh. Both management and
trainees were conscious of the distinctions between this omnivorous, experiential and
culturally applied way of learning and the downbeat experiences some of them had in
other workplaces, or at school and TAFE:

I like creating things, being part of being able to make things, and Indigenous
media is about story telling. Working with the people in the community is
better than working in the mining industry where you are working only to the
goals of the company, you’re not working towards your own goal.\textsuperscript{120}

I like working here at Juluwarlu because you learn a lot of things, like what
relationships I have to the people around Roebourne and my skin colour and
what role I play out at Woodbrook when we go down there for our Law
meetings […] The reason I like it is because of learning a lot more about my
language and my culture, and my history and my people.\textsuperscript{121}

Pretty good going out in the country and being involved in filming with the
people that know that country, learning about those places from them just by
being there, learning *Ngaarda* way, going out to different places and learning their names.\textsuperscript{122}

That’s one of the rewarding parts of it, that they like doing it because they’re getting taught in both areas, technology and tradition.\textsuperscript{123}

So then, competencies were applied in a personally and socially meaningful context, and made sense, or were guaranteed because of their value to the group, rather than being an exercise in industrial, processual accomplishment.\textsuperscript{124} This approach perhaps ran counter to the principals of a secular, institutional education whose principal remit was to prepare students, not so much for service to a particular community, but rather for relatively standardized, technical employment in a range of small business or industrial workplaces. Juluwarlu’s principal aim was not to turn out batches of uniformly trained personnel with skills and work habits that might be easily transferred to other businesses. They entertained an altogether more spiritual, non-secular purpose.

Plate 39: Media Trainees, Glen Toby; Lyle Wally; Woodley and Wally working with Ned Cheedy; and Tenellia Lockyer recording voice-over.

Juluwarlu’s ‘core business’ was to record and reproduce local Indigenous culture and Indigenous views of life, and to attain a capacity to sustain this practice under local
conditions. And in order to achieve this, Juluwarlu took into account the particular social, cultural and educational circumstances of trainees and deployed an array of practical supports in order to sustain them in the workplace. They provided leave for trainees to attend to obligations of death and burial, birth and Law; were sympathetic to visitation of family to the workplace; allowed absences to cater for the needs of children and other family; and offered ‘salary sacrifice’ whereby trainees could have a portion of their wage held back for the payment of bills and repayment on purchases (furniture, vehicle, house). Salary sacrifice was in effect an interest-free loan facility for trainees who had rarely if ever had employment secure enough to get a bank loan. Woodley was quite mindful of the collective/communal benefits that Juluwarlu could provide to its trainees and employees: “Part of our role as well is mentoring young people in taking this next step forward in purchasing their own home in Roebourne and valuing those things as well”. In this sense Juluwarlu was an employer unlike any other that the trainees may have worked for. Mowarin spelled out the advantages:

When I was at the Burrup nearly 12 months, that was the longest I ever worked in a row. Because of the nature of the contract work you can’t buy a house, you can’t buy a car when you’re working like that, unless you pay for it cash [...] I earn less now but I own more than when I was working at the Burrup. I earn 50% less but now I got a house and a car, work shorter days, weekends off, and this is the longest job I have ever had - just over two years in one spot.

In summary, beneficial features of the Juluwarlu training/work environment included the ability for Yindjibarndi workers (in particular) to deepen their own connection to their culture, language and history, both through the archive and regular interaction with other community members and elders; to immediately apply their developing skills to this cultural purpose; to commence training without overly officious ‘enrolment’ requirements; and latitude to learn at their own pace or find their own ‘level’. In the course of their work they had opportunities to travel in country; to work in a milieu that was their own and was governed by Indigenous leadership; share common purpose with the central aims of the organisation they worked for; and receive acknowledgement and be accorded respect from their community for the work they were undertaking.
Finally, the core staff and trainees that remained through periods of attrition were sufficient for acquittal of Juluwarlu’s most pressing media production requirements over the period of study. And it should also be noted that while activity in video production and broadcasting waned, Indigenous employment grew by five in the contiguous area of archiving and language services, and heritage management (discussed ahead).

**Broader recognition**

Juluwarlu’s accomplishments in training and organisational performance received acknowledgement on more distant stages. In 2006 Juluwarlu was awarded first place in the Federal Minister’s Award for Excellence for an Employer of Australian Apprentices for the North Western Australia Region. Juluwarlu was awarded this prize ahead of other contenders like Rio Tinto Iron Ore and Goolarri Media, and was the only Indigenous winner at the awards presentation in Sydney. (Also notable was the fact that there were no other media-centred business in the inventory of winners from other regions around the country).\(^\text{127}\)

Juluwarlu’s achievements so impressed the State’s screen development and support agency, ScreenWest, that they sponsored Juluwarlu to conduct a workshop (dubbed Capturing Community Stories) for Indigenous people from around the state who wished to utilize media in promulgating their culture. After the workshop ScreenWest’s online news bulletin noted: “The Juluwarlu Aboriginal Corporation is being acknowledged as Western Australia’s, and possibly Australia’s, leading centre for gathering Indigenous oral culture with digital image and archiving”.\(^\text{128}\)

Additionally, Michael Woodley was awarded a Western Australian 40Under40 Business Award for his achievements in business leadership at Juluwarlu in 2006.\(^\text{129}\) One of the 40Under40 judges, business development manager for the North West Shelf, Daniel Bathe, commented: “I happened to visit Roebourne while on business in Karratha the week after the awards and I was able to see what Michael is doing – he’s certainly trying to make a difference in extremely challenging circumstances”.\(^\text{130}\) Woodley’s tackling of challenges with meagre resources was indeed remarkable when measured against the vast power and affluence of Bathe’s own corporate domain.
Of course, various allotments of funding that came from both public and corporate agencies were also votes of confidence. (For a profile of Juluwarlu and a summary of its goals and practice see the DVD Juluwarlu Journey in Addendum 14C.)

5.7 Ngaarda Media Working Smarter For Law

*Genesis & Predisposing Factors* (Chapter 3) described how the elders’ celebration of Law in *Exile* influenced the subsequent providence of Law; and *Core Business* (Chapter 5) extended this theme by showing how Juluwarlu’s recording, archiving and reproduction abetted culture and Law. I would like to close this chapter with illustration of particularly innovative aspects of Juluwarlu’s media work as it found expression in *Birdarra* Law practice. Woodley has observed: “We need to be adjusting to how we carry our culture into the 21st Century, you know, as long as it’s still following the rules of being sacred. How do we now work smarter, not exactly harder, how do we work smarter about how we carry our Law and culture?”

Woodley recounted that it was at the prompting of a peer in Law, Bevan Hicks, that he lit on the possibility of using media and texts to learn traditional jalurra and jawi songs (note, these are dance or ‘folk’ songs rather than Law or ritual songs). Hicks had been reading von Brandenstein’s book of transcriptions and translations – *Taruru, Aboriginal Song Poetry from the Pilbara* – and had recommended it to Woodley as an aide. Later Woodley undertook a song documentation project of his own, the transcribing of songs from archival tapes in Juluwarlu’s archive, beginning with the recording of Coppin Dale’s songs by von Brandenstein. These had been retrieved from the Australian Institute of Aboriginal & Islander Studies (AIATSIS), and most had not been included in *Taruru*. Woodley found that writing down the words was useful for learning the songs.

For some years previous Woodley had been making his own recordings of *Burndud* Law songs on audiocassettes. His next step was ingest these and other recordings of Law into his computer, edit and compile a playlist, burn them to CD and begin using these CDs to augment his learning of the songs. As his peers became interested, he duplicated *Burndud* CDs and distributed them to initiated men of his own and up-and-coming generations. The facility of the *Burndud* CDs was important because as Woodley explained, “nowadays our young people are struggling to remember one song let alone a hundred songs,” and this, not just because of the disabling
consequence of alcohol, but due to the busyness of town/work life. This is how Woodley explained both the potential of media in the service of culture, and why few better options remained:

I mean you load someone up with all this media about what they want to learn [...] they’ll take it and they’ll sit down all day watching it. They can play it over and over until they start to pick it up, and that’s the only way we gotta do it now because the old fella [Ned Cheedy] he’s not going to sit down all day and talk to you and sit under the tree and sing you a song over and over. Back in the old days this was our life, nowadays you come back and listen to this crap TV, so you’re competing all the time, and most young people today, they are reared up with the Whitefella media.

CDs and video had certain advantages over the increasingly inaccessible ‘customary’ modes of learning that had come to depend on too few ‘teaching elders’ and not enough time with them. Ironically these mediums offered such advantages precisely because they allowed users to avoid some of the difficulties of direct communication, and thus skirted inter-generational relational problems:

When old people teaching you, automatically they think you should know. They ask you, ‘You know where we are now, you know that song we singing?’ You gotta say ‘yeah’, if you say ‘no’ then they get angry with you. Most of us young people said ‘yes’ to them back in the old days – while still not knowing what they were on about! You frightened to say ‘no’, they get a stick and they hit you.

More stigmatic than a reprimand from the elders for not knowing, was the shame felt by many who were in middle age, and whose Law and cultural education had been fractured in the traumatic years of mining development and the turmoil of the Village (see The Spectre of Annihilation in Chapter 2.4). Because such men were often lacking in knowledge compared with younger men, they avoided participation altogether to avoid embarrassment. The greater part of an entire generation had, in varying degrees, been so affected, and as I have indicated, were referred to as the ‘missing link’ – a link missing between the elders of the Exile generation (their fathers and uncles) and those currently in their mid-thirties (their nephews) who were beginning to take on roles of
responsibility in ceremony. Coppin explained that this could not be said “out loud” because it would offend and shame their ‘mothers’ and ‘fathers’: “Sometimes elders and people get angry when they don’t know. We don’t want them getting angry with us, we want to teach them, but we don’t want to tell them that because we know that they’ll get angry”.

She went on to explain that it was the example of her own father’s use of *Exile* (see *Out of Exile* in Chapter 3.2) that made her understand the value of media for reaching the ‘missing link’ generation by less confronting, indirect means: “That’s what I learned off my father – he used to learn *Exile* and then when we sitting down by the fire, he tell us that. And then we look at *Exile* and see that dad learned it from there, but we don’t say that to him”.

Woodley elaborated that while the ‘missing link’ understood the responsibility for carrying their Law, their humiliation and loss prevented them from stepping up: “

They don’t want to ask because they are ashamed about not knowing. There’s nothing ashamed about not knowing. At least we can know about what the problem is and try and fix it! This is where media now comes in – you can get these people that don’t want to ask for help in their own little private area like in their house, and they can start teaching themselves. This is what media can do for them.

The CD player did not chide for being behind or slow on the pick up, and would tirelessly rehearse the hundred and more *Burndud* songs.

Once a rudimentary knowledge of the songs had been grasped, then there were opportunities, Woodley said, to take questions back to the old people, “and you go through with them word by word, step by step, and say ‘This *Burndud* here, what does this represent?’ And they tell you and you use that to build it, and you keep on feeding that to the young people so when they come to the *Burndud* they can sing and say, ‘Well this is that song about the eaglehawk’, or ‘This is that song about that *bayuwanarra*’, or the hill over there – because it’s all on the CD’.

There was no question, Woodley said, that the CDs of *Burndud* had boosted initiates’ singing ability and their confidence in attending the *Burndud* ring: “One time the *Burndud* used to be

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* Plains Kangaroo (*macropus rufus*) Juluwarlu: 2005
full with old people around the ring, now it’s full with young people around the ring because they’re willing to adjust, they’re willing to take the thing on and learn.”

As example of the emerging self-assurance of contemporary young men, Woodley cited a Law trip to a community far away from the comfort zone of Roebourne, and without the company of older Law carriers. In their impromptu Law camp on the fringes of a community some 600 kilometres north-east of Roebourne they dutifully began singing the *Burndud* for the *Malulu* only to be interrupted by a Christian gospel meeting powered by a public address system. The sermon carried over the whole community and seemed to set forth a challenge to the Law visitors – something Woodley said would have never happened in Roebourne where the Pilbara Aboriginal Church was more respectful. Undaunted, the Roebourne boys struck up the *Burndud* so forcefully that they drowned out the Christian preacher, who for a time soldiered on through the gaps between *Burndud* songs, then gave up.

The *Burndud* CDs were also in high demand by Birdarra lawmen who did not live or work in Roebourne and used them to brush up on *Burndud*, and by grandmothers like Dora Solomon and Bridget Warrie who asked for copies on behalf of grandchildren due for initiation. Woodley joked about taking the idea of the *Burndud* CDs to the next level, especially for the youngest Law recruits, with a Karaoke version where they could follow the words across the screen.

Law ceremonies were generally convened from November through February when the Woodbrook ground turned into a campus of ‘higher education’. For some three to four weeks after their initiation, recuperating *Nuju* (initiation candidates), their minders and their families remained in the Law camp until the ceremony managers released the initiates. In the meantime they attended to their recovery, continued their education in Law, caught up with visitors, ate, slept, played cards and so on. Coppin reported the *Nuju* and *Warmulu* of the class of 2006 could be seen around the camp listening to their MP3 players loaded with *Burndud* songs (the “bush rock and roll” as they dubbed it). I recorded only one disapproving comment about this trend from a Ngarluma man who cautioned against such use of recorded *Burndud*, which while it could be heard by children, should not be sung by them. What, he said, if children got hold of CDs and learned to sing it?
Plate 40: Carol Hunter and her younger brother – Birdarra Law initiate Julius Coppin with MP3 player loaded with Burndud songs (Christmas 2006).

Just as Exile was used as a ‘primer’ for boys who were approaching the year of their initiation in the Village, the documentary also played a role in this post-initiation context. Upon request Coppin set up her Apple laptop on the dinner table in her family bough-shed at the Woodbrook Law camp and played the DVD version we had made the previous year to the young Nuju.146 As they celebrated their coming of age, the documentary gave them a collective moment to reflect on the well-springs of their heritage, and the historical experience of their people – the effect of ‘drinking rights’ and the mining boom; the damage alcohol was wreaking; their responsibilities; etc.
Faye Ginsburg, who has been writing about the development of media practice in remote Indigenous communities of central Australia since the 1970s, similarly observed that “now film and TV occupies a place alongside song, ceremony, in Indigenous self-affirmation and political development”.¹⁴⁷ Media, she said, had come to serve as a new vehicle “for internal and external communication, cultural and language maintenance, self-determination, and resistance to outside cultural domination”.¹⁴⁸ Alberto Manguel, in his essay about the agency of literature and particularly, of ‘stories’ in the becoming of our cultures, posited:

Under certain conditions, stories can assist us. Sometime they heal us, illuminate us, and show us the way. Above all, they can remind us of our condition, break through the superficial appearance of things, and make us aware of the underlying currents and depths. Stories can feed our consciousness which can lead to the faculty of knowing if not who we are at least what we are, as essential awareness that develops through confrontation with another’s voice.¹⁴⁹

Perhaps the documentary, in its ‘narrativisation’ of their community’s history and its depiction of their elders’ counsel on the Law and other things, played this kind of role for these initiates (provided useful encounter with another’s voice). Narrativising of
course was an essential function of Juluwarlu’s work, and I will return to its consequence in my concluding discussion.

2 Ibid
3 Greg Wallace, former Manager Museum Assistance Program, Western Australian Museum, personal communication with author, 2005
4 Coppin herself had vivid recollections of Wajbalas who came to record her elders: “I remember going out with some of my great grandparents with anthropologists and linguists. I didn’t know who they was at the time, but I remember them bringing a tape recorder and a note book, always sitting down with my great grandmother down the river, old Mibel and Long Mack... The reason I want that information back is because it’s mine. I was there when they was doing it. You know I used to nick away from school to go with them old people. I want to know what they was talking about, where they was going, you know, and hear their voice”. Lorraine Coppin interviewed by the author, MDisc 4, Roebourne, September 2006
5 Lorraine Coppin interviewed by the author, MDisc 4, Roebourne, September 2006
6 Ibid
7 Ara Irititja website: http://www.irititja.com/about_ara_irititja/index.html – Other options included Collections Mosaic, Museum Craft, another system installed by Curtin University to manage Prime Minister John Curtin’s archive, and DSTC’s Software Tools for Indigenous Knowledge Management (STFIKM).
8 Lorraine Coppin recorded by Rebecca Woodhead, MDisc 9, Roebourne, November 2, 2005
9 Lorraine Coppin interviewed by the author, MDisc 4, Roebourne, September 2006
10 Ibid
11 Juluwarlu website. 19/3/08
12 Diary 19/10/05
13 Lorraine Coppin interviewed by Rebecca Woodhead, MDisc 9, Roebourne, November 2, 2005; See page 162-164 of Juluwarlu: 2008, Ngurra Warndurala Buluyugayi Wuyumarri for photographs and explanation of this site.
14 Diary 2/10/06
16 Brian Deutchman, Manager PY Media 2001 - 2006, interviewed by the author, 19 October 2006
17 Diary 15/8/07
18 Diary 3/11/06; Diary 29/11/05
19 Lorraine Coppin interviewed by the author, MDisc 4, Roebourne, September 2006
20 Allan Jacob in Exile: 1993.
21 Trevor Solomon, interviewed by the author, MDisc 12, Roebourne, August, 2007
22 Diary 12/4/05
23 Lorraine Coppin interviewed by the author, MDisc 4, Roebourne, September 2006
24 Lorraine Coppin recorded by the author, Capturing Community Stories Workshop, MDisc 10, Roebourne, August, 2007
25 Statement of Significance, Juluwarlu Aboriginal Corporation, Jennifer Ford, Archivist, November 2006
26 Note that along with Ganyjagayi Mirnu Juluwarlu had also built two other databases – the Mapping Database, and the Plant & Animal Database – which were particularly focussed on the making of the Ngurra Warndurala Buluyugayi books, and Wanggallili and Garruragan.
27 Diary 29/3/05
28 Diary 30/6/05
29 Diary 1/11/06
30 Juluwarlu: 2007
31 Michael Woodley, JAC Operations Manager/Co-Founder, recorded by the author, Capturing Community Stories Workshop, MDisc 10, Roebourne, August, 2007
32 Diary 15/7/07; Juluwarlu: 2007 p62
34 Diary 15/7/07
35 Michael Woodley, JAC Operations Manager/Co-Founder, recorded by the author, Capturing Community Stories Workshop, MDisc 10, Roebourne, August, 2007
36 Paul Berry, Mapping consultant/Surveyor, recorded by the author, Capturing Community Stories Workshop, MDisc 10, Roebourne, August, 2007
37 Diary 9/11/07
38 Diary 12/8/07 & Diary 18/2/08
40 The article in Australian Geographic read: “We can only imagine what explorer Francis Gregory must have felt in mid-1861, when he came upon the place now known as Millstream, in the south-western corner of Millstream Chichester National Park. After weeks of trudging through the Pilbara heat and dust in search of arable land, Gregory faced deliciously cool, spring-fed freshwater pools fringed with shady palms, paperbarks and river red gums. He must have thought something had seeped out of his parched dreams and into the landscape. It’s unclear why Gregory chose to name two of the region’s most dominant features after the whippet-thin, stooped and pallid British undersecretary Chichester Samuel Fortescue. If physical characteristics are anything to go by, Gregory would have done better to name Chichester Range after himself, with his craggy, weather-hardened features, beard like a hummock of spinifex and face etched with traces of an intriguing past. As for Fortescue River, if he’d conferred with the Yindjibarndi or Ngarluma, whose homeland he was traversing, Gregory might have been inspired by their more evocative and accurate name for it: Yarnda Nyirranha, or ‘sun mirror’. But a river by any other name would taste as sweet, and the Fortescue River at Millstream, with its magnificent permanent pools and luxuriant surroundings, would have to be one of the Pilbara’s sweetest”. Riley, Kathy, Springs eternal, A surprising oasis in the Pilbara, Australian Geographic, Issue 89, January-March 2008, also see: http://editorial.australiangeographic.com/journal/index_journal.aspx?ID=132
41 Michael Woodley recorded by the author, Capturing Community Stories Workshop, MDisc 10, Roebourne, August, 2007
42 Diary 19/4/07
44 Extract from Wanggangarra, that which gives life, Treatment for a 25 minute film about Family Histories, Relationships and Respect, Michael Woodley and Frank Rijavec, 2005.
45 Diary 27/6/05 & Diary 14/11/05
46 Diary 28/6/05
47 Diary 21/6/05
49 Michael Woodley recorded by the author, Capturing Community Stories Workshop, MDisc 10, Roebourne, August, 2007
50 Amongst the speeches and presentations at the Ngurrwaana School opening, that of Michael Woodley, whose grandfather Woodley King founded Ngurrwaana, recalled the efforts of his old people, particularly Old Tumbler who had taken on racist segregation in Roebourne so that kids from the Reserve could go to the State school in the 1950s; and his grandfather who had fought to get land back for his people in country, and away from the grom. From where he spoke Woodley could see where his grandfather, mother and other family were buried – a confluence of histories, he said, that overwhelmed him with a sense of the tragedy of his family, his people’s struggle for small decencies.
51 Michael Woodley recorded by the author, Capturing Community Stories Workshop, MDisc 10, Roebourne, August, 2007
52 Diary 6/9/04
53 Diary 15/9/04
54 Later, when Juluwarlu worked with the Yindjibarndi Aboriginal Corporation to oversee heritage and land access business with corporations, and corporations were billed for services provided by Juluwarlu, $500 per day fees were paid to traditional owners engaged in such business in accordance with the benchmark rates.
55 Michael Woodley recorded by the author, Capturing Community Stories Workshop, MDisc 10, Roebourne, August, 2007
Of immense assistance in navigating the process of attaining the television license was Neil Turner, the manager of Pilbara & Kimberley Aboriginal Media (PAKAM) in Broome. Turner was at the beginnings of Indigenous broadcasting with Ernabella Video & Television (EVT) in the Pitjantjatjara Lands, and well versed in all matters concerning remote area television broadcasting.

The Australian Broadcasting Authority (ABA) was thereafter folded into the Australian Communications and Media Authority (ACMA); Juluwarlu’s application was scheduled for the May 2005 ABA board meeting, but then withdrawn on the advice of Jennifer Levy – Manager, Indigenous and Community Broadcasting, Australian Government Department of Communication, Information Technology and the Arts – because, I was told, “there was some question of the legalities of the proposal”. (Diary 13/5/05) Certainly at this time, in the lead up to Minister Helen Coonan’s announcement of the $48.5 million fund for National Indigenous Television (NITV), Levy would have been preoccupied with ‘larger policy issues’. This initiative – NITV – was aimed at providing national access to Indigenous TV in a ‘sustainable’ and corporate form – sustained in part by programming produced by the ICTV contributors. Perhaps Levy’s baulking at Juluwarlu’s license application stemmed from the perception that once this national service was inaugurated, there would be less need for autonomous community television broadcasters such as Juluwarlu? In this evolving policy environment, in which a corporate, one-size-fits-all national Indigenous broadcaster was being shaped by DCITA and an Indigenous steering committee, what good purpose lay in the ABA handing out an ONC license for autonomous Indigenous broadcasting? This perhaps was the “unresolved issue” that caused Levy to stall Juluwarlu’s application. In fact Juluwarlu’s ONC license presented no interference or obstacle to the larger policy issues of NITV, indeed its capacity to retransmit Imparja Channel 31 would add another free-to-air broadcaster to the network.

Diary 24/6/05

Keith Lethbridge interviewed by the author, MDisc 5, Roebourne, September 2006

Email from Frank Rijavec to Brett McClymont, Subject: Juluwarlu Extra Information, 22 March 2005

There are only four such ONC licenses in Australia. Two of these broadcast tourist information (in Jindabyne and Darwin).

Diary 1/8/05

Diary 11/1/06; Diary 14/3/06

Rebecca Cheedy interviewed by Rebecca Woodhead, MDisc 9, Roebourne, November 2, 2005

Michael Woodley recorded by the author, Capturing Community Stories Workshop, MDisc 10, Roebourne, August, 2007

Harry Bardwell recorded by the author, Capturing Community Stories Workshop, MDisc 10, Roebourne, August, 2007

Harry Bardwell, recorded by the author, Capturing Community Stories Workshop, MDisc 10, Roebourne, August, 2007; This initiative was preceded by a workshop that would bring together Indigenous delegates from across the state at Juluwarlu to discuss ways of enabling them to establish their own cultural recording projects. The Capturing Community Stories workshop at Juluwarlu in August 2007 declared its purpose: “To share practical information with Indigenous filmmakers and storytellers who are planning to record community stories. The workshop is designed to familiarize participants with digital recording equipment and techniques required to record, preserve and mobilize their community stories within their own communities, and for wider distribution”. (Agenda for the Capturing Community Stories, Presented by ScreenWest with Juluwarlu Aboriginal Corporation @ Juluwarlu, Roebourne, 7, 8 & 9 August 2007)

Diary 26/10/06; This journey to distant country to meet fellow media makers became the subject of a video diary of itself, variously filmed by Glen Toby, Linda James, Tyson Mowarin and Lyle Wally. They reported from Wolf Creek Crater on the road between Hall’s Creek and Wirrimanu; from the music shed at Wirrimanu where band members were interviewed and courtesies exchanged – ‘We are very happy to see the Roebourne mob at Balgo, and you all welcome back any time’. Linda James made a
‘video letter’ from a man whose first family lived in Roebourne, recording elements of his life at Wirrimanu – his artwork, house, new family – ‘We’ll take this video, bring it back for Christmas uncle, show your family in Roebourne’.

75 In April 2009 ICTV moved to stream remote Indigenous video via its IndigiTUBE website, and by early 2010 had restarted ICTV broadcasts on weekends courtesy of WestLink, the Western Australian Government educational satellite carrier (See http://www.Indigitube.com.au/).

76 Diary 19/7/06
77 Diary 17/11/06
78 These included the Port Hedland Indigenous Coordination Centre, the Pilbara Fund, Indigenous Land Corporation, Rio Tinto, the Enviroofund, Pilbara Development Commission, and the Western Australian Regional Initiatives Scheme (WARIS). Juluwarlu’s Pilbara Development Commission application had particularly targeted funding totalling $700,000 for employment of a Station Manager, Linguist and Administration Manager, but resulted in only $79,000 for capital equipment. The Rio Tinto Aboriginal Foundation declined outright, and the Pilbara fund defaulted to token funding for a business plan consultancy.

79 Michael Woodley interviewed by Gerd Samland, MDisc 8, Roebourne, August 2005
80 Diary 11/7/06; Michael Woodley interviewed by the author MDisc 1, Roebourne September 2006
81 Diary 28/3/07
82 Diary 7/6/07
83 Diary 14/6/07
84 Diary 10/9/07
85 Diary 25/9/07
86 Diary 20/10/07
87 Diary 9/3/08
88 In 2008 Juluwarlu also assumed management of the Indigenous Community Radio License in Roebourne which had previously been managed by Gumala Enterprises of Tom Price, and which carried a regular local morning slot (from Tom Price) that predominantly broadcast a computer play list of pop, rock and country music, generic advertisements and community announcements, plus Indigenous radio broadcasts linked from the National Indigenous Radio Service (NIRS). In 2009 local presenters began broadcasting directly from the Juluwarlu radio studio.
89 Juluwarlu Aboriginal Corporation, JTV-Ngaarda TV-Your TV… JTV-34 Roebourne’s New Aboriginal-Owned TV, Press Release, , 2 November 2005
90 Stocks revived in 2010 with the recruitment of another intake of trainees and commencement of the new Media Production & Training Coordinator, Kate Wilson.
91 Note that Juluwarlu’s ONC Television license will come up for renewal in July 2010, a time by which the performance of the service and its forward strategy will be reviewed by the Australian Communications and Media Authority. The progressive switchover from analogue to digital television transmission, to be completed by the end of 2013, will of course need to factored into this decision and into Juluwarlu’s forward strategy. (Media release by Senator Stephen Conroy, Minister for Broadband, Communications and the Digital Economy, 18 December 2007, http://www.minister.dbcde.gov.au/media/media_releases/2007/digital_switchover_date_confirmed)
92 Note that after participation in the Remote Indigenous Media Festival at Wirrimanu Juluwarlu hosted the 2006 PAKAM AGM.
93 Michael Woodley interviewed by Gerd Samland, MDisc 8, Roebourne, August 2005
94 Lorraine Coppin recorded by the author, Capturing Community Stories Workshop, MDisc 10, Roebourne, August, 2007
95 Diary 16/11/05
96 These WY Program trainees were joined virtually from the outset by Wendy Hubert and Taleeshya Samson who were employed on CDEP with a nominal top-up from Juluwarlu’s reserves.
97 Rebecca Cheedy interviewed by Rebecca Woodhead, MDisc 9, Roebourne, November 2, 2005
98 Tyson Mowarin interviewed by the author, MDisc 7, Roebourne, September 2006
99 Diary 17/8/05 & Diary 27/6/05
100 The inaugural program of study included a core unit of health, multimedia design, 2D animation, WEB page design, video editing, content writing, digital photography and Photoshop, video camera operation, copyright, sound recording, and information technology.
101 Diary 29/11/05
Lorraine Coppin interviewed by the author, MDisc 4, Roebourne, September 2006; As 2006 progressed trainees explored all the tools available to them in the Final Cut Pro bundle: Mowarin purchased the music interface module for Macintosh so he could record guitar and voice directly into SoundTracker; trainees began to use GarageBand to create soundtracks for their films; Glen Lee, who came with a modicum of computer literacy experimented with ‘Motion’ software to make animated graphics sequences; several trainees travelled to Pundulmurra to utilize a dedicated sound recording booth for recording of their voice overs; and Glen Toby began researching a personal project, the story of his maternal grandfather Emmett Diamond.

Tyson Mowarin interviewed by the author, MDisc 7, Roebourne, September 2006

Keith Lethbridge interviewed by the author, MDisc 5, Roebourne, September 2006; Lethbridge cited the production of the Lockyer Brothers Memorial video as a ‘perfect example’ of the positive message conveyed to the community by the evidence of local production. On location for the shooting of this program, families who had gathered for the special ANZAC memorial service for the Lockyer brothers approached the crew who were known to them and were “mind blown” to see trainee Linda James operating the camera. Lethbridge said that the simple fact that these trainees, as “new players to the field”, were making such programs was significant in itself, but the standard of their work was a bonus: “I mean Lockyer Memorial just lifts the standard so much. I mean every production that comes out of Juluwarlu - talk about catch up! It will get better, these students proved it here, we’re the last people to contribute to ICTV and some of the best productions are coming out of here”. Keith Lethbridge interviewed by the author, MDisc 7, Roebourne, September 2006

The NYFL Cultural Centre Community Consultation recordings played a particularly important role in Mowarin’s training in 2005. He recalled: “Doing all that Community Consultation film with the community was all right. The first stage was probably the better one cause you allow back and editing all that into something. That is the first thing I edited”. Tyson Mowarin interviewed by the author, MDisc 7, Roebourne, September 2006

Lorraine Coppin interviewed by the author, MDisc 4, Roebourne, September 2006

Tyson Mowarin interviewed by the author, MDisc 7, Roebourne, September 2006; “When there’s events happening around town people expect to see us there, and they all enjoy seeing us. Like uncle Alec Tucker when he sees me he calls me cameraman. Even old Dora she calls me cameraman. I got that name now. They always see me with the camera, people enjoy seeing you out there doing that. Even after hours at the football and on the weekends you doing some stuff. Even waking up on ANZAC day this year, I don’t think them fellas expected to see me there with the camera. I was there filming the ANZAC service [...] Never been to one before”. Tyson Mowarin interviewed by the author, MDisc 7, Roebourne, September 2006

Keith Lethbridge interviewed by the author, MDisc 5, Roebourne, September 2006

Linda James commented: “I love my traineeship at the moment. Training in archiving, love camera, editing, anything to do with camera! It’s very eye opening for me, very lucky to have our elders. We go out film them, learn the stories and the places and what they used to do when they were younger and whatnot on our field trips. And yeah, I love media”. Linda James recorded by the author, Capturing Community Stories Workshop, MDisc 10, Roebourne, August, 2007

Cheedy Commented: “Because my grandfather is the only one we got left now, the last elder, so we want to record him and get his stories before it’s too late. I reckon that’s one of the biggest motivations that make me come to work”. Rebecca Cheedy interviewed by Gerd Samland, MDisc 8b, Roebourne, August 2005

Lyle Wally, for example had applied himself to and completed 6 projects in the few months since his return from the Remote Indigenous Media Festival at Wirrimanu (Diary 24/1/07); Tenellia Lockyer and Linda James learned the publishing software InDesign and Lockyer applied this to the design of Juluwarlu’s next newsletter; Hayward introduced the trainees to animation and James and Wally revelled in it (Diary 19/3/07); Mowarin won a work-experience attachment to the production of an ABC-TV-sponsored Deadly Yarnz short, and with Channel 10 Perth; and Katherine Glass and Alan Thomson collaborated on the production of a short horror film, Nightmare at Ngurrawaana (see YouTube, http://uk.youtube.com/watch?v=JPT8V6joQ0).
Sovereign Voices

One need only look at the array of skills necessary for the organisation and discharge of a routine cultural recording fieldtrip to appreciate the value of Juluwarlu’s on-the-job training. Each trip that planned to run over three days or so would require staff and trainees to raise funds or gather resources; undertake pre-production involving budgeting, quantity estimation, purchasing, scheduling, archival research of particular locations/sites; preparation of all video equipment; production itself, including videography, stills photography, sound recording, interviewing; and GPS mapping; postproduction; and the logistics of traversing and camping in country. These were robust, complex exercises that tested every competence in the organisation from the technical and complex, to the mundane and necessary.

Diary 3/1/07; Mowarin and Cheedy both testified to the appeal of varied training experiences and learning-by-doing – Mowarin: “Yeah learning on the run, learning as you go [rather] than talking about things, I reckon in that way it has been good. I reckon I’ve learnt because of that way, because of that style, and I reckon all the other trainees they’ve learnt fast because of that too. If it was at a TAFE talking about it we wouldn’t have got as far as we are”. (Tyson Mowarin interviewed by the author, MDisc 7, Roebourne, September 2006) And: “I like a bit of everything, filming the stuff and editing the programs; and coming up with ideas for the programs plus working with all the good team that we got. We got a pretty good team, every one brings something to the table”. (Tyson Mowarin interviewed by Gerd Samland, MDisc 8b, Roebourne, August 2005) Cheedy: “It’s a lot more fun than learning from books and the classroom I suppose because it varies a lot. One day we might be at work in a meeting and the next day we’ll be out on a field trip or down in Perth or Broome or somewhere in a bridging course”. (Rebecca Cheedy interviewed by Rebecca Woodhead, MDisc 9, Roebourne, November 2, 2005)

Michael Woodley, JAC Operations Manager/Co-Founder, recorded by the author, Capturing Community Stories Workshop, MDisc 10, Roebourne, August, 2007

Michael Woodley interviewed by the author, MDisc 7, Roebourne, September 2006

Rebecca Cheedy interviewed by Gerd Samland, MDisc 8b, Roebourne, August 2005; Rebecca Cheedy interviewed by Rebecca Woodhead, MDisc 9, Roebourne, November 2, 2005

Tyson Mowarin interviewed by the author, the author MDisc 2, Roebourne September 2006

Michael Woodley interviewed by the author MDisc 2, Roebourne September 2006

Mowarin explained that for him it was important to be telling people’s stories on video and getting these out to the people where they could enjoy watching themselves: “It feels good working back in the community with the people and doing all this camera work and film editing and documentary making because we’re getting the stories from our community, all the positive stories. For too long there’s always been negative stories come out of Roebourne, so we’re here to show them the good things”. (Tyson Mowarin interviewed by Rebecca Woodhead, MDisc 9, Roebourne, November 2, 2005)

Michael Woodley, JAC Operations Manager/Co-Founder, recorded by the author, Capturing Community Stories Workshop, MDisc 10, Roebourne, August, 2007

Tyson Mowarin interviewed by the author, MDisc 7, Roebourne, September 2006

Diary 21/9/06

Trunkline, Woodside Energy Limited magazine: Michael’s already a winner, Q2 2006

Ibid

Lorraine Coppin interviewed by the author, MDisc 4, Roebourne, September 2006

Ibid

Michael Woodley interviewed by the author the author MDisc 1, Roebourne September 2006
Woodley explained: “If you have to go to work on a truck all day carting iron ore from one pit to another – wack on the Burndud CD in the cab – you’re doing your work, you’re listening to your songs! A lot of boys do that. When he lived in Perth I give my father-in-law, Sydney Walker, a CD of the Burndud because he was missing out. As people get older they start to realize that ‘I belong to something special and I need to keep that up because my brothers knew it, my fathers knew it, my uncles knew it’. Anyway, driving from home to where he worked in Claremont, and from work to home he listened to the Burndud CD, driving through the city”. Michael Woodley interviewed by the author MDisc 1, Roebourne September 2006

Diary 23/12/06; Some negative comment also came after Exile tapes reached the Pitjantjatjara communities in South Australia in 1993 and concerns were expressed to me from Tandanya, South Australia’s National Indigenous Cultural Centre, that Pitjantjatjara Lawmen were unhappy with images of the Birdarra Law being depicted in their communities. Tandanya was reassured, however, when they understood that according to the Law of the Pilbara no transgression had occurred, and the depiction was sanctioned by Birdarra Lawmen, and they passed this information on. For the same reason a section of Exile was cut for screening over ICTV in 2005, however even this precaution was elided in the following year. Mores in the desert seemed to have relaxed in this regard.


Ginsburg: 1997, p119

Manguel: 2007, p9
COMMUNITY POLITICS

This is a poor community, been poor all the time. Not working together in this community, there's always divisions amongst our people in this community, there's all different tribes here - we must work together as tribes. Been ups and downs in this community for so long, we are not there for one another, so let's work together different tribes to train our people, the young ones, they'll be the one for the future to learn.¹

I have made passing reference to issues of politics in the community as they affected Juluwarlu's operations – for example: the objection by a faction of Ngarluma against Juluwarlu recording cultural heritage for the upper Sherlock River with another Ngarluma family; issues of copyright and its invocation to protect recorded knowledge from vexatious dispute; the effect of Native Title in dividing groups and putting up “barriers”; the ‘cash for comment’ trade in cultural knowledge that attended Native Title; and the sensitivities posed by the phenomenon of the “missing link” generation in negotiation of Law.

The effect of local Indigenous politics upon the daily endeavour of any community-based organisation had immense repercussions – they could bring projects and organisations themselves undone. Because Juluwarlu’s efforts to understand contention and mitigate its corrosive effect consumed a significant amount of its resources – local social, cultural and political forces bear closer consideration at this point. Addressing Indigenous media-makers who gathered at Juluwarlu in 2007 for the Capturing Community Stories workshop, Michael Woodley cautioned:

I don’t want to scare you all, but when we’re venturing down this path (and we all have it in our community), there is the community politics of Aboriginal people with Aboriginal people. How do we avoid that and keep moving forward? I think at the end of the day you need to look at your core business and stay focussed on the important things in life that you set out to do.²
He added: “The challenge for us is to continue what we’re doing, to manage that type of politics,” and that the very survival and accomplishment of Juluwarlu’s cultural project depended on managing such politics.  

6.1 The Landscape of Community Rivalry

Before reviewing the contemporary landscape of community rivalry, and before returning to the consequence of the fallout with one faction of the Ngarluma, it should be understood that such contention was historical, notwithstanding nostalgic claims that ascribed a unity of leadership to the Old Reserve days. The legacy of artificial agglomeration of peoples in Roebourne (see also The Setting – Roebourne in Chapter 2), and later in the joint Ngarluma Yindjibarndi Native Title claim filed in 1993, goes some way to explaining some of the factional tensions that beset contemporary Roebourne life, and arguably, contributed to the demise of some local Indigenous organisations.

For example, in 2004 a contention between Ngarluma and Yindjibarndi arose with regard to Ieramugadu Group, an Aboriginal Corporation that managed a pastoral business and labour contracting service, and whose history in the community dated back into the early 1970s. The key issue was the assertion by some Ngarluma that Ieramugadu and all its assets should be resumed by Ngarluma on the grounds that the organisation operated in Ngarluma country and held assets (pastoral station leases and parcels of freehold) within Ngarluma lands. (As touched on earlier, this issue also affected the copyright of Know the Song, Know the Country.) This proposition ignored the history of Ieramugadu Group Corporation which had been established for the benefit of all Indigenous residents of Roebourne without reference to language or origin, and whose development had been fostered by men and women from various tribes, particularly Yindjibarndi and Gurrama. As a consequence, Yindjibarndi people and their organisations abstained from any business concerning Ieramugadu; factional divisions amongst Ngarluma sunk the organisation in litigation and made it effectively dysfunctional for a period; and finally the Pastoral Board threatened suspension of Ieramugadu’s leases. This same Ngarluma/Yindjibarndi fault line would also appear in the work of the Ngarluma Yindjibarndi Foundation, which, as I have indicated, was crucial in Juluwarlu’s development.

NYFL was formed in 2000 to manage funds devolving from an agreement that compensated Ngarluma Yindjibarndi Native Title holders for use of land by Woodside
Energy and their North West Shelf Venture partners on the Burrup Peninsula. NYFL was formed with a 12 member Board comprised of 4 elected Yindjibarndi and 4 Ngarluma directors, and 4 appointed professional members. Even though Woodside operations were based exclusively in Ngarluma lands, both language groups were represented in the Agreement and on NYFL’s board because Ngarluma and Yindjibarndi had filed and won a joint Native Title claim, and indeed, represented the majority of Indigenous residents in the area.

As Native Title business between traditional owners and resource companies, government and others gained momentum, the interests of each group (and factions within each group, particularly within Ngarluma), began to splinter from the coalition that had come together for the Native Title claim hearings. These ruptures inevitably permeated NYFL board business and were expressed between Juluwarlu and various individuals and factions.

Over 2003-04 Juluwarlu had proposed several projects to NYFL for support funding – in particular a training scheme for cultural media workers and renovation of the building earmarked for service as the Juluwarlu media centre. However, while NYFL supported other members with funding for business ventures, Juluwarlu’s submissions consistently met with rejection. Ngarluma objectors held that Juluwarlu Executive Officer Michael Woodley was Yindjibarndi, and that he represented only Yindjibarndi people; that they did not want their materials to be recorded by Juluwarlu and that Yindjibarndi should remember that they were on Ngarluma land. Woodley said that he was enervated by the ‘blank stares’ from the NYFL board to his requests for financial support for Juluwarlu’s cultural work. In late 2004 Woodley answered this opposition by standing for and being elected to a newly constituted NYFL Board, which then endorsed him as its Convenor. Subsequently, Juluwarlu’s application to NYFL for its administration manager’s salary became its first success (in a process that duly excluded Woodley due to his ‘vested interest’).

NYFL AGM Eruption
This adjustment in the balance of power saw foment against Woodley and Juluwarlu escalate. Ahead of the next AGM in November 2005 NYFL staff were approached by a small groups of antagonists to support the calling of a special member’s meeting aimed at forcing the resignation of the NYFL CEO, David Webb, who had formed a
productive working relationship with convenor Woodley. NYFL staff declined to join the antagonists, however tensions erupted on 8 November at the NYFL AGM.

Staged as an ‘Expo’ celebrating NYFL’s partnerships with the community, government and industry, and the year’s achievements, the hall was crowded with stallholders and their displays and a festive turnout from the Village. An hour later the meeting was scuttled by a series of staged attacks from a coterie of antagonists and was closed. The opening gambit of the attack challenged Woodley’s right to be making representations on behalf of the community to Woodside’s CEO Don Voelte without also having a Ngarluma representative present (these representations regarded NYFL’s bid for a ‘new deal’ following on Woodside’s expansion of operations, and is discussed in detail in Chapter 7). Woodley pointed out that he and Webb had met Voelte jointly as Convenor and CEO of NYFL, and that their representations were on behalf of NYFL as a pan-community organisation. Attack then narrowed on Webb with allegations of impropriety and favouritism, contentions Webb refuted by explaining his obligation to follow policy as set by the board. The baton was passed to another antagonist who claimed racial prejudice by NYFL for not providing funding for her niece to continue her studies in Perth. She asserted that this was because her niece had a white father. Another assailant suggested that Juluwarlu was being favoured by NYFL in funding applications. At this stage Woodley advised Webb to leave the meeting to spare himself further abuse. As he left, Webb was jeered by the antagonists for ‘walking
out’. NYFL board member Charlie Cheedy pleaded that the board was elected to represent the people and that they should be allowed to do their work. The Juluwarlu team packed up their display and were followed out of the hall by the corporate and government visitors who also packed their stalls. The board exited stage and the meeting fell into ruin.

A meeting of NYFL members followed to clear the air and heard further complaint that Juluwarlu received funding from the Foundation when their own organisations or families did not. Another member attacked the CEO for refusing a grant of whitegoods to her sister. The shock and stress on Juluwarlu of this very public warfare was profound, and was not ameliorated when, a few days later – when the scale of the disaster had dawned on two of the principal antagonists – they called on their ‘nephew’ Woodley to express their contrition. They acknowledged the important work that Juluwarlu was doing, admitted the fallacious basis of their accusation of racism, shed tears and asked for forgiveness. Woodley suggested they should take time to examine their motives before asking forgiveness.

In the shambles of the AGM quarrel, a ballot of NYFL membership elected that three non-voting, non-Indigenous directors of the board (who had brought professional expertise and advice on matters such as accounting, governance and business investment), should be dismissed. Lobbying against their retention homed in on the white skin of these coopted board members. Questions were raised about why white people should be kept on the board to make decisions about “our money”. The disarray of the AGM had not allowed any discussion of the implications of this decision to dismiss the non-Indigenous professionals, however the consequences were raised at the special meeting where the contributions of these advisors were acknowledged, and their loss regretted – too late. Had there been opportunity for discussion, one member opined, the members may have voted differently.

It was unfortunate that this scene played out before a broader audience of visitors who had attended to celebrate their association with NYFL and other community organisations. What they witnessed was an unravelling that shook confidence in NYFL and the community’s capacity to conduct their business. These actions, together with the membership’s dismissal of the professional board co-optees, subsequently played a direct role in Woodside’s decision to withdraw from a commitment to transfer
responsibility for the management of the WY Program to NYFL. The effort it took to remedy this is discussed in *Shifting the Goal Posts* (Chapter 8).

**So We Are Half-Breeds Now**

Another factional stoush, this time within the Yindjibarndi group, centred on Plan B – the trust established to manage compensation funds from development of the West Angelas rail corridor by Rio Tinto. While essentially concerned with factional power and money, this argument devolved into dispute about blood-authenticity and generational authority.

For over half a century, ideas and feelings about identity were not only tested in the melting pot of tribal groups that came together at the Reserve and later grew into the body of the town, but were exacerbated by the fathering of many Village children by Wajbalas, mostly men who came as mining construction workers between 1965 and 1975, and who disappeared like phantoms. We might recall (from Chapter 2.2) Coppin’s observation: “Talk about the mining boom, some of us are the product of it. You know, we don’t care cause we happy with who we are and what we achieved for ourself with no help from them”.16 For those educated about their genealogy and ngurra – that is, “the country you belong to through your mother and father and all the generations before” – there was a sure, irrefutable way to assert their identity and their tribal legitimacy. If one parent was non-Indigenous then the individual's connection to country running through the sole Ngaarda parent was no less legitimate.

Nevertheless, the “half-caste” status and cultural legitimacy of Woodley, Coppin and other Juluwarlu staff arose in a dispute that followed on the refusal by the board of the Ngarluma Yindjibarndi West Angelas Charitable Trust (Plan B) to ratify and enact their membership’s plebiscite supporting a grant of Plan B funding for development of Juluwarlu's Ngaarda Television.

Another cause for concern with Plan B was the graver issue of anomalies attending expenditure of monies by its board, which had failed to articulate and make public any policies or programs for Trust Fund expenditure that might open it to broader community access or benefit. Further, there appeared to be no oversight or transparency regarding how candidates for grants were chosen. The trust had been heavily drawn on, most conspicuously by grants, at the discretion of this board, to an
exclusive clique of insiders (for expenditure chiefly on white goods and other household items at Lily’s Retravision and Harvey Norman’s in Karratha). Once alerted by the concerns of Yindjibarndi community members to these anomalies, the Plan B trust managers froze the account of the Fund, and suspended the board. One of these former Plan B board members subsequently visited the offices of Juluwarlu to confront Woodley. In the course of discussion about responsibilities and rights, this ex-Board member pointed out that having both a Yindjibarndi mother and father, she was more Yindjibarndi (and therefore more legitimate, presumably) than anyone working in the Juluwarlu office.

Under Yindjibarndi custom, this argument had nowhere to run because while lineage was a factor, it was one of many that also included contributions to the community through service and leadership, and most importantly, through demonstrable participation and facilitation of Law and Culture. It happened that there were several important Law contributors at Juluwarlu, not to mention the organisation’s singular contribution to the recording, archiving and reproduction of Yindjibarndi culture and language. In an office whose staff boasted an assorted Ngaarda parentage which turned most commonly on Yindjibarndi antecedents, and included Wajbalas, the complainant’s accusation was deflected by the wry subversion: “So we are the half breeds now”.

6.2 Native Title – ‘Black Fellas Now Are Killing the Black Fella’

As mooted, issues devolving from Native Title grew to dominate Juluwarlu’s operations. Of course the idea of ‘Roebourne community’ was always a moving definition, however, after the determination of the Ngarluma Yindjibarndi Native Title claim, the historical tensions of agglomeration were exacerbated. By 2003 the two groups, and factions within each of these groups, had resolutely moved to individuate their management of business pursuant to Native Title. Trevor Solomon identified this fracturing with the intervention of resources companies and the Wajbala law:

All these family feuds and break ups and that, it’s only created by mining companies and government departments and all that. The true nature of an Aboriginal person is real culture and family.

Keith Lethbridge agreed:
The borders and boundaries that artificially been put up through Native Title and all the rules and regulations put on our people have suppressed our people from talking to each other and sharing information. When we cry for each other when we lose a family, and we run the Law business – all that Native Title bullshit’s out the window. But under Native Title people say look that group can’t deal with that group and that group can’t deal with that group and they put up these artificial borders and boundaries.\textsuperscript{20}

Ali Parker observed that most Native Title meetings were mediated by \textit{Wajbalas} and did not allow the space for speaking from the heart, for getting to what was important – that such \textit{Ngaarda} business ‘fell from the table to the floor’.\textsuperscript{21} Banyjima elder Alec Tucker lamented that since the onset of Native Title he did not have time to plant a few trees around his house because he was forever running to meetings with mining companies or his board. He reflected on the days when people had time to do their business slowly, to sit together and talk, to find their way to solutions that were ‘right’.\textsuperscript{22} Charlie Smith, Chairman of Inawongga Banyjima Nyiyaparli Group, was reported as saying that communities had been riven: “Some families have just been ripped apart by the issues surrounding Native Title purely by the financial benefits that flow from mining developments. Those conflicts are irreversible”.\textsuperscript{23} (See also \textit{The Blighted Promise of Native Title} in Addendum 21A.)

Admonitory accounts of malfeasance in Native Title business across the Pilbara told of individuals and factional power-brokers who abused their leadership positions by doing backdoor heritage clearance and land access deals with mining companies that signed away the interests of the community; of boards that distributed trust funds intended for community development within elite circles of family and privilege; of the inability or disinclination by some Indigenous leaders to instate transparent administrative and accounting procedures. (These issues are further pursued in the context of Native Title management and dealing with the corporations in Chapters 7 & 8.)

This trend in community and cultural politics was formalised, I suggest, at the inception of the Native Title hearings themselves, which acted to bestow an ‘exchange value’ on cultural knowledge. To win Native Title in the first place traditional owners had to deliver up to the courts their cultural knowledge to be sifted, tested, weighed and evaluated. Thereafter cultural knowledge was sometimes territorialised within
particular factions or families who jockeyed for an imagined or real advantage in the emerging Native Title landscape. Simply being an elder with the say on cultural affairs acquired a new value overnight, became a tradable commodity outside the traditional setting of ceremony or the responsibilities of custodianship for country. Such traditional actors were in constant demand by the Native Title Representative Body, lawyers, anthropologists, government officers, mining companies seeking clearances, etc. – and were often paid for their time. Referring to the business of doing heritage clearance survey work for developers who paid each traditional owner some five hundred dollars a day, Georgina Diamond made the scathing observation: “Our elders don’t teach us. They are out on surveys with Wajbalas all the time. That’s it – money talks”.

Before the consolidation of Juluwarlu’s method and the Yindjibarndi leadership group within the Yindjibarndi Aboriginal Corporation, Juluwarlu also encountered a few elders that withheld cultural knowledge for their own exclusive trade with courting developers, a circumstance that prevented Juluwarlu recording some elders whose knowledge was priceless, and who died before the consolidation of the Yindjibarndi group and the amelioration of these tensions.

It must be said, however, that while knowledge was sometimes denied to Juluwarlu and other families by an elder in the context of Native Title business, in the practice of men’s business or Law, that same elder would have no qualms in passing on knowledge to acolytes or indeed, in having this private and privileged knowledge recorded by Law apprentices. Such was the case with one elder who vouchsafed his teachings to Woodley and other Yindjibarndi men with the understanding that the recordings were for the benefit of the body of the tribe and future generations of Yindjibarndi Law carriers.

While most Native Title claims were credible, others were spurious or opportunistic, and were prosecuted by splinter groups that did not have political purchase in the main body of the claim, and perceived financial advantage in lodging their own, separate claim, often with the assistance of professional agents – anthropologists, lawyers, Indigenous ‘returnees’, and so on. This act of lodgement alone, before any rigorous test had been applied to their claim, gave such speculators a place at the table with companies seeking to develop particular lands, and a stake in monies paid out for heritage clearances pending Native Title determination. Culture and Njurra had been so distorted and corrupted by money and the unsavoury practice of lodging competing
claims that Woodley would remark: “Black fellas now are the ones that is killing the black fella”. Yindjibarndi had perhaps been one of the more fortunate traditional owner groups in the Pilbara in this respect, since their relative unity had obviated splinter claims over their country (although qualms over misalignment of neighbouring groups’ boundaries remained to be resolved).

6.3 Separation of the Languages

It was in this climate, and following on the division that occurred over the recording of sites on the upper reaches of the Sherlock River, that Juluwarlu decided to simplify its remit by publicly declaring in September 2005 that it would no longer record Ngarluma heritage.

A key milestone on this trajectory was the abuse by a Ngarluma woman (in May 2005) of a female Yindjibarndi elder for her participation in Juluwarlu cultural recording field trips. This was a grave offence, not just for the disrespect shown to this elderly woman, but because the intent of the abuse was levelled at Juluwarlu. This elder was accused of going out with Juluwarlu on ‘survey’ trips – a term that connoted $500 a day fees; trips on which no Ngarluma had been invited. The implication was that the elder was profiting from these trips and that Ngarluma were not sharing in the payments. This echoed other gossip that claimed that Juluwarlu was not paying elders enough and was ‘ripping them off’, presumably because it could not afford to pay the mining company rate. The abuse of this elder was addressed in a meeting at the ‘kangaroo flat’ in the Village between Juluwarlu and members of the Ngarluma family in question, which instead of moving towards resolution, blew up into denial and hostility, and blows that left Coppin with a black eye. The exchange ended with a heated declaration from Woodley that Juluwarlu would never record Ngarluma culture and history again.

Shock waves followed with the departure from Juluwarlu of a young Ngarluma CDEP worker related to the assailant, and a report from the NYFL CEO that complaints about Juluwarlu had reached his office, thus agitating a mood against submissions and projects Juluwarlu had in train with NYFL. A few months after the ‘kangaroo flat’ dispute a Ngarluma antagonist on the NYFL board asserted that half of all the archived cultural materials at Juluwarlu belonged to the Ngarluma “because Juluwarlu is using all the language money”. Coppin was deeply affected by this fall out, which involved.
‘mothers’ close to her on her Ngarluma side – women who had brought her up. She had so desperately wanted Juluwarlu to be involved in preserving the culture of her Ngarluma father and younger brothers and sisters, but this aspiration seemed to have now been extinguished.²⁹

In mid-June 2005, Juluwarlu decided to strip all Ngarluma language out of the fauna book Garruragan, (the sequel to Wanggalili).³⁰ Wanggalili, then, was unique as the first and only publication in which the language of both groups would coexist.

In September 2005 the inaugural Juluwarlu Newsletter set out how in the midst of the Ngurra Two Rivers project, “key Ngarluma spoke-persons raised concerns about Juluwarlu carrying out this recording work,” on the Sherlock River, and signalled that Juluwarlu would withdraw from any further work for Ngarluma.³¹ (See Addendum 4D for PDF version of complete September 2005 issue of the Juluwarlu Newsletter.) In deciding to finally cease recording Ngarluma heritage, Juluwarlu had taken the advice of Yindjibarndi elders closest to its cultural recording work. Woodley said that this counsel helped Coppin and him make this difficult decision, to move past the prevarication bound up in Coppin’s attachment to her Ngarluma father, and to Ngarluma elders such as Solomon James and his son Roger, whom they both loved. In the end, Woodley said, they had to get back to reality and take on board the sentiment coming from key Ngarluma people. The advice of Yindjibarndi elder Cherry Cheedy was decisive:

Cherry said it beautifully. She said that at the end of the day you can’t go there and say you’re doing it [recording Ngarluma heritage] for two or three people. She said that Ngarluma [culture] belongs to Ngarluma people and they are the ones talking, sending a message basically. So you got to listen to them.³²

Woodley also reported that even much earlier in the piece senior elder, Kenny Jerrold, had admonished him for the proposed ‘mixing’ of languages in the fauna publication, Garruragan. Jerrold thought it important that the publication stick to one language so as to avoid the confusion of Yindjibarndi and Ngarluma.³³
Concurrent with these larger cultural and community disputes, the random daily expression of community tensions persisted in heaping anxiety on people involved in public life and positions of leadership.

### 6.4 Additional Perspectives on Discord

In Chapter 1, I provided an account of the contemporary history of Roebourne Ngaarda and alluded to the inter-generational psychological distress inherent in this history, which seemed to be almost routinely expressed in death and violence, and recrimination thrown up by trauma. Self-harm was a consequence. Trenchant negativity and the undermining of anyone who seemed to rise above the pandemonium was another expression of this distress. Woodley remarked:

> You get the community politics where there’s whispers in the wind about something bad that we are supposed to be doing, and that’s what really stops you from moving forward - it’s the tall poppy syndrome. You stick your head up doing something different, you know nine out of ten times people want to have a go at you.

Woodley observed that the most hurtful criticism of Juluwarlu and himself came from his father and mother’s generation. The pressure that mounted from the jibes of his seniors, and which targeted his relative youth, was particularly difficult to bear as it wedged Woodley between conflicting ideas and emotions: on one hand he was spurred to do what he thought right and beneficial, and on the other he was beset by feelings of self-recrimination and doubt following on the disparagement of his uncles and aunties, whom he was bound to ‘respect’ according mores that were second nature to any Ngaarda raised in the community. In despondency he said, “I was happy when I was a drinker, no responsibilities, just come home from work and party for the weekend with your mates”. To be sure, Indigenous people across the country faced anger and resentment turned inward: “Criticism by the white community is nothing compared to criticism by your own. There’s nothing like internal racism or the backlash to bring a person down”.

Such destructive social reflex stunted community development, and perhaps worst of all, set a pitiable example for the younger generations who witnessed such conduct. At low points during such hostilities, Woodley was of the mind that the greatest
obstacle to Yindjibarndi attainment of their aspirations was the corrosive destabilization of antagonists from within their own ranks. Woodley persevered, he said, by keeping in mind the example of his elders, particularly those “young elders” like Roger Solomon who also came to prominence before their hair turned grey.

**Returnees**

As signposted earlier, in the decades preceding Native Title there had been a dispersal of traditional owners from their homelands through the action of the state, the removal of children by the Welfare, the economy of station work, other employment and education, personal choice and so on. With the onset of Native Title and the rights this conferred on traditional owners to negotiate with developers, and the advent of benefits by way of survey fees and compensation settlements, many Indigenous people living far from their genealogical and tribal origins, found themselves unable to participate in the business of negotiating and benefiting from Native Title. This caused the return of some people who had lived apart from, and had become alienated in lesser or greater degrees, from the societies, language and culture of their antecedents. While these returnees were often welcomed, and easily recognized and accommodated in the family tree, they were just as often resented when they asserted their status and authority by virtue of better developed skills in ‘white man’s business’ gained through their jobs or education abroad. They sometimes utilized this administrative and communications advantage to take up principal roles in incipient claimant group organisations, most often in alliance with one endemic faction or another. The agency of returnees played a significant and disruptive role in both Yindjibarndi and Ngarluma business, particularly in the raw years immediately after the Keating Government Native Title legislation. Happily its influence has gradually waned in Roebourne as grassroots organisational wherewithal has improved.

**6.5 Summary – All For the Best**

With regard to the impasse in recording the upper Sherlock River for *Ngurra Two Rivers*, it should be considered that the factional divides within the Ngarluma group at this time went five or six ways (if one counted the Wong-Goo-Tt-Oo group). Such circumstances, where divergent claims for legitimacy or authority existed within a group, were not uncommon in the Native Title landscape. Discord inevitably occurred as formations amongst factions shifted, making consensus through consultation a complex, often fraught endeavour. The process of concluding unanimous agreement
for such cultural recording projects as *Ngurra Two Rivers*, especially when the recording agency was a group within the local community that was perceived to be aligned, was difficult and sometimes impossible.\(^{41}\) While dismaying at the time, with hindsight this separation of roles and responsibilities regarding heritage recording was for the best, and Woodley reflected on it philosophically: “We started off with another group in town, but the politics started […] So the only thing you can do in that situation is to handball it back to them and say at the end of the day it’s your responsibility and it’s your language”.\(^{42}\) The proposition that each language group assumed responsibility for recording and safekeeping their heritage under the governance of their own elder-executive seemed only proper.\(^ {43}\)

The lessons through 2004, and particularly during the production of *Ngurra Two Rivers*, served to clarify Juluwarlu’s direction and allowed the organisation to better focus its stretched resources. As a result, their focus on ‘core Yindjibarndi cultural business’ redoubled and, as we have seen, achieved a tremendous momentum by the end of 2007 (with the *Ngurra Warndurala Buluyugayi* project). Nor did this separation of responsibilities for cultural recording ultimately discount Juluwarlu’s aspirations to serve the general community through other divisions of its operations such as training, television and radio broadcasting, cross cultural consultancy and project management work.

In closing, we should consider that any estimation of remedy for disadvantage in Indigenous communities should account for building capacity, particularly in the functions of leadership and management, so that community organisations have a real prospect in making the best of opportunities, and ultimately, in establishing a stability propitious to concord.\(^{44}\) Such remedy, of which Juluwarlu was a force, must essentially be the project of communities themselves of course. However, and without dismissing responsibility within Indigenous groups themselves, we should equally recognize that external deprivations inflicted on Indigenous communities by the unceasing attention and intervention of corporations and the State have continually contributed to community division and militated against beneficial development – a matter I shall turn to next.

1. Violet Samson, Juluwarlu Television Open Day, recorded by the author, MDisc 13, Roebourne, 12 October 2005
In a 1973 report addressed to the Department of Community Welfare vis-à-vis the closure of the Roebourne Reserve and relocation of its tribes into state built housing, social anthropologist E. Kolig sketched the social/political terrain of the Reserve. Kolig described the mixing of the tribes in the Reserve – primarily Ngarluma, Yindjibarndi and Banyjima – and suggested that this agglomeration of peoples was the product “of Euraustralian interference and pressure, and does not reflect the genuine desire of the Aborigines involved to live together”. Any apparent cohesion amongst these peoples, he said, was result of “external pressures coming from the dominant Euraustralian society” and was artificial; that in fact the tribal groups were as divergent as Italian and Dutch migrants in language and custom. He observed: “There appears to be some resentment among persons identifying as Ngaluma, towards the immigrants from the south, the Jindjibandji and Bandjima. In this conjunction the Ngaluma would emphasise the ‘lawlessness’ (in terms of Aboriginal traditions) of the immigrants, their dipsomania, their inclination for fighting, etc”. Kolig recommended that because of rivalry and friction between Ngarluma and Yindjibarndi in particular, separate settlements should be allocated to them – at Mount Welcome Station for the Ngarluma group, and Chirratta Station for the Yindjibarndi group – where they might live more peacefully. This proposal in fact reflected the wish by many Reserve families to live in settlements away from the town; Government nevertheless ignored it with translocation of Reserve residents into the Village. (Kolig: 1973; Going further back in history, in Exile and The Kingdom Karri Monadee described the conflict caused by first arrival of Yindjibarndi at the Aboriginal Reserve near Roebourne Racecourse, which was expressed in a fight between the Yindjibarndi freshwater snake and the Ngarluma seaside snake in the skies over the Reserve: “When we came from Tableland, we Yindjibarndi mob, we come to Roebourne. Find some of the old fellas living there. Ngaluma, a few, Mardudhunera, a few. They don't know us. We stopped there. We find Government pool this side of the well. We stopped there then, made some shacks, rubbish houses. Then we stop there all right, and something getting wild over us, Warlu maybe? Seaside snake, he smelted us. We didn't belong to Roebourne. 'Oh a lot of Yindjibarni mob there!'” [Monadee sings the song describing the rage of the seaside snake] “The storm turns back towards the houses, tearing the trees apart, sucking everything up in the wind, breaking the houses. He comes towards us, the Sea Snake, the Gurrangurran bird leading him. The rain thunders down through the night. At daybreak Yirramagardu is underwater.” [Roger Solomon’s commentary]: “Yindjibarndi people thought they were going to get killed by the saltwater snake that belonged to the coast, so they called on their freshwater snake from the Fortescue river to come and save them. The two snakes fought a long battle in the sky above the Reserve, and finally the saltwater snake was pushed back out to sea and Yindjibarndi people were allowed to stay.” [Karri Monadee concluded]: “Good job we had a warlu to save us. That snake come from Yindjibarni country. From Nhanggangunha. He come with us. Good job he come, save us, or we would have been killed by the other warlu, seaside warlu.” (Exile: 1993)

For example: Ngurin Aboriginal Corporation, Gurrubunya, Murujuga Nhanggangunha Land Council, Warawarni-gu Healing Art Centre, leramagadu and Ngurra Wangkamagay;

Control of leramagadu was finally resolved in the favour of the principal body of the Ngarluma group which also governed their Native Title Prescribed Body Corporate, the Ngarluma Aboriginal Corporation.

In regard to the activity of factions, one might consider John Van Willigen’s proposition that factions necessarily developed to play a role in situations where authority was diffuse, and when there was too little power “to mobilize the entire community across lines of contention”. Willigen suggested that in the absence of centralized political authority, “factions may provide an important social control function”. Van Willigen: 1993, p66

Michael Woodley interviewed by the author, MDisc 6, Roebourne, September 2006

Lorraine Coppin interviewed by the author, MDisc 4, Roebourne, September 2006
17 Diary 22/2/07; Records of the Ngarluma Yindjibarndi West Angelas Charitable Trust: 00466506 NT01 - Plan B Native Title Trust as published on the Plan B website.
18 Diary 26/11/07
19 Trevor Solomon, interviewed by the author, MDisc 12, Roebourne, August, 2007
20 Keith Lethbridge interviewed by the author, MDisc 5, Roebourne, September 2006
21 Diary 4/9/06
22 Ibid
23 Priest: 2006
24 Diary 29/7/04
25 Michael Woodley interviewed by the author, MDisc 2, Roebourne September 2006
26 Diary 3/6/05; Diary 11/1/05
27 Diary 11/1/05
28 Diary 23/8/05
29 Diary 30/5/05
30 Diary 14/6/04
31 Juluwarlu Newsletter, Volume 1, Issue 1, September 2005 p6. The article read: “Sad for JAC, Great for NGARLUMA Recording. In October 2004 JAC embarked on a journey with Ngarluma and Yindjibarndi Elders travelling from the mouth of the Sherlock River to Malinyjirna crossing, with Frank and Ricky Smith and their families. This was no doubt one of the most rewarding trips JAC has made, listening, learning and understanding Frank’s and Ricky’s stories and sharing their passion for their Ngurra. On the trip these Ngarluma Elders wanted to document their stories as they were told to them by their father Tommy Smith and grandfather, and their example taught us all a valuable lesson – knowing where you come from is a fulfilment to anyone’s heart. And JAC was honoured to assist the Smith family to put their story on the record for their future generations. On a sadder note, JAC was not able to carry through with plans for recording the upper part of the Sherlock because key Ngarluma spoke-persons raised concerns about Juluwarlu carrying out this recording work. Out of respect to the Ngarluma Elders who are Ngurraras for that country JAC couldn’t complete the cultural recording for the top-end Sherlock. We wish the Ngarluma all the best with carrying out this important work for their beautiful country, rich culture and for their kids”. 
32 Michael Woodley, interviewed by the author, MDisc 26, Roebourne, November 4-7, 2008. Note that ‘Cherry’ is Cherry Cheedy (nee Gilbey), Yindjibarndi elder.
33 Diary 23/5/09
34 Michael Woodley recorded by the author, Capturing Community Stories Workshop, MDisc 10, Roebourne, August, 2007
35 Diary 10/11/06
37 Diary 11/11/05
38 Diary 5-7 November 2008
39 In a parallel context, Rowse observed that “the influence of the black bureaucracy was by no means universally welcomed by Aborigines”, and that there was concern that bureaucratised Aborigines would “identify with the white bureaucracy and to accept its methods and ways of thought”. Rowse, Tim, Remote Possibilities: the Aboriginal Domain and the administrative imagination, Darwin, The North Australia Research Unit, ANU, 1992, p5
40 Diary 14/11/03 - 1/12/03
41 This division amongst Ngarluma was also played out when a federally funded team of archaeologists and anthropologists arrived in Karratha to undertake a survey of Burrup Rock Art in 2004, which was to inform the National Heritage Listing application before the Federal Government. While Native Title was not granted to any Native Title claimant group on the Burrup, there were four groups that had rights in relation to cultural heritage dealing on the Burrup under an agreement struck with the State before Native Title determination. The survey team immediately encountered opposition to their work from four of the Ngarluma factions who could neither reach agreement between themselves nor with the survey team regarding the terms and conduct of the proposed survey. Disagreements arose over the rate of payment for individuals involved in on-the-ground surveys, and with regard to the inclusion of a particular anthropologist working for one of the factions. One faction threatened to write to the Minister alleging that they were not consulted. Federal Government bureaucrats who were managing
funds for this special National Heritage Listing survey, and who had been briefed about the conflict, ultimately pulled funding and the survey was aborted after a week. (Diary 28/10/04)

42 Michael Woodley recorded by the author, Capturing Community Stories Workshop, MDisc 10, Roebourne, August, 2007

43 In mid 2007 Ngarluma rose to this challenge with the consolidation of its Prescribed Body Corporate (PBC), the employment of a manager, and establishment of premises. Later in 2007 it acquired some media production and digital recording equipment and employed a media worker. And towards the end of 2007 Tyson Mowarin, the Ngarluma media worker who had trained with Juluwarlu since mid 2004, also joined the Ngarluma Aboriginal Corporation bringing with him well developed media skills. How successful the cultural recording and reproduction arm becomes, time will tell.

44 Also see Rowse, Tim, Remote Possibilities: the Aboriginal Domain and the administrative imagination, Darwin, The North Australia Research Unit, ANU, 1992, pp2–4, 22, 44–47, 64, 103 et al. for a wide-ranging discussion of 'the Aboriginal Domain', which touches on issues of factionalism, leadership, governance and 'innate' cultural character as it bore on administration in Indigenous communities. Rowse's account provides a useful review of the conception and misconception of Government departments dealing with Indigenous communities and a review of the ethnographic literature on the distinctive 'Aboriginal Domain'. A criticism, if I may, is that the essay is so dominated by institutional and 'professional' purview that contemporary and 'vital' Indigenous opinion from within the communities in question – the diversity and creativity of this opinion regarding the issues in question – seems very far away, and the paper succeeds in framing Indigenous culture and society as an 'other', largely missing the continually responsive, 'modernizing' and varied movement that it is.
CORPORATE CLIMATE

As remarked in *The State – Missing In Action* (Chapter 2.3), recent Governments have been as insufficient in their engagement with Indigenous communities as previous ones, and in fact, have delimited their involvement after decades of faltering policies. In default of their retreat, Governments have encouraged greater involvement by corporations in activities that were once the province of State and Federal departments of Aboriginal Affairs, Health, Education, Community Welfare, Local Government, and so forth.\(^1\) We might recall Nicholas Rothwell’s observation: “It may be that Australia has come close to reaching, after 40 years of puzzled effort, the feasible limits of constructive engagement with the precursor world enduring in its midst”.\(^2\) And the observation by one mining executive: “The welfare state has just been privatised and now mining companies are expected to pick up the bill”.\(^3\)

In the Pilbara, resource companies like Rio Tinto, BHP Billiton and Woodside Energy increasingly became involved in Indigenous community affairs, and indeed developed substantial, in-house Indigenous affairs departments that employed high-level managers and professional staff and consultants who brought Indigenous ‘expertise’ or connections. The entry of resource companies into the field of ‘social responsibility’ was both by obligation pressed on them by Government, and necessity to progress access to Indigenous land under Native Title. Their engagement with Indigenous communities focussed (and continues to focus) on heritage and land access negotiations and agreements; discrete dispensation (for arts, education, sundry infrastructure, early childhood projects, etc.); contracts for services; training and employment programs primarily related to their own workforce requirements; individual achievement sponsorships; and grants to third-party organisations that deliver services into Indigenous communities.

From 2005 onwards, in its bid to make its business more robust and sustainable, Juluwarlu increasingly engaged corporations as a contractor, supplicant, partner, advocate and Native Title Representative Body. Woodley, in his roles as CEO of Juluwarlu, Yindjibarndi traditional owner/ negotiator, and NYFL convenor, was a key figure in this inter-relation. He expended an immense amount of effort to exploring
engagement with the resources companies, and this experience provided insight that served to amend Juluwarlu’s course and hone its strategy. In what follows, I will outline how Juluwarlu and Woodley interacted with the multinational mining corporations and what was revealed about the character of both the corporations and Juluwarlu.

It should be noted that this engagement represented a phase of Juluwarlu’s development (the ‘third phase’) that more directly pursued social and political outcomes, and as such, was of a different, less ‘tangible’ order than its cultural recording/ archiving/ reproduction work. Even so, its aims were served by the gamut of Juluwarlu’s organisational and technological wherewithal and aspired to local community benefit.

This account focuses on relations with Rio Tinto in particular, and to a lesser degree Woodside Energy/Pluto and the Fortescue Metals Group, simply because their practical and rhetorical engagement was most active. It happens that this four year history is more of a cautionary tale than herald of opportunity or benefit, and provides a critique of this field of relations that belies the promises of ‘good corporate citizenship’ that corporations assiduously propagate. Finally, it is intended as grounding for discussion that underscores the need for amendment of the terms of these relations (Juluwarlu’s actions to this end are taken up in Shifting the Goal Posts in Chapter 8).

I will firstly outlay experiences and engagement that more generally describe the ‘corporate environment’ Juluwarlu found itself in, and then deal more directly with interaction attending video production contracts it acquitted with Rio Tinto and Woodside.

7.1 Engagement With Rio Tinto

During the period of study there was a corporate ‘culture change’ in the ‘Indigenous affairs’ unit of Rio Tinto Iron Ore’s Pilbara division – a change that in other spheres of Rio’s operations had been associated with ‘good neighbour policy’ and been formalized in Good Neighbour Agreements. In the Pilbara in 2005 corporate ‘culture change’ appeared to turn on Rio Tinto’s plans to massively expand its operations in 2006-07, and the Rio-sponsored study entitled Indigenous people and the Pilbara mining boom, A
baseline for regional participation (the Taylor/Scambary Report, 2005). A series of sketches follow that indicate Rio’s typical modus before and after the ‘thaw’.

**West Angelas Deal**

An Agreement between Robe River Iron Associates and Ngarluma Yindjibarndi Native Title claimants regarding land access for a railway corridor from the West Angelas deposit to port, and upgrade of infrastructure at Cape Lambert was settled for a payment of about $300,000 at the end of the 1990s. Of this, $150,000 was made as an up-front cash payment to principal Indigenous negotiators (elders), and no record of disbursement or community benefit exists. After Rio Tinto’s acquisition of the majority stake in Robe in 2000, it fell to Rio’s Indigenous Affairs negotiators to resolve land access to a further 7 kilometres of railway spur line in Yindjibarndi country associated with their West Angelas mine, and this was led by Rio’s General Manager Group External Affairs (Western Australia), Bruce Larson. Larson initially proposed that agreement for Rio’s rail extension be concluded upon payment of the outstanding $150,000 of the original $300,000 Robe deal.

Ngarluma and Yindjibarndi negotiators (led by Michael Woodley, Josa Samson and Kate George) declined this offer and pursued an agreement based on ten points including a significantly greater cash component. Larson rejected this proposition out of hand. During the negotiations, Woodley criticized the original Robe deal, which he said had exploited the lack of skills, the poor literacy and the credulity of the original Ngarluma/Yindjibarndi negotiators who had no professional assistance. Larson contended that there could be no question of unfairness when the community itself had delegated those negotiators. Larson left this initial round of negotiations without a result but soon came back to Roebourne for quick conclusion to an Agreement that abided by all ten points the negotiators stipulated, including a $2.7million cash component.

Larson’s haste was later explained, Woodley said, by news that Rio’s urgent negotiation of a major supply contract with Japan, which required all permissions to be in place, hinged on this settlement. What then comprised a fair settlement for this incursion into Yindjibarndi country? $300,000 or $2.7 million? Certainly Rio’s first reflex was to achieve a settlement of the lowest possible amount. Had the urgency of
the Japan supply agreement not intervened, hard-bitten negotiations would have no doubt proceeded.

$5 Million of Red Tape

On 12 April 2005 Penny Joyce, then Rio Tinto’s Community Affairs Manager, met with Juluwarlu to discuss how Rio might assist them. It should be noted that this was two months after Juluwarlu had successfully concluded a sponsorship package with Meath Hammond of Woodside Energy which totalled $175,000 over four years and was pivotal in getting several key programs started. Juluwarlu proposed a similar arrangement with Joyce by which complimentary assistance from Rio would be targeted at other programs, particularly work in the archive. While Joyce acknowledged the significance of Juluwarlu’s recent achievements, she avoided committing Rio to any specific assistance and instead turned discussion to Rio’s Partnerships Fund, which was to be launched four weeks hence, saying it would have a spend of $5 million per annum. Close of applications for the first round was due on 29 July she informed, and encouraged Juluwarlu to apply. The publicity that heralded the Partnerships Fund announced:

We set out to build enduring relationships with our neighbours that are characterised by mutual respect, active partnership and long term commitment. Good management of community relationships is as necessary to our business success as the management of our operations. Good performance requires all of us to accept responsibility for community relationships. We detail local arrangements in rolling five year communities plans which all operations submit and update annually. The plans are set within the context of this policy and apply throughout the life cycles of the Group’s activities. Mutual respect depends on our understanding the issues that are important to us.

On closer examination it was apparent that guidelines for the Partnerships Fund eschewed any special focus on Indigenous cultural projects, and that the needs of Aboriginal people were slotted into the Sport, Recreation and Culture pigeonhole of the Fund. It was difficult to see where Juluwarlu, with its primary objective of recording and maintaining local Indigenous culture and language, could go to in this $5 million wheel of fortune. Juluwarlu had impressed on Joyce the need for a less officious and more directly responsive and tailored approach, like Woodside’s under
Hammond. However, in promoting Rio’s scheme, Joyce disparaged Hammond’s approach as having ‘no focus or purpose’, and suggested that it amounted to the handing out of money willy-nilly.\(^\text{13}\) From Juluwarlu’s perspective, however, Hammond’s willingness to ‘trust’ and ‘respect’ their immediate needs and aspirations, allowed Juluwarlu to make significant advances at a critical time in their development.

Indeed, Joyce’s PR PowerPoint said it just like it was. (Mutual respect depends on our understanding the issues that are important to us.)\(^\text{14}\) What was important to Rio Tinto Iron Ore was what mattered. Concepts like ‘mutual respect’, ‘active partnership’ and ‘trust and openness’ better served the company’s image than the singular needs of Juluwarlu and wider community-based endeavours.\(^\text{15}\) Joyce was eventually promoted from Karratha to Rio Tinto’s Melbourne headquarters and, some 16 months later (in August 2006), called Juluwarlu offering fee-for-service work involving the video recording of Rio Tinto’s engagement with Martu people of the Western Desert. It may not have occurred to her that Juluwarlu had developed the capacity to engage in such enterprise without any assistance from Rio when they most needed it.\(^\text{16}\)

**Rio Tinto Aboriginal Foundation**

In 2006 Juluwarlu also applied, on two occasions, to the Rio Tinto Aboriginal Foundation for funding support to employ a qualified Information Manager/ Archivist and a community television Station Manager, but were unsuccessful. Juluwarlu’s aims and activities tallied with projects previously supported by the Foundation – a variety of music, dance, multimedia, languages, and video projects – and corresponded with the Foundation’s ‘Cultural Celebration’ priority and its preference for programs that were “initiated by a community or community organisation,” and so reasons for rejection were opaque.\(^\text{17}\)

The precise make up of the board of trustees of the Rio Tinto Aboriginal Foundation at the time of Juluwarlu’s submission is unclear and it is not contended here that any of its members held a conflict of interest prejudicial to Juluwarlu’s submission, however both the Foundation and supplicant Indigenous groups would do well to reflect on the typical make-up of this board. While it was claimed that the Fund operated independently of Rio Tinto in distributing some $2 million annually, current or former Rio Tinto executives dominated its composition – including Mr Bruce Larson.\(^\text{18}\) We should recall that Larson was the negotiator that Woodley had brusque encounter
with during negotiations over the West Angelas spur line development. Thus current and ex Rio Tinto staffers who were currently or formerly involved in business or land use negotiations with particular Indigenous groups adjudicated submissions that came from these same groups. The Foundation was patently not ‘independent’ of Rio Tinto. The potential for conflict of interest clearly existed. Conceivably Rio Tinto’s Aboriginal funds could be deployed to cultivate support for their operations or reward Aboriginal groups who readily reached agreements with Rio, and be denied to groups that frustrated the company.

Responding to a question about the prevarication and disappointment experienced in dealing with agencies and corporations, Coppin expressed some acrimony: “Sometimes that sort of experience can leave a person like me bitter towards companies and government agencies because we’re always racing against time with some of our projects, with our elders. Some of them pass away and with them knowledge”.

**Community Partnerships and Public Relations**

In contrast to these disappointing interactions, Rio Tinto’s website advertised the “wide range of projects and partnerships” that benefited by Rio Tinto’s support through its WA Future Fund and the Pilbara Community Partnerships Program. A flagship beneficiary of Rio’s support was the Shire of Roebourne and specifically the Shire’s Cossack Art Award, which Rio (along with other key resource and contractor companies) had sponsored for some fifteen years. Dubbed ‘Australia’s richest regional art competition’, this was a high profile event that drew copious media coverage, and in 2007 won for Rio the ‘prestigious’ Australian Business Arts Foundation Award.

Ultimately, Rio’s community investment program was characterized by its ad hoc, project-by-project patronage. Absent in its palette of benefaction was assistance that might promote sustainable systems of self-help within communities. The assistance Rio most typically granted might have provided fillip to various discrete projects, but rarely, I suggest, directly invested in the building of long-term organisational capacity in Indigenous corporations based in the communities where they operated. It remained, that while institutions like the Shire of Roebourne, the David Wirrpanda Foundation, the Department of Sport and Recreation, the University of Western Australia, etc. were funded to deliver selected services or benefits into the Indigenous and mining
communities, grass-roots communities like the Roebourne Village, Cheeditha, and Ngurrawaana were not seriously assisted by Rio (or any other multinational) to develop local capacity, deliver key services into their own communities, or meet fundamental and urgent needs such as adequate housing, better health, community-based training and employment programs, or good education, etc.

While Rio’s exchange with Indigenous communities included pay-outs to traditional owners upon settlement of Indigenous Land Use Agreements (ILUA), these cannot be counted as part of their community assistance or good will programs, because they were predicated on the business of securing access to Aboriginal land. Unfortunately, the ILUA compensation monies to traditional owners, such as they were, were not making a difference on the ground in Roebourne in any case. As Marcus Priest observed more generally:

> Everyone, it seems, has something to show for the state’s new-found riches. Except for one very particular group: the traditional owners of the land from which the wealth is now being extracted. In the shadow of the graders and the mining trucks, the lot of Aboriginal people has, for the most part, gone backwards. Even compared with Indigenous people elsewhere in WA, the plight of those in the Pilbara – the very epicentre of the mining boom – is particularly dire.  

Corporations clearly saw their efforts at ‘community partnership’ as a key to their “competitiveness and future success,” and their “effective, uninterrupted business operation,” and believed that their ability “to continue mining successfully or to gain access to new sites for exploration” depended on “a positive community environment”. Unfortunately, Rio’s minimal investment in a selection of cherry-picked projects made very little difference to the distress of intergenerational impoverishment in Indigenous families. Rio’s greater achievement was the public relations copy which advertised their good “corporate citizenship” in the company’s own reports, glossies and press releases, and in mass media coverage, etc. As Woodley observed: “Some companies give you some dollars, some give you stuff all – but what they do give you, they put it out there like they are changing your life and changing your world”.

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So disturbing was the fact that there was no improvement in the quality of life of Indigenous communities despite the patronage of the Rio Tinto WA Future Fund and the Pilbara Community Partnerships Program, and the enormous profits being generated by the resources boom, that Rio Tinto was moved to commission a university study from the Centre for Aboriginal Economic Policy Research, Australian National University.  

The Taylor/Scambary Report and Corporate Culture Change

The Taylor/Scambary Report tabulated what others had noted on divers prior occasions – that Indigenous people suffered ‘structural disadvantage’ – that is, they were drastically under-educated and underemployed, were less healthy and died younger, were riven by substance and alcohol abuse, lived in sub-standard and
overcrowded housing, and so on. The Taylor/Scambary Report provided an essentially amputated portrait of Indigenous communities that characterized them by their disadvantage; and informed Rio that after 40 years of wealth extraction in the Pilbara, on all quality of life measures, local Indigenous communities were no better off than anywhere else in the country. The Report converged on how more Indigenous people might be made work-ready for employment in mining.

Lulled perhaps by their own cheerful ‘community partnership and investment’ spin, this Report ‘shocked’ Rio executives. The pebble also sent ripples through the press:

For Rio Tinto – scarred by its experiences in Bougainville and Papua New Guinea, the report rang alarm bells. “I knew there were issues, but I did not know the size of the issues,” Rio’s Iron Ore chief executive Sam Walsh explains. “I like to think we have had a positive influence and positive effect. It is just that we have not had the wholesale effect we thought”.

While this Report may have prompted Rio to rethink its relations with Indigenous people, it was not the only factor in the immanent change of guard and change of culture at Rio. The adversarial approach typified by the West Angelas negotiations already described, had in the past also erupted in more serious stoushes between Rio and Banyjima traditional owners over the Marandoo mine, and had brought the company’s relations with the Pilbara Native Title Service and traditional owners to a level of chronic dysfunction during negotiations about Rio’s new Hope Downs mine. Such poor relations entailed grave consequences for Rio’s core business. Demand for iron ore was running hot in 2004-05 and new contracts were begging. Time was of the essence in negotiating finance, bringing new deposits on tap, concluding sales contracts and keeping ahead of its competitors – and yet, instead of expediting agreements with traditional owners for land access, the adversarial approach was bogging down. In regard to Rio Tinto’s Hope Downs mining development, traditional owners had instituted a ‘go slow’ on heritage clearance work and sought remedy through the courts in protest at Rio’s hard nose tactics – a strategy that frustrated Rio’s eagerness to conclude quick heritage and land access agreements. Indigenous groups had time on their side and were prepared to use this to their advantage to obtain fair settlements.

In relation to their ‘culture change’ Rio’s Iron Ore chief executive Sam Walsh would observe: “It was a healthy process of stepping back and seeing counter-productive
activity was spiralling downwards, probably on both sides”. In any case, a pragmatic reappraisal spurred by bottom line considerations and the Taylor/Scambary Report coincided with the retirement of Rio’s incumbent lead negotiator and installation of Bill Hart as the Rio Tinto General Manager For Community And External Relations.

In March 2006 Juluwarlu received news of Bill Hart’s appointment and in April Hart visited Juluwarlu where he was given a royal tour of the video production, archiving and training operations. Hart promptly outlined his concept of what the Central Negotiating Committee (CNC) could achieve to Juluwarlu’s executive. Through the CNC Rio hoped to bring all the principal West Pilbara traditional owner groups to the same negotiating table with Rio. Hart all at once committed Rio to using Juluwarlu’s media services wherever possible, made a call on the spot, and confirmed that the first contract would be for the recording the CNC meetings.

More congenial corporate weather was also perceived across the Pilbara with Rio staff conceding the company could do better, and saying that they were keen to mend fences and make up for past lapses. This new mood immediately saw sign-off between traditional owners and Rio on what was called “one of the most significant native title agreements in Australia” for the Hope Downs mine. Michael O’Loughlin, previously Pilbara TAFE Managing Director, was appointed as Rio’s Executive Manager Communities and news filtered out that Rio was seeking partnerships with Indigenous contractors with a view to maximising Indigenous employment opportunities in the Pilbara.

Woodley was optimistic about this ‘culture change’:

The thing about this bloke [Bill Hart] is that I trust him, and that’s saying a lot about someone, especially in his shoes.

How did Hart and this new mood at Rio boil down in particular projects with Juluwarlu and Yindjibarndi?
The Marnda Mia Central Negotiating Committee

The Central Negotiating Committee was originally formed in 2003 by a coalition of traditional owner groups in the West Pilbara seeking to harness their collective power in negotiations on land use with Rio Tinto. At this time the Pilbara Native Title Service (PNTS) represented these traditional owner groups in such negotiations. Lawyer, James Fitzgerald, who was engaged by PNTS, and then later acted for the CNC, said that it was after the “bad blood” of the two year negotiations over Rio’s Hope Downs mine, which had failed to reach agreement under Bruce Larson’s watch at Rio, that PNNTS CEO Simon Hawkins took the initiative of writing to the newly installed General Manager For Community & External Relations at Rio Tinto, Bill Hart. According to Fitzgerald, Hawkins proposed to Hart that PNST would be willing to recommend a settlement to its traditional owner clients if Rio made “an agreement of a decent standard”, “a better agreement proposal, not only to the priority groups but to all the traditional owners groups in the Pilbara”. Hart was immediately willing to do business with PNST and the CNC, which served to bring all the traditional owner representatives together for discussion with Rio. Rio explained that in the “relatively complex nature of the Pilbara social environment”, negotiations through the CNC were intended “to progressively bring all Pilbara operations under mutually acceptable agreements” – to be called Binding Initial Agreements (BIAs). These BIAs would endeavour to settle “issues related to obtaining all relevant consents (such as heritage clearances)” bearing on “mine developments across the breadth of a group’s country”, and would be made in consideration of payments to traditional owners for their consent, and sign-off on “an overarching Indigenous Land Use Agreement”.
the CNC ‘one-stop-shop’ was the key to expediting its expansion because, with PNTS’ cooperation, it offered best hope for resolutely resolving access to Indigenous land — and for this privilege Rio was willing to pay the expenses and fees of all traditional owner participants and consultants. As PNTS lawyer James Fitzgerald noted: “It was a rather complicated arrangement because Pilbara Iron needed to get started on Hope Downs and also other priorities like Robe River expansion, and Beasley River and Brockman Four — so Bill said, look, we’d like to make an agreement proposal to every group affected by Pilbara Iron’s operations and tenements, but we need to start with the groups affected by the Hope Downs project”. 45 The agreement reached with these priority groups became the benchmark for other members of the CNC.

Before signing a BIA later in 2006, Banyjima elder, Slim Parker, observed that these binding agreements, in giving consent for Rio’s mining operations and heritage clearances to proceed, served no one else but Rio Tinto.46 By late 2006, Woodley had also come to a circumspect view of the CNC and what it might deliver. He had time to contemplate its deliberations both as a participant, and at a remove as producer of the CNC meeting DVDs. He observed that external agents consulting variously for Rio, PNTS or the CNC drove agendas for the meetings which unvaryingly prosecuted scenarios they maintained would be good for the Pilbara communities. He feared the CNC and deals issuing from it would form yet another ossified bureaucracy incapable of swift and direct investment in the community’s most urgent needs.47 Woodley was also dubious about the ability of such a disparate membership to find clear direction under the CNC structure, and incredulous of the putative benefit for discrete traditional owner groups of subscribing to a one-size-fits-all agreement process.48

Woodley was inclined against Yindjibarndi involvement in the CNC because he believed such across the board ‘regulation’ of options would weaken the advantage Yindjibarndi might have in negotiating independently according to a schedule that gave them greatest leverage — that is, at a time closer to Rio’s commitment to development in Yindjibarndi country. The Yindjibarndi traditional owner group had come to the same view and had abjured subscription to the Binding Initial Agreement.

**From the Safe Space to the Wicked Space**

In September 2006 the push by Rio to move the CNC members closer to a Binding Initial Agreement brought a troupe of consultants to Point Samson to brief the CNC.
Amongst them was a “highly skilled negotiator,” Indigenous affairs and training advisor, and principal of the consultancy firm Cooperative Change, Janina Gawler, who was employed to facilitate this meeting. Her Cooperative Change website declared that the best conditions for change arose when the “mutual benefits and shared interests” of corporations, communities and governments converged in a “neutral space.” In 2005 she co-authored a paper titled *Emerging Models of Diversity in Australian Mining* in which, under headings “visionary corporate leadership” and “Rio Tinto’s landmark Indigenous employment strategy”, she explained how more Indigenous people might be employed with Rio. Gawler reinforced her message in this article with a quote from the then Federal Minister for Employment, Tony Abbott, who after bemoaning the high rates of unemployment for Indigenous Australians – “even when there’s a mine with high staff turn-over just down the road” – suggested that boosting Aboriginal employment meant “persuading Aboriginal people to leave what’s sometimes the comfort zone of working with Indigenous organisations.” If Gawler had reflected on the Taylor/Scambary Report, it may have occurred to her that ‘some Indigenous people working for the company’ did not translate into broader improvements for the rest of their community.

Indigenous delegates at the Point Samson meeting took issue with the ‘jobs in the company’ message – they pointed to the serious problem of the ‘brain drain’ from Indigenous communities and organisations into the mining labour force. Their critique ran counter to Gawler’s focus (in *Emerging Models of Diversity in Australian Mining*) on employment in mining, and Abbott’s assertion about what would be best for Aboriginal communities – namely, their desertion from “the comfort zone of working with Indigenous organisations”. Indigenous delegates understood too well, that one of the factors most prejudicing the improvement of community life and community enterprise was a lack of skills and resources on the ground in their own communities and organisations.

Undaunted, and in harmony with Abbott’s ‘out of the comfort zone’ theme, Gawler’s PowerPoint address to the Indigenous delegates at Point Samson, which she called “Future Search”, suggested they should leap from the “safe space” into the “wicked space”. She opined that this leap into an unknown future could be “confronting” and “dangerous” and “scary”, and that while it was easier to stay in the tame space “where we feel very safe”, delegates should think beyond the present and “what they already
“I know”. She encouraged them to think about the opportunity that awaited them, and how to “stretch our knowledge [along] this red dotted line into that future”.53

Filming the meeting and her presentation were several of Juluwarlu’s Indigenous cameramen and their manager Michael Woodley, who came from an organisation that had, for two years, been practicing what Gawler preached by cutting new trails in employment and training, in media and cultural enterprise; and who were not frightened of this process in the least, but energized by it. Gawler (like Penny Joyce before her) was seemingly ignorant of the fact that in Juluwarlu’s most needy stages of development, when they were stepping out of the ‘safe space’ and into the so-called ‘wicked space’, the company that was now paying for her homily, Rio Tinto, was wholly missing in action.

Towards the end of this marathon, all-day meeting, Gawler drove home the message of the “Future Search” process, which she explained was “for communities in denial and confusion” and was committed “to empowerment which is really grass roots up”. She counselled that it provided more than “a business plan that comes from the shelf” or “an idea that comes from a latest idea that drifts into town”; urged that “the whole system has to be changed” and explained that “Future Search” would employ such innovative techniques as a “history wall”, “mind maps”, structured activities that were “very facilitated time-wise”; and foster business opportunities and an authoritative collective voice. Gawler said the advantages of her “Future Search” process over older way of doing things was that it eschewed top down experts in favour of an equal voice for everyone – notwithstanding her command of the floor and notice that experts Professor Marcia Langton and Professor Ciaran O’Faircheallaigh would be brought into the process. Earlier in the day, it should be noted, when one of the visiting consultants suggested that the CNC group would benefit by the involvement of ‘experts’ like Langton and O’Faircheallaigh, the idea was not welcomed. Some delegates said they were more interested in directly participating themselves, and being properly resourced to formulate their strategy.54

At the end of the address Gawler asked, “Any comments?” and was met with silence from Indigenous delegates.55 The effect of the lecture was stultifying.56 Conceivably, the end of the day might have turned to a summary and restatement of local Indigenous aspirations and concerns, or focussed more directly on ideas to redress the problems
outlined in the Taylor/Scambary Report, or even engaged in genuine dialogue – instead Gawler’s PowerPointed lecture swallowed the space. It precisely contradicted its own terms.

Plate 45: Elements of the Cooperative Change web page detailing Janina Gawler’s experience.

When the meeting broke up Indigenous delegates milled outside smoking and picking through the remains of the day as Rio executives and their consultants rushed to catch their flights to Perth and Melbourne and Sydney. Many delegates were clearly frustrated by a process dominated by Wajbala lectures. One said he felt like they were being “led around by the nose”.57

A Visit From The ‘Brains Trust’
In March 2007, in the on-going campaign to sign up the remaining few recalcitrant traditional owner groups to the CNC process, Rio despatched another expert from its Indigenous advisory cell or, as it was known in Roebourne, the ‘brains trust’, to directly broach the Yindjibarndi Aboriginal Corporation regarding a Binding Initial Agreement to cover Rio operations on Yindjibarndi country.58 In social anthropologist Dr Mary Edmunds, Rio could not have secured a more distinguished recruit. Edmunds was at the top of her profession when she joined Rio Tinto as ‘Lead Negotiator, Native Title and Agreements Project Negotiations’.59 Most significantly, however, Edmunds had carried out fieldwork in the Pilbara and particularly in Roebourne which was published in the afore cited They get heaps, A study of attitudes in Roebourne, Western Australia (1989), and also in her Report on the death in custody of John Pat for the Royal Commission into Aboriginal Deaths in Custody. And so Edmunds had first hand experience of, and personal contacts in the Roebourne community.60 As my
citations of Edmunds in Chapter 2 indicate (see also Edmunds: 1988, 1989b, 1990-91a & b), the viewpoint she projected in her 1980s and early 1990s research work comprised a well-meaning explication of the damage wrought in the Roebourne community by the effect of government administration and resources development. Her reappearance as an advocate for Rio Tinto, while not entirely surprising, was discouraging.

Woodley described how in her first appearance before the Yindjibarndi traditional owner group, and ahead of formal business, Dr Edmunds mingled with the people and distributed copies of *They get heaps* at no cost to YAC members, all at once recalling how she had worked with ‘the old people’.\(^{61}\) In her next breath she advocated that Yindjibarndi should sign up to a Binding Initial Agreement with Rio, assuring the meeting that Rio had no immediate or urgent plans for mining on Yindjibarndi country and that the BIA was simply a measure intended to provide a guide for mining operations – if and when they ever occurred. (Note that incentive for Binding Initial Agreement sign-off was an up-front cash payment regardless of whether mining occurred.) Edmunds proceeded to sketch the benefits that dealing with Rio would bring to Yindjibarndi on a whiteboard and butcher’s paper. She proposed that the dividends Yindjibarndi received from Rio should be contained by a trust, which she/Rio would be willing to help establish for the group. At the top of the whiteboard agenda were the dollar amounts individuals would receive as sitting fees for negotiation meetings – $500 per meeting; and the fees they would receive for meetings required to establish the trust – $300 per meeting.\(^{62}\) Woodley asked Edmunds to rub the Rio money agenda off the whiteboard, and informed her that Yindjibarndi had not come to the meeting for money, but to gain clarification about Rio’s mining intentions and to learn all the facts that would inform their deliberations.

The prospect of payments to traditional owners via sitting fees or trusts before any firm mining plans, while attractive to some groups who had readily signed up to Binding Initial Agreements, seemed premature, blind-sided and ultimately disadvantageous from another business perspective which held that the urgency of imminent mine development and contingent matters of cash flow and sales agreements, would be much more propitious to a better deal for a traditional owner.\(^{63}\) Rather than entering into a Whole of Claim Agreement (WOCLA) at this stage, Yindjibarndi were determined to deal only on the specifics of a particular mining
operation – its size, lifetime, degree of impact on heritage, profitability, etc. – and in the particular economic climate of its proposal, and suggested Rio come back when they had decided to move on an explicit exploration and mining project.\(^6^4\)

A couple of months later, in the heat of the ‘bull market’ for iron ore, Rio informed Yindjibarndi that they had set a target to ship 300 million tonnes of ore per annum and were seeking every opportunity to expand their operations, and that they did in fact, want to proceed with operations in Yindjibarndi country – something that Yindjibarndi suspected was the case all along.\(^6^5\)

**Christmas Money**

Towards the end of 2007 the urgency for Rio to wrap up outstanding BIAs was intensifying. In an email to CNC members from Sydney-based lawyer James Fitzgerald (now acting for the CNC) regarding working arrangements between the lead agencies involved in delivering the Agreements (CNC and PNTS), Fitzgerald informed: “Bill [Hart] said RTIO [Rio Tinto Iron Ore] was keen to see any remaining issues resolved between the organisations as soon as possible”. Fitzgerald concluded: “I will endeavour to deliver to you a draft proposal to RTIO concerning a special pre-Christmas payment to BIA claim groups”.\(^6^6\)

This invocation of a “special pre-Christmas payment” from Rio Tinto to those groups who agreed to sign on to the BIA in a timely way, struck Woodley as exceedingly unfortunate – particularly coming from a consultant who represented Indigenous members of the CNC.\(^6^7\) The term ‘Christmas money’ had a singular meaning for Indigenous people in the Pilbara. These were cash payments, usually made from Indigenous Land Use Agreement (ILUA) ‘compensation’ funds controlled by Indigenous corporations, to their members before Christmas, and were considered by some Indigenous leaders, as an irresponsible use of these funds. ‘Christmas money’ was perceived as pork barrelling, a buying off of members by a leadership intent maintaining their positions; and in another light, as glorified welfare payments that conferred no lasting benefits to Aboriginal communities. Not only were such payments sometimes arbitrary – with some of the not so visible or vocal family groups and elders missing out – but payments were made to individuals who had no capacity to usefully expend or distribute these monies through their clan, or even for themselves. (One West Angelas Charitable Trust payment of some three and a half thousand dollars, for
example, was made to a chronic alcoholic and invalid with no dependants, with a likelihood that it would be squandered on alcohol or gambling, or be stolen from him.)\textsuperscript{68} Just as exasperating was that such payments, when made to community people who could have used it to make a difference in their community, were invariably expended for ephemeral personal benefit.\textsuperscript{69}

Woodley interpreted Fitzgerald’s invocation of a “special pre-Christmas payment” as an inducement to those groups who had not signed, most pointedly his own Yindjibarndi group, and reminded Fitzgerald that Yindjibarndi wanted no part of the CNC, and requested that no further correspondence be forwarded to him regarding this business.\textsuperscript{70}

**Deal Reprise**

As 2008 drew to a close, the Yindjibarndi remained the only group that had not signed a Binding Initial Agreement. On 5 November, Stuart Robinson, who had been with Rio in the Pilbara for 30 years and was now their Manager of Community Relations, made an unannounced visit at the Juluwarlu office. He came to talk to Woodley about signing on to the BIA, making clear that he was not there on behest of the Rio negotiating team or in his role as Rio Tinto Indigenous Community Relations manager, but had come in the spirit of personal friendship for the Yindjibarndi people. He was concerned, he said, that all of the local groups had signed to the CNC deal and Yindjibarndi were the only ones left out. He promoted the credentials of Rio Tinto by pointing out that Rio was one of the few companies that worked in good faith to negotiate settlements with communities rather than taking a legalistic approach.

Robinson then sounded a grim warning. With the financial crisis (just then breaking), he said, many companies servicing the mining sector were going broke and closing shop in the Karratha light industrial area. He said that fewer ships were loading ore, ‘that the tap was shutting off’ – Robinson suggested that the current Rio offer may not be on the table for much longer. He asked how it was in Roebourne, and whether Woodley too, had seen the effects of the tap shutting off. “What tap?” Woodley asked. “The financial tap”, said Robinson. Woodley replied that, no, they had not seen any effects in Roebourne. Rio Tinto, Woodley reminded him, had never switched on the so-called tap for the community of Roebourne. Not to be swayed, Robinson suggested that BHP’s take-over of Rio was immanent and that time was running out for
Yindjibarndi to sign up, that they risked losing their opportunity forever. He urged that Yindjibarndi sign up to the deal and lock it in before BHP took over, suggesting that Rio would be a much more understanding party to deal with than BHP.

When Woodley left this meeting for another in Karratha, Robinson stayed on to prosecute the same message with Juluwarlu’s archivist, Jo Pritchard, saying that Yindjibarndi were at serious risk of missing out on the favourable deal that Rio was offering. Pritchard quipped that at least they would still have their country. Juluwarlu Administration Manager, Phil Davies, demurred discussion with Robinson advising him that negotiation should be addressed directly with the Yindjibarndi Aboriginal Corporation. It should be noted that at the time of Robinson’s visit, news of the haemorrhaging financial crisis was dominating the headlines, and this news formed the compelling nub of his pitch – hardly the object of an impromptu visit, but a judicious argument.

**No Deal**

Despite the best efforts of the Rio ‘brains trust’ and other operatives, the Yindjibarndi group resolutely withdrew from connection with the CNC and never signed the Binding Initial Agreement on offer. This Agreement bound each individual member-group of the CNC into a ‘freight on board’ (FOB) royalty of 0.5% for ore shipped out of a particular group’s territory. In a speech to guests attending the opening of Marnda Mia CNC’s new premises in Roebourne in September 2007, CNC directors announced, “In May last year, these BIA’s were reported as having direct compensation payments in the order $600 million to $1billion to these seven groups over the next 25-40 years”. This equated to $6 million at best, or $2 million at worst per group, per annum, for all of RTIO’s present and future operations in the Pilbara. (The downturn would have depreciated these estimates even further.)

It transpired that some signatories to this BIA were regretful: “I mean they’ve asked these people in the Pilbara to sign a Binding Initial Agreement at 0.5%, whatever that is. They have basically got them to sign agreements when they don’t know what 0.5 is, but you’ll get $250,000 up front once you sign it. That legally binds us to sticking to that agreement, and we’re talking about negotiations here where your room to negotiate [is limited] if you have already committed. I think it is a bloody fraud”. Interestingly, Juluwarlu station manager, Keith Lethbridge, thought that the record of
the meetings that Juluwarlu had made might prove salutary if not useful sometime in
the future: “They’ve actually filmed this process this time, so they’ve shot themselves
in the foot in terms of how business is done now, because they’ve been screwing us
for years and they’re still doing it”.72

At the end of 2008 ABC’s *Lateline* reported that Banyjima elder, Slim Parker, chairman
of the Marnda Mia CNC, was concerned that past financial injustices – particularly
regarding infrastructure built on Banyjima land without compensated agreement over
the previous 4 decades – were not addressed in the Binding Initial Agreements his
group had signed. He also claimed that Rio deliberately split up groups and pressured
them into signing the deal: “Within an hour, they had the people signing off the Binding
Initial Agreement. Now, when you talk about people being fully understanding and
aware of what was presented, and give them the time and the opportunity to assess
that, evaluate that, and seek advice – and they have a right to seek independent advice
– that opportunity was not given”.73 Bill Hart refuted Parker, pointing out that
negotiations had been in progress for three years before signing in 2006, and that, in
any case, most traditional owners wanted to keep their negotiations with Rio
“confidential”.74

In a different forum, a meeting of the CNC in July 2006, Hart, with all sincerity,
assured delegates: “My reason for pushing the urgency of this (in many ways I could say
let’s take it slowly), my keenness to do this quickly is to get the agreements in place to
benefit people. So that’s where I am driven in terms of trying to get this moving along,
because I understand people want to get the agreements in place so that they start
delivering benefits to the people. That is my key motivation”.75 A year later, Rio Tinto
negotiator, Mary Edmunds, also took opportunity to praise Rio Tinto’s part in the
Marnda Mia CNC “milestone”: “I think the way the Pilbara traditional owners have
come together, to work together with CNC has been a milestone in the Pilbara, and
the fact that Rio Tinto has been there as part of the journey has been really important
so that a partnership and hopefully a long term relationship has been built on a very
solid base”.76 By mid-2009, Woodley said that no palpable improvement in the lives of
local communities had flowed from the deal, that the CNC was unravelling, and the
hopes of its members were falling; and by 2010 he reported that one CNC member
was seeking to join forces with others to compel Rio Tinto to abandon the terms of
their agreement and improve the deal.77
Corporatisation of the Pilbara Youth Leadership Program

In June 2006 when Juluwarlu was recording a CNC meeting in Karratha, Michael Woodley introduced Bill Hart to the concept he had been developing for a Youth Leadership Program for the Pilbara. In floating the idea he asked Hart to look around the room. “What’s missing?” he asked rhetorically, and provided the answer: “Young people, our future leaders are missing. There are no young people sitting alongside the leaders of today being involved in and learning about what this business is about”. He pointed out that the youngest people in the room were the Juluwarlu camera crew. Woodley suggested to Hart that the CNC could do something to help youth across the region by providing support and specialized training to the next generation of leaders in order to prepare them for the responsibilities that awaited them in the continually evolving economic, political and social landscape of the Pilbara. Via the Pilbara Youth Leadership Program, Woodley envisioned that dividends from mining could be redistributed beyond the exclusive pool of traditional owner groups whose country was being mined, and who had benefited most from ILUA compensation agreements with Rio and BHP, to youth across the region regardless of whether their country was being mined. Hart was taken by the concept and agreed to facilitate a process that would elicit the financial support of other multinational resources corporations operating in the Pilbara. Just how the Pilbara Youth Leadership Program developed and how it was subsequently appropriated and destroyed provides another insight into the reflexes of Rio’s Community & External Relations division, and the environment Juluwarlu Aboriginal Corporation was compelled to navigate.

The Pitch

On 28 June 2006 Woodley attended a meeting in Perth convened by Bill Hart, which included representatives from Woodside Energy and Rio Tinto to pitch his concept for the Pilbara Youth Leadership Program (PYLP). In the week before the meeting, Woodley worked with Tyson Mowarin to shoot a series of interviews with youth in Roebourne from which he edited a 17-minute DVD. The images of these young Ngaarda were framed against rock faces, river pools, vivid plants alive with crickets, running water. The affect of their faces in simple mid-shot, speaking clearly, confidently, directly to camera about things that mattered to them, about their aspirations for the future, issues bearing on leadership and their participation in it, the hurdles between them and the possibility of leadership and responsibility, and what was needed to help young
people take up leadership roles, was moving. In a formal sense this was perhaps the simplest, least adorned production I had seen from the Murru Warru Media Centre – no effects, straight dissolves, a few simple cutaways and a solid line-up of bright young ‘talking heads’. It was their finest work. (The DVD PYLP Promo is included as Addendum 13C.)

Woodley said that his dream for the PYLP was that it imbued the next generation with confidence in their ability to lead; prepared them for leadership by providing knowledge about finance and business, strategic planning, communications and negotiation, and so on – knowledge that would offer the best chance that in the next 40 years of mining, Indigenous people might wring out benefits that were denied in the first 40 years. To begin with, Woodley said that young people needed to be told by their elders that they were “strong and smart” and an important part of the future. He explained that many talented and willing youth did not step up for leadership roles because of a ‘tall poppy syndrome’ that too often reproved them for ‘precociousness’. Leadership was customarily seen as the prerogative of elders who by their incumbency did not make a space for young leaders, thus keeping talented younger people in the shadows, waiting perhaps 20 years beyond the age where they might otherwise have begun participating. With the PYLP Woodley hoped to give youth a forum where they could rehearse their voice and leadership skills without clashing with their seniors. In a briefing about the PYLP to Juluwarlu staff Woodley summed it up: “The message is, it’s ok for you to lead now, you don’t have to wait until you get grey hair or get to 50 or 60 or whatever, it’s ok for you to lead now, we need you fellas”.

In the context of Roebourne and the Pilbara, the PYLP was a progressive idea that sought to push the boundaries of status quo modes of Indigenous leadership. It sought to foster solidarity amongst a motivated cadre of youth who wanted to come to grips with contemporary ways of doing business – a wherewithal that many elders lacked through no fault of their own, and which had caused poorer outcomes for their communities, particularly in negotiated outcomes with mining developers.

Bill Hart of Rio Tinto and Meath Hammond of Woodside immediately committed to sponsorship of the PYLP and Juluwarlu was engaged to coordinate a fact-finding tour to communities across the Pilbara, involve youth in dialogue, seek out their ideas on how such a scheme might best work, and identify likely participants. Woodley maintained
that the _PYLP Promo_ – the images of up-and-coming young leaders who gave body to the dream – had a significant affect in motivating questions and discussion, in energizing the resources executives and swinging them behind the idea: “It’s powerful. That is one of the reasons Bill said yes to it – he saw the young people. We could have given him a paper and it’s not the same. He saw them and he saw them crying out for this.”

The production of the DVD was spontaneous, conceived and accomplished within a week to communicate a message of importance for Indigenous communities into a city boardroom. It was a telling demonstration of Juluwarlu’s capacity at this stage.

**Enter Consultant Chandran Nair**

In the week after Rio committed its seed funding, Hart contacted Woodley saying that he wanted to introduce him to Chandran Nair, a personal friend and leadership-training professional from Hong Kong. Like the afore-mentioned Rio consultants, Nair came with dazzling credentials. His biography described him as the founder and chief executive of The Global Institute for Tomorrow – GIFT – a think tank based in Asia. Incidentally, Nair was developing a concept of his own called the _Global Young Leaders Program_, which, he told Woodley, could be “tailored to meet the objectives of what you are suggesting in order to build young leaders in your community”. In fact the _Global Young Leaders Program_ as described in Nair’s information package seemed quite adverse to the PYLP Woodley had conceived. Nair’s _Global Young Leaders Program_ was designed to groom corporate employees and managers ‘with leadership potential’. It was clearly aimed at the well educated, emerging leaders within corporations and businesses trading on a global scale. How he imagined this stellar _Program_ could be retrofitted to the circumstances of the good young people of the Roebourne Village and other such Pilbara communities was a quandary. Nevertheless, Nair’s _Program_ proposed that its candidates would be encouraged to make connections between business practices and their consequences in the less developed or ‘third world’, to consider the ethics and responsibilities of their business, and issues of transparency in their operations. As it transpired both Nair and Hart would have done well to heed these aims.
Fact-Finding Tour – the Voice of Youth

The fact-finding tour Woodley, Juluwarlu consultant Kate George, video cameraman Tyson Mowarin and Chandran Nair undertook through five Pilbara centres and to the Central Negotiating Committee in September 2006 was a “big surprise pack” with many young people saying they had never been asked their views before. They informed the Juluwarlu team that they were never included in decision making; that no one told them what was happening; that they had no idea what the CNC was meant to be doing and were not taken to these kinds meetings by their elders. Kate George’s report of the tour recorded universal support from young people, elders and community leaders. Young people said they wanted the knowledge and skills to work within both Ngaarda and mainstream cultures; and to this end needed help to improve communication skills and build self-confidence; the opportunity to learn the skills of negotiation; and to understand and observe current Native Title negotiations.

George’s report said that it was critical that the program be driven at a grassroots level by young Aboriginal people, and concluded: “The fact that the PYLP is initiated and presented by a community person namely Michael Woodley who has standing in the Ngaarda community and has also achieved in the mainstream, was extremely influential in the level of participation at the meetings, as well as the openness and level of the discussions that occurred in each location”. She proposed that Woodley should convene the program across the region with secretariat support. Following on the fact-finding tour and report, some $540,000 was promised for the program by corporate sponsors.

Plate 46: The PYLP fact-finding tour team (Chandran Nair centre-right) with members of the Bindi Bindi Community at Onslow.
Recuperation Of The PYLP

It is significant that Kate George’s report noted that the idea of an Executive Learning Program as outlined by Nair in his Global Young Leaders Program was supported by industry participants (which included BHP, Chevron, Rio and Woodside) for the reason that it would provide both Indigenous and corporate executives with the opportunity to work with young Indigenous people. Two months after the ‘fact-finding tour,’ a bulletin posted on the GIFT website dated 5 December 2006 announced: “Aboriginal youth keen for YLP to ignite Aussie outback: The Global Institute For Tomorrow is working with the mining giant Rio Tinto Iron Ore and Indigenous peoples of the Pilbara region of Western Australia to design a Young Leaders Program to address urgent issues”. Was this the ‘Executive Learning Program’ supported by industry participants or the ‘Youth Leadership Program’ targeted at community-based Indigenous youth? Events would indicate the former.

In early 2007 Woodley, George and Nair were due to meet again with corporate sponsors in Perth. Without informing Woodley and George, Hart had invited Nair to address these executives with his vision of the ‘Executive Learning Program’ the day before Woodley and George arrived. Nair was happy to accept this exclusive opportunity and apparently did not protest the exclusion of the rest – the Indigenous part – of the team. Woodley and George were nonplussed and angry at this subterfuge. Woodley made it clear to Hart that if the Program was to proceed with his leadership and the services of Juluwarlu that greater transparency and stricter protocols setting out the management of the project would need to be instated. If on the other hand there had been a decision to install Nair as the project leader, Woodley said he would withdraw.

The plot thickened when Hart moved to confirm the Central Negotiating Committee as the governing agency for the PYLP – this, without briefing or including Juluwarlu in the decision. It was proposed that a CNC subcommittee would be given oversight of the Program and the dispensation to select youth leadership candidates from their various regions. While Woodley in principle had no objection to some sort of auspice arrangement with the CNC, he insisted that if the Program were to succeed that their role would need to be arms-length. As stated earlier, Woodley was sceptical that this committee of delegates – composed of diverse language groups and representing
disparate sectional interests – could effectively administer their own business, let alone the PYLP. Specifically, he objected to a system of selection of youth candidates that, via the CNC, would be based on tribal quota, a method he believed would be prone to bias along family/power axes. Rather, he advocated recruitment and tenure of candidates based on merit and demonstrated commitment. Woodley also pointed out that the idea of youth leadership had neither root nor a dedicated advocate in the CNC, and that abandoning control of the project to this committee was a recipe for failure.

Bill Hart’s advocacy of the PYLP to the CNC was video-taped in the routine function of Juluwarlu’s recording contract of CNC meetings. The tape showed Hart making the point that the PYLP was not a ‘Michael Woodley’ project. While Woodley did not attend this meeting he had opportunity to review Hart’s statement on tape. (Mark yet again, the intercession of video.) That his participation was evoked in a negative rather than positive tenor – as if his leadership of the project was a liability – and in a way that diminished his initiative rather than acknowledging and supporting it, worried Woodley. He called Hart forthwith, wished him luck and withdrew from the PYLP project.

**Summary**

We should recall that at the forefront of Bill Hart’s remit was the job of recruiting members to the CNC and harnessing them to a standard, pan-Pilbara agreement through which all Rio Tinto Iron Ore operations might be efficiently organised under more or less uniform terms with traditional owners – something of great consequence to Rio’s mining operations. We also should be reminded that Yindjibarndi and Woodley had arrived at an alternative view regarding the CNC, and had in fact resigned from this Rio Tinto instrument. While Hart indicated Woodley would be included on the CNC Youth Leadership subcommittee, Woodley was not personally inclined to be drawn back into the CNC, nor did he want to implicate Yindjibarndi in the CNC by his membership of one of its committees, and finally, he did not want to see the PYLP project compromised by such an unwieldy apparatus.

Juluwarlu at this stage, we should understand, was undertaking a management function for the Yindjibarndi Aboriginal Corporation, and Yindjibarndi, as we have learned, had refused subscription to Rio’s Binding Initial Agreement. Let’s not forget, Rio were not
aimed at developing Indigenous communities or their youth, but at extracting resources and making profits, so then, with the CNC so much at the centre of Rio’s objectives, playing politics with the CNC and offering them control of such a flagship project (with a $.5 million plus budget) was closer to Rio’s self-interest than were the Pilbara Youth Leadership Program, or Juluwarlu. This was the perception.

It is ironic to observe that the actions of Hart and Nair undermined the principle at the very heart of the PYLP, at least as Woodley conceived it, which intended that confidence would be invested directly in local youth by bestowing upon them the responsibility of actively shaping and enacting the Program. Hart’s actions effectively marginalized the leadership of Woodley, a young Yindjibarndi leader, and bestowed it on a Hong Kong-based consultant and a disparate committee of older Indigenous Native Title negotiators.95

We should also recognize the inherent contradiction, the fundamental conflict of interest attending the involvement of resource corporations in community development. Consider that the CNC, which was promoted as an instrument and advocate of Indigenous interests, was at this time totally dependent on Rio Tinto for funding – $2.3 million for 2007-08 – and was permeated by Rio staff and consultants and PNTS staff who were at the elbow of every meeting agenda. While ostensibly formed for Indigenous benefit, the CNC was in fact paid for by Rio Tinto, and as I have argued, became harnessed to its objectives. So then, Woodley’s demand that any participation of the CNC in the PYLP should remain at arm’s length was effectively a call for the influence of Rio Tinto to remain at arm’s length.

A concluding thought: What if a successful PYLP served as an incubator for smart and assertive young Indigenous strategists who were determined to extract better outcomes from negotiations with mining companies than the ill-equipped generations preceding them! Certainly Nair’s altogether dissimilar Global Young Leadership Program which proposed to immerse young corporate executives in Indigenous communities, apprise them with knowledge of Indigenous customs and Indigenous leadership, and involve corporations at the grassroots of Indigenous community development, may have seemed more prudent and useful from a corporate perspective. In any case, relegation of the PYLP to the CNC and Nair was in effect its abandonment to consultants and leadership by committee – the PYLP stalled and then vanished.96
The period described by this engagement with Rio Tinto and Bill Hart produced two palpable results for Juluwarlu: the commission to record the CNC meetings, and a commission to produce a safety and instruction video titled *Drill & Blast*. These fee-for-service commissions, occurring as they did in the flux of Rio’s ‘culture change’, after the engagement of Bill Hart, and upon Rio’s push to radically expand its operations in the Pilbara, together with the earlier $15,000 grant to revise and reissue *Know the Song, Know the Country*, comprise the totality of Rio’s ‘assistance’ to Juluwarlu. These commissions were not insignificant and contributed to Juluwarlu’s bottom line, but with the cooling of Rio’s expansion plans, and Yindjibarndi’s continuing demurral to sign on to Rio’s Binding Initial Agreement, no other commissions or assistance have been forthcoming.

### 7.2 Engagement with Woodside and Pluto

In 2005/2006 Woodside Energy was also poised for an expansion when deals for construction of its fifth Liquid Natural Gas processing train were signed off in June 2005. But a more radical expansion was in gestation. Development of the Pluto gas field was to become Western Australia’s first new LNG project since the North West Shelf in the 1980s, but unlike the North West Shelf, the Pluto LNG Project would be owned and controlled wholly by Woodside.\(^{97}\) 2005 through 2006 saw an intense period of mobilization by Woodside/Pluto, which was focussed on gaining government planning, heritage, and environmental approvals for the siting of Pluto’s onshore facilities on the Burrup Peninsula. The urgency of Aboriginal heritage clearances for these onshore facilities correspondingly intensified Pluto’s attention on Indigenous groups in the area.

The interaction between Woodley/Juluwarlu and Woodside/Pluto over this period would be just as strained as with Rio Tinto. Before highlighting several key aspects that demonstrate a repeating pattern in the conduct of these companies, it should be noted that the issue of heritage clearances for their onshore processing plant on the Burrup Peninsula posed a special challenge for Woodside – if not politically, then in a public relations sense. Although the number of petroglyphs on the Burrup was as yet unfathomed, it was acknowledged to be the largest and most concentrated in the world, and study that might have illuminated the significance and brought deeper understanding of this extraordinary array of engravings had barely commenced.
Aboriginal Heritage issues on the Burrup were magnified because a wider public campaign to limit development on the Burrup Peninsula, which included an application for National Heritage Listing, was gaining momentum.98

As outlined, Rio’s intense program of expansion saw a ‘culture change’, or at least a changing of the guard regarding Indigenous relations, which was mobilized to expedite land access for mining. While Bill Hart was one of the chief interlocutors in that campaign, newly appointed Managing Director and Chief Executive Officer of the Woodside Group of Companies, Don Voelte, who declared a personal interest in the status of Indigenous communities in Woodside’s back yard, would play this role for Woodside. Voelte would be assisted by Lucio Della Martina who came to lead the Pluto LNG Project in 2006. These figureheads were supported by a fresh cast of fieldworkers including a Land Access and Indigenous Affairs Coordinator, Communications and Community Affairs Coordinator, and Land Access and Indigenous Affairs Adviser. These agents prosecuted their mission to Juluwarlu and the Ngarluma Yindjibarndi Foundation with great enthusiasm and an arsenal of promises. For example, the Land Access and Indigenous Affairs Coordinator pledged that Pluto’s community assistance would not necessarily be hinged to the usual ‘mutual benefit’ approach of training and employment within their sector, but rather be undertaken regardless of any direct benefit to Pluto; Voelte agreed in principle to a proposal from the Ngarluma Yindjibarndi Foundation for a renovation of the Agreement Woodside had with them in a ‘new deal’ that would improve on NYFL’s $1.25 million per annum dividend; Pluto, through Della Martina, proposed the formation of an Indigenous Participation Plan for the Roebourne community that would “seize and maximise the opportunities presented by the Pluto project to achieve sustainable change for the Roebourne community based on a ‘best practice’ model”; and Voelte proposed that the Roebourne community could be offered equity in the Pluto wharf facilities or its LNG storage domes.99 Additionally, the Communications and Community Affairs Coordinator proposed a role for Juluwarlu in the provision of media services for the Pluto development. It was an impressive agenda.

At the same time as dealing with NYFL on principal issues, Woodside/Pluto were dealing with another Indigenous entity representing interests on the Burrup – the Murujuga Aboriginal Corporation (MAC). MAC was a disparate and often fractious ‘cluster’ that included Ngarluma, Yindjibarndi, Yaburara Mardudhunera and Wong-goo-
tt-oo members who had formed in the Murujuga Aboriginal Corporation to accommodate the 2003 Burrup and Maitland Industrial Estate Agreement with the State of Western Australia. It was this Agreement that paved the way for the State’s plan to expand the industrial estate on the Peninsula.\textsuperscript{100} This liaison with MAC would prove to be decisive.

Also significant was Woodside’s initiative in July 2006 to establish an Indigenous advisory committee to watch over their expansion that would include Pat Dodson, Sue Gordon, Joe Proctor, Marcia Langton, and Michael Woodley (as the local nominee). Woodley accepted membership of this ‘A Team’ (an Indigenous variation on Rio’s ‘brains trust’) on the condition that the committee worked to achieve real outcomes in the lives of his community, and on the understanding that he was there as an advocate for the community of Roebourne rather than as a freelance advisor to Woodside on Aboriginal affairs. Notwithstanding Woodley’s terms, at its first meeting later in July there was no question about what was most at issue for CEO Voelte. At the top of the agenda was Woodside’s Pluto project and heritage issues bearing on its siting on the western shore of Burrup Peninsula.

In August 2006 Don Voelte suggested to Woodley that traditional owners might like perform a ‘smoking ceremony’ to acknowledge the evolving relationship between Woodside and the people of Roebourne, and which would sanction the Pluto LNG processing site. He told Woodley he had been privileged by Indigenous smoking ceremonies on other occasions and found them moving.\textsuperscript{101} Just a couple of months previously, as a UWA Business School Board member, Voelte had attended the Noongar ‘Smoking Ceremony and Ground Breaking’ that sanctioned development of the new UWA Business School facility.\textsuperscript{102} He may have also been aware of the Welcome and Ground Breaking Manthe (smoking ceremony) conducted by senior Gija men and women at Rio Tinto’s Argyle Diamond Mine. This ceremony was directed at the Barramundi ancestor to seek permission “from the country, the spirits of the ‘old people’, and the embedded Dreamings to allow the miners to disturb the ground,” to grant safe passage to Rio Tinto employees, and to “entice and encourage the Barramundi to reveal more of her scales and internal organs, the diamonds”\textsuperscript{103} Woodley told Voelte that while Roebourne people also conducted smoking ceremonies (in houses where people had died to rid them of lingering, perhaps malevolent spirits, or in a less solemn way to chastise a child that had been behaving
badly, and also for self-cleansing after touching the deceased), he could not offer such a service on behalf of the Roebourne Indigenous groups, and that his own Yindjibarndi group did not perform such ceremonies for industrial developments.\textsuperscript{104}

While unable to provide dispensation by ‘smoking ceremony’, in November 2006 Woodley, eager to progress the \textit{Indigenous Participation Plan}, invited Voelte and the rest of the ‘A Team’ to visit the Roebourne Village where they might judge for themselves the urgency of attending to the ‘fundamentals’.\textsuperscript{105} This party was invited into the house of Woodley’s aunt, Aileen Sandy, to look through and to consider where children might do their homework, what remained in the fridge for their breakfast, how many slept to a room and how those who needed to be up for work or school coped. Woodley remarked that the affect of the tour seemed to energize the party’s reconvened meeting in Karratha where the pledge that substantially larger dividends for the local Indigenous communities would be flowing from the new, wholly Woodside-owned Pluto development, was renewed.\textsuperscript{106}

At this juncture, development approvals for the Pluto project began to flow with State Indigenous Affairs Minister Sheila McHale giving Woodside go-ahead for siting of Pluto in September 2006, commenting that “it’s impossible to have development without impacting to some extent on Aboriginal sites”.\textsuperscript{107} Within a matter of weeks accommodation was reached with Murujuga Aboriginal Corporation members to move on Aboriginal heritage clearance work, and a group of willing traditional owners were conscripted to tag boulders sporting petroglyphs for later relocation. The participation fees of $500 per day for this work were difficult to spurn in the welfare environment of Roebourne.\textsuperscript{108} In July 2007 federal Environment minister Malcolm Turnbull announced Federal Government approval of National Heritage listing for the Burrup Peninsula, with an excision however, for Woodside’s 6.8 square kilometre Pluto LNG site. And Finally, on 13 October 2007, the day before Prime Minister John Howard called a Federal election and his Government went into caretaker mode, Resources Minister Ian Macfarlane and Environment Minister Turnbull announced that the federal Government had rejected Aboriginal heritage concerns and approved the $12 billion Pluto LNG project. They justified their decision by the project’s $17.6 billion injection into the national economy.
With heritage clearances proceeding with the Murujuga Aboriginal Corporation and Government approvals falling into place, discussions regarding a ‘new deal’ for NYFL, community equity in Pluto’s infrastructure, and other benefits mooted in the Indigenous Participation Plan, came to an end.\textsuperscript{109} It appeared that for the investment of some two years of ‘liaison’ with Voelte, Della Martina and the Woodside ‘A Team,’ nothing was to come of the promises. Concluding it was a charade, Woodley resigned his position on the ‘A Team’.\textsuperscript{110} After Woodside had bedded down the Pluto development in early 2007, and with no further purpose for flying them in, accommodating them and paying their fees and expenses, the ‘A Team’ of Indigenous consultants, to Woodley’s knowledge, were not recalled.

Another echo of the Rio Tinto experience manifested in Woodside Energy’s public relations, and particularly in its professed Indigenous Community Policy. Woodside’s pledges concerning “enduring relationships with Indigenous communities”, which were “necessary for our business success”; “Consulting relevant Indigenous communities to promote an understanding of each other’s concerns and aspirations”; and “supporting partnerships that make a positive difference to Indigenous communities”, had a familiar ring.\textsuperscript{111} Woodside also boasted the achievements of its community partnerships program which “aimed at developing life skills around leadership, decision making, planning and teamwork” by, for example, sponsoring the Western Australian Symphony Orchestra to tour China; the West Australian Music Industry Association’s hiphop workshops in Pilbara schools; and a Pilbara elders’ art exhibition in Florence (Italy) where, Woodside’s newsletter Trunkline informed, they were privileged to sign “a pact of brotherhood with the municipality of Florence on behalf of the Aboriginal people of the Pilbara”.\textsuperscript{112} The actual outcomes for residents of the Roebourne Village and other Pilbara Aboriginal communities, once again, stood at odds with this hype.

**Summary**

It should be noted that Woodside’s most effective assistance to Roebourne and Juluwarlu in particular can be attributed to the period before their campaign to clear the way for Pluto, with their timely sponsorship (via the agency of Meath Hammond) of Juluwarlu media trainees, funding for its digital media, archiving and television broadcast infrastructure, and transfer of the \textit{WY Program} to the management of NYFL. Dividends also trickled down to Juluwarlu and other community groups as project grants via Woodside’s annual compensation payments to NYFL, and Juluwarlu...
benefited by winning the service contract for the WY Program. This assistance came at an important time, helping Juluwarlu to step up into a period of growth that significantly extended its capacity when Rio Tinto and other companies were comparatively unresponsive and ‘strategic’ in their community engagement.

Plate 47: Meath Hammond (left) – as Manager Indigenous Affairs at Woodside Energy he was effective in directing Woodside’s assistance to crucial start-up programs at Juluwarlu in 2005.

It should be acknowledged that in dealing with Pluto, Woodley was aware that Woodside’s motivation turned on their need to gain Aboriginal heritage clearances on their Pluto site. He understood that the ‘new deal’ for NYFL and the Indigenous Participation Plan were leveraged on a ‘bargain’ that involved the sacrifice of country and heritage. He also understood that his mentor, the late Roger Solomon, and Roger’s father James, had worked hard to engender public awareness and respect for Yaburara heritage, and while the region fell under Ngarluma jurisdiction, inscriptions and landforms on the Burrup had significance to all cultural people in the region whose creation stories and Law travelled across tribal and language boundaries. Nevertheless, a disconsolate pragmatism disposed him to accept that a fair ‘bargain’ might be made with Woodside. What value was there, he asked, in preserving heritage values while the Ngaarda that belonged to that heritage were dying in their twenties and thirties? While their communities were broken? While they eked out their lives in a ghetto of abysmal hope and opportunity?

The question left begging was, why should such inalienable and eternal cultural rights be traded for amenities of survival that should have been the entitlement of every
citizen? Even more serious was the nature of the precedent. If it was acceptable to
trade heritage values on the Burrup for the hope of decent living standards, then why
not the heritage values of Millstream or sacred stretches of the river Yarndanyirranha in
the heart of Yindjibarndi country? That Woodley and other Indigenous leaders felt
compelled to consider a decision injurious to their cultural history in order to make a
decision beneficial for the lives of men, women and children in the Village, underscored
the frightening desperation of life in the Village. That some Indigenous people were
willing to accept these terms – those that signed off on the Burrup State Agreement and
later agreed to work with Pluto on heritage clearances, video production and re-
location of petroglyphs for example – testified to the paucity of their faith in a society
that had effectively abandoned them. That our civil society permitted this invidious
pragmatism, indeed, encouraged such ‘transactions’, was a grim expression of broader
cynicism and imaginative vacuum, and represented a disdainful injustice.116

While hopes of a ‘new deal’ with Woodside evaporated, the video record made by
Juluwarlu of the tour Woodside and its ‘A Team’ made of the Village, remained. This
record, which shows Roebourne Villagers talking to their visitors about their
problems, and the visitors bearing witness, might serve as a reminder of how barren
the theatre of corporate concern is; of the insufficiency of displays of good will when
good will is the order of the day. More usefully, perhaps, it might serve as a spur for
more resolute alliances of Indigenous leadership, and straighter and harder edged
approaches to doing business with the corporations.117 Indeed, I believe these lessons
were heeded, and as I will show, led to careful development of transparent and
collegiate processes of governance in the Yindjibarndi group, and a more determined
strategy for prosecuting negotiations with their business interlocutors.

7.3 Brain Drain

The consensus by government, resource companies and an array of consultants held
that elementary remedy for Indigenous disadvantage was training and employment in
the resources and associated industries – a wisdom sponsored by the Taylor/Scambary
Report and typified by Tony Abbot’s view that “Boosting Aboriginal employment
means persuading Aboriginal people to leave what’s sometimes the comfort zone of
working with Indigenous organisations”. 118 This gave rise to a problem of momentous
importance for Indigenous communities: the loss of many of the most competent
human and intellectual resources from their communities to the resources industry. In
an echo of the 1960s mining boom which, while trumpeting “progress, infrastructure, Pilbara Plan, iron ore bonanzas, develop, develop, develop,” and all at once moving government services and jobs out of Roebourne to Pilbara’s new capital, Karratha – the new millennium boom has seen the steady loss of competent individuals (and their families) to jobs and company housing in Karratha or Tom Price. This has further distilled Roebourne’s problems and ghettoised disadvantage by subtraction of another functional family, another set of competencies and commitment to community – all needed in local economic, organisational, social, and cultural aspects of life. Local organisations found that they could not afford to recruit the personnel they most needed, let alone match mining wages.

This trend was rooted in the Government’s urging for resources companies to address chronic rates of Indigenous unemployment, and the happy concordance of this with labour requirements in the resource sector. Rio Tinto established an early beachhead for Indigenous training and employment through its Aboriginal Training and Liaison division. As labour shortages in the resources sector bit harder, Indigenous labour looked ever more attractive, and the rhetoric and effort dedicated to facilitating it amplified. A précis of Rio’s philosophy held: “Helping to include Indigenous people in mainstream economic activity like mining makes business sense as well as being the right thing to do. In Australia, staffing remote mines with local people reduces the need to fly in employees from elsewhere and gives neighbouring communities greater economic benefit from the mine”.119 BHP Billiton Iron Ore’s Chris Cottier echoed: “While we have an ageing population in the broader population, we have an Indigenous population which is much younger, local and does not need to be flown in”.120 Professor Marcia Langton, Foundation Chair of the Australian Indigenous Studies Program at the University of Melbourne, and board member of Aboriginal Enterprises in Mining, Energy and Exploration, was on the same page with a formula that resolved labour shortages, the ‘false’ economy of welfare/CDEP, and Indigenous unemployment – in ‘the real economy’:

In the mining industry alone there’s a prediction that there are almost 80,000 jobs to be filled, which cannot be filled because of our labour shortage. And so labour is being imported from overseas because Australians cannot fill those jobs. However, in all of those areas you have unemployed Aboriginal people who are being held back from joining the real workforce and the real economy,
in my view, by CDEP and various other social security entitlements, and we need to fast track the Aboriginal workforce into the jobs that are available for them.  

**Forrest’s Employment Covenant – “A Fishing Rod Not a Fish”**

In October 2008 Langton’s analysis found headlining consummation in the *Australian Employment Covenant*, a proposal led by Fortescue Metals Group chief Andrew Forrest, which hoped to create 50,000 full time jobs for Aboriginal people across the nation within two years. Noel Pearson, who alongside Warren Mundine and Prime Minister Kevin Rudd, launched the plan to a gathering of business moguls including Rupert Murdoch, Jamie Packer and Kerry Stokes, explained that the Indigenous employment question would be “cracked” by “getting them into the private sector employment where most of the jobs are”. 

The Forrest Covenant faced some difficulties however – reaching beyond the most readily employable Indigenous people (who in any case had largely been taken up by existing Indigenous employment programs in Rio Tinto, BHP and Indigenous contracting companies); and making those who had not already ‘made the grade’, ‘work-ready’ for jobs in various industries. Explaining the difficulty of improving the Indigenous employment performance at BHP Billiton, Aboriginal Affairs Manager, Chris Cottier, offered: “We have grabbed all the ‘low hanging fruit’ – the well-educated and schooled ones – and now we have to work a bit harder for the next generation of our workforce. We can give them jobs, but we have to get them to a particular level”. 

Indeed, the Taylor/Scambary Report converged on the same problem, pointing out that training and employment programs such as ATAL foundered on the fact that “the vast majority of Indigenous adults in the Pilbara do not have full schooling, or a qualification”, while many others “are hospitalised […] subject to chronic [health] conditions […] are arrested and incarcerated” or suffer “premature mortality”. Taylor/Scambary suggested that the employability of Indigenous people in the Pilbara was not likely to improve without “substantially enhanced intervention” such as “investing further in remedial training and possibly lowering the ‘fitness for work’ requirements”. 

Notwithstanding this obstacle, Noel Pearson believed that Forrest’s plan to get 50,000 Indigenous people into full time jobs in two years would overcome historical problems.
because it, unlike previous corporate undertakings, was not predicated on general notions like “best endeavour”, but on firm company guarantees to provide a job for each Aboriginal recruit who had graduated from government sponsored work-ready programs. And this was the rub, for Forrest’s Covenant depended on Government for the provision of training and work-ready programs specifically tailored to meeting the needs of those employers who had pledged jobs. For his part, Andrew Forrest said that Fortescue Metals Group believed “in the philosophy that I grew up with in the Pilbara that you sustain and empower people through giving them the ability to advance themselves. We call it giving people a fishing rod not a fish”.

**Collateral Damage in Indigenous Communities**

Langton acknowledged that an effect of the mining boom, especially in the Pilbara, was to have “sucked the skilled labour out of the cities and towns and now you walk down some of the streets of towns and there’s nobody serving in the shops”. Indeed, the effect of the mining work-readiness and training programs had been equally successful in “sucking” the best and brightest from community organisations where they were sorely needed to work with members of their own community to improve levels of health, education, enterprise, etc. Woodley explained:

> What they want to do is grab Aboriginal people in this area and put them onto white man’s core business of developing the iron ore. Same with oil and gas, they want to get Ngaarda from here to go up there and do their rigging and their scaffolding. It’s very frustrating in this day and age for an Aboriginal person to get on with the things that he wants to be doing, because everybody is pushing us towards white man’s way of living. They still want to turn the blackfella into a Whitefella. That will never happen, and we don’t want to be forced to be doing those sort of things.

Ironically, a primary strategy used by resources companies for attracting Indigenous employees, was recruitment of Aboriginal liaison and mentoring personnel, who effectively served as ‘bellwethers’. Their mentorship, or ‘babysitting’ as one of them observed, did not extend to the wayward and needy youth in the Village; it was reserved for those who chose to don the company uniform – and the rest be damned. While the recruitment of these men and women was viewed as their deliverance from
the ‘jobless’ ghetto – it was precisely in the ghetto that the real work needed to be done.\textsuperscript{129}

**Taking the Leaders Away**

An example of the intercession of one company recruitment program was the Millstream Link road construction project, which provided three weeks on, one week off shiftwork for three men from Cheeditha Community. This was hailed with the headline *Stanley trains for a bright future*:

For Stanley Warrie, the Karratha Tom Price Road Stage 2 project represents a major opportunity. Stanley, a Yindjibarndi person and leader of the Cheeditha Aboriginal community near Roebourne, earns good money and will learn valuable new skills during 12 months of training on the job. He and two other Cheeditha community members, Bruce James and Barry Pat, will have a chance to complete Certificates Two and Three in Civil Construction through their employment by Millstream Link under the Link to Your Future Training Program. Stanley and his fellow community members are delighted to be part of the project and are enjoying the structured nature of the training.\textsuperscript{130}

Not reported in this article was the fact that Warrie’s community, Cheeditha, was desperate to upgrade and maintain housing, and support community development projects that might improve the quality of life of those who lived there – a quality, it should be noted, that was vastly improved by Warrie’s leadership which had restored the community’s ‘dry’ (grog-free) status that for many years had existed in name only.\textsuperscript{131}

In his hunt for community development assistance for Cheeditha, Warrie had attended meetings, listened to the expressions of sympathy and promises of corporate and government personnel, but these had come to nothing palpable or lasting. Warrie, Pat and James had become so frustrated with the lack of resources at Cheeditha that, with no help in sight, they joined Millstream Link (which paid about $1,500 per week), with the purpose of raising capital to put back into Cheeditha.\textsuperscript{132}

In their absence, the good effect of Warrie’s leadership was missed, and cracks appeared in the drinking ban at Cheeditha. These men were not in fact “delighted” to
be part of the project or its three-weeks-on, one-week-off shifts, and so they returned to Cheeditha where Warrie continued his leadership role not only at Cheeditha, but also as chairman of the Yindjibarndi Aboriginal Corporation. Cheeditha could not pay Warrie more than CDEP subsistence, but he received recognition that made up for the pay cut, and gained piece of mind in knowing he was contributing to the welfare of his people.

**Problems with the Industrial Workplace**

What of all the “low hanging fruit” that was not plucked by the companies? It was a fact that many good men and women in communities like Roebourne did not want to be picked by the corporations. Juluwarlu media trainee Tyson Mowarin, for example, was a prime company recruit because he had good literacy, was drug free, punctual, had a good work ethic, and a good education through to year twelve. Mowarin, like Woodley, had tasted what the resources industry had to offer but also opted for less pay and more community connection: “I was on CDEP for 6 months at Juluwarlu and then Migu, Mithy and yourself set up that first traineeship, and for me it wasn’t about the money because I knew you weren’t going to earn twelve hundred dollars a week on a traineeship”. Mowarin along with others chose not to participate in industrial work places because he abhorred the imbalance between company work schedules and his cultural and family life:

I was a scaffolder, and I done a lot of labouring in construction stuff, but you don’t get the opportunity to do anything else. You work 10 hours a day, maybe 6 to 7 days a week […] I know you earn all that money but in the end you got no free time, you never own anything, you just spend it on shit as soon as you get it. And working them type of hours takes you away from your community too much […] My cousins we all started out there together, a lot of people out there but half of them don’t want to be there. They’re just there for the money […] I did ten years in scaffolding and after ten years I am still a scaffolder! I don’t want to be 50 years old working out there like that […] But with this job, working in this media, I can see in ten years that I might be further in this field. Of course, the gruelling industrial work schedules were something that affected all workers in the industry, as reported by researcher Nick Keown in his 2005 paper on
the health of male miners (Digging Deep for Better Health). Keown found that “stressors including 12 hour work days and shift work are associated with concerning levels of psychological distress, chronic fatigue and disruption with sleep, social and domestic life”. He described emotional and behavioural reactions that included decreased physical activity, increased smoking, and alcohol consumption. These effects corresponded with the binge drinking cycle Woodley fell into between shifts when he was with Rio Tinto in the mid-90s, and the pressures he observed in other ‘company men’ who turned up in Roebourne for a drinking spree on their week off.

Family-hostile work schedules were not solely a practice of the multinational corporations and their contractors; they were also mirrored in Indigenous-owned companies that locked step with the industrial work regimes expected of them – companies, incidentally, that Marcia Langton extolled as being exemplars of employment trends in the Pilbara. One such was Brida Contracting, which was established through a partnership between Rio’s Aboriginal Training and Liaison unit and the Roebourne Ngarliyarndu Bindirri Aboriginal Corporation (CDEP), and who had contracts for Rio’s Dampier port expansion, site preparation works on the Burrup Peninsula for Woodside, and in 2006, site works at Whim Creek. The Whim Creek job required participants from Roebourne to get up at 4 AM to make the 100 kilometre trip to the mine, and to work 13-day fortnights in 12-hour shifts for some $1800 per-week. And it should be acknowledged, with little likelihood of anything better, there were men in Roebourne who had the wherewithal to whether this grind.

**The Undoing of Culture and Law**

The desertion to industry of important contributors was as keenly felt in the sphere of Ngaarda Law as it was in community organisations and families. When Bevan Hicks returned to the community from a subcontracting crew, Woodley remarked that it was good to have him back, that his talent had been missed at Woodbrook. Hicks had been a diligent protégé of senior Lawman Yilbi Warrie who always called out for his mali (grandson/grandfather) to sit down next to him and sing the Burndud. Yilbi was dead now and a consequence of Hicks’ absences while working at mine sites was diminishment in the advance and ‘degree’ of his erudition. Some of those who had taken mining jobs, and who came to Roebourne from time to time to visit family, or to the Juluwarlu media centre to look at Law photographs and footage, expressed a sadness for the distance that had grown between them and the knowledge of their
elders, and the community of their extended family. These men, who over time had become acculturated to good wages and company work routines, had lost the connection with, and found it hard to get back into the swing of Law.

In his honours thesis, Juluwarlu Administration Manager, Phil Davies, remarked upon the assimilatory demands imposed on Indigenous people to ‘get a job’ by “contemporary capitalist society founded upon economic growth, employment and competitive materialism”. Davies maintained that ‘getting a job’ (in the resources industry), which was “hailed by its supporters as an answer to the social and economic disadvantage faced by Indigenous Australians”, could also be a “negative influence on an Yindjibarndi distinctive ‘way of knowing’,” that in fact exacerbated “an individual and community sense of loss and grief”.140 Woodley corroborated: “If every Yindjibarndi worked for a mining company, we wouldn’t have our law and culture, we would cease to exist”. 141 He stressed: “Government and companies should value our cultural core business in the same way they value their own, after all, vast wealth is generated from our country […] we need to employ and retain the cultural leaders within our own community, so they are not lost to industry”.142

The potentially devastating long-term consequence of the ‘brain drain’, Davies warned, was that if Native Title holders failed to maintain their connection to country by “spending the time to discover the traditional relationships and practices associated with managing diversity and country, kinship, language, appropriate embodied conduct,
identity, songs, stories, flora, fauna, spirituality, and the key aspect of transmitting oral
history via their recognised Elders” – then their Native Title entitlements could be
challenged at some time in the future, and, if at that time they failed to prove
continuing connection all over again, existing Native Title could be annulled. The
eventual cost of ever more Yindjibarndi going missing in a world regulated by industrial
labour practices, and losing their connection with Law, country and culture as a
consequence, could be irrevocable and catastrophic for the Yindjibarndi nation.

Navigating Entrenched Agendas
In September 2006, at the initiative of Rio Tinto and courtesy of their community
partnerships fund, an Indigenous ‘modern’ dancer from New South Wales, Michael
Leslie, workshopped and staged a dance performance with children from various
Pilbara schools, including Roebourne Primary. This project, particularly for Rio’s role in
activating it, provides a reminder of the mindset that characterized Rio’s philosophy
and practice of community partnership/benefit, and more generally epitomized the
perceptions and agendas that Juluwarlu faced.

At the Central Negotiating Committee forum a month after Leslie’s first modern
dance workshop and performance event, General Manager for Community And
External Relations, Bill Hart, extolled Rio’s ‘Leslie initiative’ as a rare opportunity that
had thrilled schoolchildren and turned them on to dance. In an article titled Dancing
up a storm, Rio Tinto’s public relations machine said that Michael Leslie’s aim in life was
to foster the natural creativity and imagination of children in the Pilbara:

My dance workshops are about life. Together the kids and I are creating new
and exciting performances and though I may write the music, I get them to
create and choreograph as much of their own performance as possible. That
way I give them ownership, which means the students learn about structure
and discipline; they begin to understand the importance of time keeping and
deadlines and discover how to be an individual while working as part of a
team.

Leslie had not applied to Rio for work as a dancer, but as a truck driver, however
upon seeing his CV Rio had “immediately agreed that Michael could make a far greater
contribution to the community by using his undoubted talent and creativity to induce
self-esteem and teach self-confidence to children in the Pilbara”.¹⁴⁶ Rio’s enthusiasm for this project seemed to hinge, not only the charming public relations angle of how a talented dancer was diverted from truck driving to his true vocation, but on the fundamentally wholesome industrial values the project was inculcating – ‘structure and discipline’; ‘the importance of time keeping and deadlines’; ‘how to be an individual while working as part of a team’.

Without being churlish about Leslie’s project, Woodley pointed out that there were also talented men in the Village who would like to be employed to teach their children singularly local indigenous culture, language, Law, and systems of responsibilities and respect, and that Indigenous men who needed to be supported in their leadership roles (Stanley Warrie at Cheeditha for example), were compelled to drive plant or hold up traffic-flow signs to make a living. They too would have appreciated this kind of support to consolidate the cultural foundations of their communities – cultural foundations, it should be said, that referred to their social obligations in a Yindjibarndi way, and that connected them to places in their country and to ceremony that mattered.

Dr. Jan Teagle Kapetas, who in her former position as Community Development Manager at the Shire of Roebourne had opportunity to gauge the ‘Leslie’ initiative, observed:

> For three years, Leslie has had an almost unlimited budget to ‘bring culture’ to youth living within Rio Tinto’s ‘zone of interest’. Rio Tinto’s proactive cultural development role (the Leslie project being only one instance), was built upon flying in ‘outsider professionals’ at great cost, while refusing to support local cultural initiatives. This practice provides yet another reminder of the mindset that characterizes resource company ‘cargo cult’ philosophies and practices of community partnership/ benefit, that seek ‘outsider experts’ to deliver a broad variety of short term solutions to issues those same experts decide need to be addressed. Community-based consultation and opportunities for local people to undertake incremental skills development and collaboratively work towards beneficial local outcomes, is not on any resource company agenda. Experts are from elsewhere; local knowledge and capacities are never valued.¹⁴⁷
There were clearly conceptual and cultural hurdles that Rio found difficult to surmount: “They are thinking for us, they know best for us. And they just told him [Leslie] we will employ you fulltime to go and work with them kids and teach them to do contemporary dancing and all that stuff, like that’s going to help them!” While Rio was willing to sponsor a ‘modern dancer’ to work in the Roebourne school, the corporation was deaf to Juluwarlu’s requests for sponsorship to undertake cultural recording and reproduction projects, or to develop Indigenous film projects and an Indigenous television station – projects that employed locals and could have developed a local cultural industry.

The topic of corporate support and sponsorship for community-focussed employment and enterprise was also discussed at the meeting of the CNC in October 2006. In answer to questions about the drain of the youngest and the best from the community into the corporate workforce, Rio’s Bill Hart suggested that perhaps resource companies could give Indigenous employees one day a week off for volunteer work back in their own communities. Woodley observed that one day a week was not enough. Woodley also said that the rise in the number of Indigenous employees in Rio’s Pilbara operations from 113 to 117 between 2005 and 2006 did nothing for the community of Roebourne.

Banyjima elder Slim Parker added that while these Indigenous employees represented a gain for the company, their employment was a loss for their community. He redoubled Woodley’s comment that these young people were sorely needed for the development of community-based organisations. Hart responded candidly that employing people to work for their own communities rather than Rio Tinto was not Rio’s core business; that essentially their priority was to make a profit and a strong case would have to be made for paying the wages of people who worked in Indigenous community organisations. It perhaps did not occur to him that he had provided the lie to his own statement when commending Rio’s action in paying the wages of Michael Leslie to work fulltime in Pilbara communities teaching modern dance.

Indigenous communities have a real need and desire for skills other than boiler-making, plant-operation, scaffolding, automotive repair, and so on. They equally need business managers, teachers, health workers, linguists, archaeologists, cultural workers, communications specialists, writers, etc. – and opportunities across the full spectrum
of vocations.\textsuperscript{155} This is a proposition that Tyson Mowarin corroborated: “I like this camera work and editing because it’s just something different. You know, just because you live in the Pilbara doesn’t mean you have to be in the mining industry”.\textsuperscript{156} One of the challenges for Juluwarlu was to tackle the prevailing view that Aborigines were best served by jobs in resources industries, and all at once turn corporate capital to local initiatives.

\textbf{The Taylor Report – Corporation Centred Solutions}

The Taylor/Scambary Report warrants another look at this point for the insight it gives into corporation-centred ‘enquiry’ and its limitations. As indicated earlier, this Report identified the limitations of Rio Tinto’s Aboriginal Training and Liaison (ATAL) program, and, suggested that the deep-seated “structural disadvantage” that was preventing Indigenous people from taking up training in ATAL be addressed by “investing further in remedial training and possibly lowering the ‘fitness for work’ requirements”. This strategy, they suggested, would all at once achieve Indigenous employment targets and help to avert exhaustion of the available supply of local employable labour.\textsuperscript{157}

At last the Report could not avoid the conclusion that “while much might be accomplished by the mining sector in the years ahead in terms of enhanced Indigenous engagement, little change might be discernable in overall regional economic status, with a large component of the population remaining detached from mainstream opportunities”\textsuperscript{158}. However, the authors failed to venture beyond this scope, or to identify how Rio might mobilize a “substantially enhanced intervention”. Nor did they advance practical strategies for community development centred in the communities themselves and their organisations. Instead blame was laid on Governments who allowed a “backlog of disadvantage” to accumulate in the Pilbara region. As Phil Davies noted in his acute appraisal of the Report: “I question why the authors, after presenting such comprehensive statistics on the all-encompassing Indigenous socio-economic malaise, ignore their own advice that increasingly, mining companies require a ‘social licence to operate’ […] and simply condone a mainstream corporate production and employment model that has so abysmally failed ‘since the 1960s’?”\textsuperscript{159}

As afterthought, Taylor and Scambary included a couple of verbatim comments from Indigenous people in the hope that these might give insight into how Pilbara Indigenous
people *themselves* viewed their future prospects, and the factors they perceived to be contributory to their troubles. After the Report’s jeremiad of Indigenous disadvantage, lacking as it was in any purposeful agenda of community-based action, the first of these “inevitably partial” – as Taylor/Scambary described them – Indigenous comments came close to providing some understanding of what kind of action might be needed:

The way that history has taken that foundation out from under us, that tree [culture] is dying, and it will keep dying if we let it keep going [...]. The future really comes back to what we are going to do now to fix the foundations up. If we are going to let it go as it is, and keep taking all the power away from parents, keep taking the power, and they need to restore our law, and they put that spirit and head back into the people and then I think you’ll see a whole lot different, start to give ‘em power back so they can contribute to their mob, their tribe, to try and curb the way everything is going at the moment [...] And that has to be not just in one community it has to be across the board, giving the authority back where it should be. We need to go back to that 200-year business, going back and sitting on equal terms.160

The Taylor/Scambary Report did not make anything of this call to “fix the foundations up”, to “restore our law”, “put that spirit and head back into the people”, “give em power back so they can contribute to their mob”, give “the authority back where it should be”, deal on “equal terms”.

What was fundamentally lacking in too many of these reports was an acknowledgement that people in Roebourne, for all their hardship, did have legitimate values and aspirations, held beliefs and positions about what was right and wrong, and wanted choices other than those put forward by experts that always reported to others. Such reports seemed unable to see past the ‘disadvantage’ and portrayed people as amounting to little more than the sum of their disadvantage. Not rating mention was the fact that their beliefs and aspirations did not automatically agree with the evangelised solutions of the market; or that getting a job in the mining industry, going mainstream, or joining the consumer/ market economy – “the TV world” Woodley called it – was something to wish for.161 It was as if people in places like Roebourne could not really *exist* or have long, fulfilling lives until they attained the suitably orthodox values and ideals that would allow them to do so.
Who benefits?

From this discussion we should understand how the opinions and professed aims of industrialists, consultants, researchers and commentators stemmed from their own world view and logic rather than the Indigenous domain or interests. Their recommendations regarding pan-Aboriginal deliverance did not respond to the essential aspirations or realities on the ground in Indigenous communities such as the Yindjibarndi. Nor did Andrew Forrest’s broad-sweeping Australian Employment Covenant pay heed to the historical or future implications of exacerbating the ‘brain drain’ from communities like Roebourne. Little thought was given for the consequences of ‘picking the low hanging fruit’ on the fabric of communities – communities whose local organisations were disqualified from participating in Forrest’s Covenant because they did not have the money to pledge a job that might serve their own urgent needs. The effects of such simplistic approaches – that is, ‘jobs for the free market because that’s where the jobs are’ – on intergenerational disadvantage and poverty have been noted in other Indigenous communities beset by industrialisation.

In their essay, Ethnic Broadcasting In Alaska: The Failure of a Participatory Model, Daley and James (1992) observed that the classic development model imposed upon Native Canadians “emphasised economic growth through industrialization and urbanization, based on the importation of capital intensive technology”. They remarked that in this approach neither “distribution of wealth or quality of life issues were considered important,” and that “it was assumed that material comforts and mental well-being would trickle down to the poor”.162 They didn’t – something Taylor/Scambary also observed. Daley and James concluded that development models that responded primarily to issues of economy and technology obviated “the total social framework of interests” and thereby alienated communities from participation in “the social, political and economic affairs” of their communities, and instead privileged administrators and experts who commanded these development and employment models.163 This precisely tallies with the Pilbara experience.164

Indeed, because these training and employment schemes were so particularly attuned to employment within a particular industry, at least in the Pilbara, and paid wages that Indigenous and government service organisations could not match, they served to lower horizons and marginalize other vocations, which were dismissed as being
outside the ‘real economy’. In the capitalist economy, aberrant Indigenous desire and ambition for their society was relegated to the underworld of ‘unreal economy’.

It could be argued that Rio’s ATAL program, its equivalents at BHP Billiton and Fortescue Metals, and the extension of these in Andrew Forrest’s Covenant, particularly in the absence of approaches that more genuinely responded to the ballast of Indigenous aspirations and rights, served to inculcate ideological ambitions that in effect aspired to assimilate indigenous communities like Roebourne to the dominant, consumerist or commercial financial system. In this they emulated assimilation policies of half a century earlier, and with as little mindfulness for the consequences of this social engineering on cultural, family and community life. Conceivably, these schemes worked to hasten traditional owners’ loss of knowledge about, and connection to country, language and Law, thus finally allowing mining on Indigenous land without time-consuming processes of negotiation with traditional owners and National Native Title Tribunal hearings.

**Coda**

We should note that three months after the celebrity launch of the *Australian Employment Covenant*, Andrew Forrest condemned Government for his failure in getting the *Covenant* started. He complained that his plan was being jeopardized by Federal Government bureaucrats and implored Prime Minister Kevin Rudd to step in “to force bureaucrats to kick-start the scheme”. Specifically, Forrest alleged that the Federal Government bureaucracy (DEEWR) had reneged on its side of the deal to make Indigenous applicants work-ready by training them “to employers’ specifications,” and that unless Government fulfilled its promises regarding training and support, employers would be deterred from signing up to the *Covenant*.

Forrest claimed he was supported in his complaint by the *Covenant* steering committee, which was chaired by Noel Pearson and included Sue Gordon, Marcia Langton, David Bassau, Warren Mundine and Rod Eddington. Mundine declared: "They have to make the programs tailor-made for industry [...] Industry are the employers - they know what skills need to be had”.

Where, one might ask, were the ‘tailor-made’ training and employment programs that made Indigenous unemployed ‘work-ready’ to take up roles in their own community
organisations; or be able to address ‘triple bottom line’ productivity measured in levels of health, education, enterprise and cultural vitality at the grass-roots?166

7.4 Corporate Operatives
The conduct of resource corporations in the flux of expansion and coincident ‘culture change’ or ‘good neighbour’ drives; their proferment of community partnerships and Indigenous participation on the one hand and impatience to conclude land access arrangements on the other; their calculation of pathways through the Indigenous scene – in short, their diligent pursuit of their core business – brings us to a closer examination of the function of corporate ‘Indigenous affairs’ operatives and expert consultants. The role of these agents cannot be divorced from the upshot of resource company interventions into local Indigenous communities, which, decades on, had left them no better off.

The Rising Stocks of ‘Indigenous Affairs’ Consultants
As has become evident, the advent of Native Title and the mandatory requirement that developers and resource industries negotiate consents and agreements greatly boosted the ranks of that tier of liaison staff and consultants employed to develop ‘relationships’ with and undertake coalface ‘negotiations’ with traditional owners. These professionals migrated from government bureaucracies, academia (the ‘humanities’ fields of anthropology, archaeology, social science), education, Native Title Representative Bodies, health and legal professions, to work for, or at the behest of the sector that now commanded the Indigenous knowledge ‘economy’ – the private sector.

On business in the South Hedland offices of the Indigenous Coordination Centre, in the course of pleasantries, a woman known to Juluwarlu, guiltily affected the death-rattle voice of Darth Vader in confessing, ‘I have gone over to the dark side Michael’ – BHP Billiton in this case. News of people who had most recently walked out of a public institution or an Indigenous corporation and ‘gone over to the dark side’ – people who had worked closely with particular Indigenous groups and developed relationships with them – was always noted in Indigenous camps across the Pilbara.167 Just as the ‘stocks’ of skilled ‘industrial’ labour rose with the price of iron ore, oil and gas, so did the ‘stocks’ intellectual labour versed in ‘Indigenous affairs’ and ‘liaison’, and this ‘expertise’ was lured by contracts or tenures more lucrative than ever before.
Another motivation for this migration of professionals may have been the relative dynamism of working in corporate Indigenous affairs departments. Frustrated by the vacuity of policy and scant resources in their public sector jobs, the muscular environment of negotiation between miners and traditional owners was appealing to some. Others perhaps felt ineffective or under-valued within Indigenous organisations and believed they could make a positive difference from ‘within’ the corporate tent?

Early in this trend particular operatives with especially good relations and a strong suit of contacts within the Aboriginal community were assiduously head-hunted by corporations and companies who competed to recruit the best. Sometimes counter deals were struck by uncertain or nervous recruits seeking ethical warranty for their ‘defection’ from Indigenous or academic domains — in one case, specifying the banishment of particular, allegedly ‘unscrupulous’ anthropologists from the consultancy register of their prospective corporate employer.168

The routine, day-to-day work of on-ground corporate ‘Indigenous affairs’ operatives, which fundamentally involved trading off dispensation of one kind or another against heritage clearances and land access with Indigenous people, inevitably compelled them to play the field of factions within target communities. Their agency was particularly important when dealing with traditional owner groups that might be troubled by factional disputes and lacked the wherewithal to engage in this process of ‘negotiation’ efficiently. One such agent was known as Cobber or the ‘cowboy hat and tin-a-log-cabin-man’ because he invariably greeted Indigenous elders as ‘cobber’, and ingratiated himself to them by gifts of cowboy hats and tins of Log Cabin tobacco.169 Woodley observed: “It comes down to making sure that their interests are being served and they’ll do anything and use anybody for doing it. That’s where Ngaardangarli gotta be smart about things as well. If they see it happening, don’t allow it into their house, keep it away”.170

Interaction between corporate agents and Indigenous players outside a collective and transparent negotiating process was, however, ‘allowed into the Indigenous house’, where it served to abet the power of some factions over others; undermine rivals, win favours and perceived spoils. There is no question that such manoeuvring — in negotiations with Woodside for a renovation of terms (the ‘new deal’ for NYFL); dealing with Pluto on the Roebourne Indigenous Participation Plan; Rio Tinto’s
manipulation of the Pilbara Youth Leadership Program; efforts by Rio to get traditional owners in the Pilbara to sign off on Binding Initial Agreements; or negotiation with FMG on the terms of a Heritage Survey Agreement – threatened to deepen factional divisions and foment disarray by actively cultivating factions or individuals most conducive to the corporation’s aim. And so, processes of community leadership and decision-making, which were already fraught, were further distorted and frustrated, and this destabilization was all at once exploited.

One expression of consultancy, as I have described, was the ‘brains trust’, a panel of consultants hand picked by a corporation and secured by retainer. The aforementioned Woodside-convened Indigenous ‘brains trust’ (or ‘A Team’), that included Marcia Langton, Pat Dodson, Joe Proctor, Michael Woodley and Sue Gordon was a typical example, while consultants like Mary Edmunds, Paul Wand, Janina Gawler and others comprised the nucleus of the Rio Tinto Indigenous affairs ‘brains trust’. Woodley expressed reservations about the generic advice on Indigenous affairs offered by expert advisors who had no investment in the lives of his community:171

The truth, people just use them to sit on committees and get them for their name and their knowledge on issues that they been spinning around the table for the last thirty years. In terms of developing new ideas they got nothing. They happy to play the part they are playing, and that is just being advisors.172

Woodley was disappointed that with all their experience these fly-in-fly-out experts did not choose to engage more directly with his community, work outside the box “to get Ngaardangari involved”, or pass on their store of knowledge about leadership, etc. to younger Indigenous people in the Roebourne community, rather than “give his knowledge to Woodside, or to government”. Be that as it may, whatever knowledge they did impart to the corporations and government made no impression in the Village. Ironically, in another context (academia, public policy), Langton labelled such professionals as “an industry of rent seekers” who were responsible for the “failed policies” typified by the CDEP.173
The Orientation of Consultancy

The interaction between ‘freelance’ Indigenous knowledge ‘experts’ and the executives of resource companies could become a convoluted and problematic business, as illustrated by the relationships attending the proposal and advocacy of the *Australian Employment Covenant*. Noel Pearson and Marcia Langton (amongst other commentators/consultants) were public advocates of FMG CEO Andrew Forrest and his *Covenant* and provided strong personal endorsement of the man himself. Countering criticism that the *Covenant* was too ambitious and simplistic, Pearson offered: “I’d rather saddle myself up to somebody who can create a $25 billion company in the space of five years. You know, until we ride the coat tails of ambitious people who think that we can make a difference in a timely fashion, I think we’re forever going to spend the next four decades mucking around with Government make-work programs”.

As has been argued, there were serious questions about the role of schemes like the *Covenant* in diverting Indigenous capability from crucial roles in their own communities – that were consistently evaded. There were, however, further complications that brought into question Forrest’s motivations and the role of commentators or consultants who supported him.
Forrest’s dealings with traditional owners over access to land for mining had repeatedly resulted in disputes. In one case it was alleged that he had made upfront cash payments to Nyiyaparli traditional owners (to buy Landcruisers) in return for their signatures on Indigenous Land Use Agreements “without legal representation and without prior consultation with the broader Nyiyaparli claimant group”. Referring to this episode, the Pilbara Native Title Service remarked that FMG had displayed “unconscionable conduct” and intimidating behaviour – a claim Andrew Forrest refuted.175 A report commissioned about this dispute by the Office of Indigenous Policy Co-ordination also raised concerns about FMG, suggesting that they might try to avoid their obligations to pay royalties under the land access agreements.176 Other reports going further back in Forrest’s career and concerning his dealings with Indigenous people in the Goldfields, spoke of “an awful lot of cash passed around to have groups sign off,” and unpaid royalties.177 (See also Andrew Forrest’s Personal Touch in Addendum 23A for further exposition regarding Forrest’s negotiating style.)

At the beginning of 2008 there were much fresher accounts of Forrest’s dealings closer to home, for FMG was seeking to explore for minerals and build a railway in Yindjibarndi country. Dispute over what constituted a fair heritage agreement prompted a warning from FMG that Yindjibarndi would risk liability if there were any delays in their program, and then later, another threat to undertake heritage surveys for exploration drill lines in Yindjibarndi country regardless of Yindjibarndi participation and approval.178 In a meeting on 8 February 2008, Forrest advised Yindjibarndi representatives that their tough style of doing business with FMG was “not the blackfella way”. It was certainly not the ‘cash upfront’ way he did business with the Nyiyaparli powerbrokers. FMG finally abandoned the path of negotiated settlement with Yindjibarndi and resorted to litigation by invoking Section 35 of the Native Title Act, and thereby seeking an edict to proceed with their development without Yindjibarndi agreement.
Later in 2008 FMG sought to intimidate the Marapikurrinya people by threatening to sue for damages purportedly incurred by their attempt to injunct development in a part of the Port Hedland harbour, whose significance, incidentally, was acknowledged by an Aboriginal heritage listing.\textsuperscript{179} (Ultimately Indigenous Affairs Minister Kim Hames sidelined protective measures of the Aboriginal Heritage Act and gave approval for harbour expansion work to proceed in this ‘protected’ area.)\textsuperscript{180} As recently as March 2010, FMG chose to ignore negotiation protocols set out by the Native Title Tribunal that clearly advised companies to deal with legitimate Indigenous representative bodies (Prescribed Body Corporates). Instead, when faced with Yindjibarndi firmness on fairer terms than the ones FMG offered apropos its mining plans, FMG decided to court a splinter of Yindjibarndi in a rogue meeting that sidelined the group’s duly elected and lawful representative body, the Yindjibarndi Aboriginal Corporation. When briefed of this contravention, a NNTT mediator condemned this as a “maverick” meeting. A properly convened meeting later unanimously reconfirmed the YAC executive against the actions of FMG and the splinter.\textsuperscript{181}

On one hand, then, Forrest was carrying on business with traditional owners in a litigious, “maverick”, adversarial or “unconscionable” way, while on the other he claimed to “love Indigenous people”, and attracted news coverage for his philanthropic sponsorship of men-only sheds in the Kimberley, or promotion of the \textit{Australian Employment Covenant}.\textsuperscript{182} With his championing of the \textit{Australian Employment Covenant} in particular, stocks in his reputation as ‘good corporate citizen’ soared.\textsuperscript{183} At this point, we should mark, that as much as mining is a financial and engineering exercise, it is also a highly political enterprise concerned with appearances, reputation, having the ear of government and of powerbrokers. Forrest may well have “loved” some Aboriginal
people – and had strong opinions on what was good for them – but this is not unique amongst captains of mining. So did Lang Hancock and Hugh Morgan (CEO of Western Mining Corporation 1990-2003) in their own way. The white-hat publicity Forrest generated didn’t hurt in helping to dilute the more troubling aspects of his reputation in dealing with traditional owners. These contradictory images of Forrest’s conduct, then, were quite coherent.

While ostensibly deployed for the good purpose of Indigenous employment, the high-level endorsements of Pearson, Langton, Mundine and others were of immense value to Forrest’s pro-Indigenous credentials and ultimately to his broader agenda in resources development. Such backing all at once risked embroilment in the reflexes and methods of a business whose essential and candid interest was corporate profitability (not Indigenous benefit), and in the equivocal ideology and methods of Forrest himself.184 (It should be acknowledged, that while the viewpoints of political players like Noel Pearson and Marcia Langton on the national stage could be contentious or partial, their contribution also offered strong points for debate.)

A Reckoning of Corporate Ministration

Mick Dodson described the legions of professionals who promoted themselves and plied their advisory trade in Aboriginal affairs as the “people who want to smother you to death like a Labrador dog because they think they know everything that’s best for you”.185 Woodley, similarly disenchanted, said that too many ‘liaison’ talk-fests with the corporations were not just proving a waste of time, but worse, a sap on energy, confidence and hope.186 (Discussion later in this study will describe the strategies Juluwarlu employed to ride out this ‘culture of never-ending talk’ and explore more constructive modes of ‘relationship’.)

The introduction of ‘drinking rights’, eviction from pastoral stations, the translocation of the Old Reserve to the Village, the inundation of sacred country under the Harding Dam, and the Binding Initial Agreements that tethered CNC members were all events mediated by professionals who lived far from the community. They represented ‘outcomes’ that fell within a prescribed range – the ‘realm of the possible’ – set by anyone but Roebourne people. The plethora of contemporary agreements and reports developed by professional consultants all too commonly echoed these experiences, and curbed active, participatory processes where locals could genuinely debate terms
and question outcomes. While the Taylor/Scambary Report received some attention in the media, and possibly stirred some movement in Rio Tinto’s corporate culture in the Pilbara, it is questionable whether the Report generated any more constructive effect at community ground-zero than other reports of disadvantage that had issued from the Pilbara for decades (see Rationale for Method in Chapter 1 for a list of some of these reports).

In their *Indigenous Public Sphere*, Hartley and McKee relayed a cautionary tale about the futility of mass-mediated shock and Indignation regarding Native American conditions and the ensuing probes by task forces of academics, bureaucrats and consultants whose reports were rarely acted on, and vanished into air. These communities were so “task-forced to death” that one Indian declared the need for a “cultural leave-us-alone-agreement”. In the Pilbara the ‘Taskforce Report Syndrome’ was manifested in documents, which while regurgitating ‘shocking’ or ‘troubling’ statistics about Roebourne Villagers (and others), failed to provoke useful change. This process of dull, feeble ‘consultation’ was referred to by Woodley as “ticking the box” – a practice that enabled bureaucrats and consultants to check off their performance indicators and simulate outcomes in ‘Indigenous affairs’ – while corporate agendas progressed apace.

It appeared incongruous to Woodley that while the resources industry was booming under the care of managers, engineers and financial specialists who kept a close eye on the efficiency and success of mineral and petroleum extraction operations and profitability – attention to Indigenous affairs did not benefit from such well appointed, hands-on expertise. Instead it was left to peripatetic agents who invariably came with experience in interpreting or negotiating particularly ‘Aboriginal’ cultural and political matters, and in massaging the communications interface between corporations and Indigenous people. In Woodley’s view, these ‘preferred list’ operatives effectively expedited matters associated with heritage and land access for the company’s benefit. Left undone was the job of actually putting ideas and programs to work in Pilbara Indigenous communities.

This deficit characterized many Agreements, business plans, negotiated settlements and community development strategies, which appeared to be yoked to government or corporate agendas; to schemes that recycled homilies about training and jobs in the
mines, urged elaborate tourism development, or imposed officious trust structures, for example; schemes that failed to serve or genuinely reflect the intent of traditional owners and did nothing to build the capacity within communities and organisations that was crucial for their success. The Burrup and Maitland Industrial Estates Agreement, which was held up as a best practice, provides one illustration of such propensity.¹⁹⁰ (Flaws in the Burrup Agreement can be found in Addendum 19A.)

To Woodley’s mind, clear-headed business negotiators, financial advisors and community development specialists willing to enter into enduring partnership or genuine collaboration with Indigenous intention, would have been more useful than any of these visiting ‘cultural’ and political ‘experts’ involved in translating Indigenous interests to corporations and the State. Such dedicated expertise might have abetted Indigenous entrepreneurs with the hands-on work of establishing sustainable, community-based development practices and achieving the best long-term Agreements from these corporations.

And so expansion phases geared up and geared down; Village life reeled and lurched while living conditions hardly changed; and, having expedited particular corporate objectives or projects, Indigenous affairs managers and their consultants shuffled, and were redeployed. At the end of August 2008, after his remarkable achievement in tying all but one of the traditional owner groups (the Yindjibarndi) into Binding Initial Agreements, the Indigenous affairs door at Rio Tinto also revolved. Bill Hart resigned his position as General Manager for Community and External Relations and was replaced by Janina Gawler (who appeared earlier as consultant to the CNC and principal of the consultancy firm Cooperative Change). Mission accomplished. Understandably, Hart’s exit caused consternation amongst Indigenous negotiators who had signed his BIA under sway of his ‘personal touch’ and avid assurances.¹⁹¹

7.5 Commissions For Corporations
The Corporate Environment just essayed provides an impression of the broader political setting within which Juluwarlu worked. The case-studies that follow supply a more particular, or applied understanding of how this corporate environment was reflected in fee-for-service media work that Juluwarlu undertook for Rio Tinto and Woodside, and will weigh up the practical lessons of this engagement.
Before proceeding, it should be noted that Juluwarlu undertook a number of other contracts over 2006-2007 that ranged beyond their bigger commissions for Rio and Woodside, and which demonstrated Juluwarlu’s capacity to successfully undertake such work beyond the ‘strategic patronage’ of the giant multinationals. (A précis of this work is provided in the ‘Fee-For-Service’ section of Digest of Production in Addendum 16A.)

**Recording the Central Negotiating Committee**

Juluwarlu’s first fee-for-service contract with Rio Tinto was to video record and edit reports of the Central Negotiating Committee meetings. This contract, we should recall, followed on the installation of Bill Hart as Manager for Community and External Relations which coincided with Rio’s push to expand its Pilbara operations. The commission endured for eighteen months and captured a unique record of the dialogues between CNC delegates, Rio and a throng of consultants that led to the historic, and now contentious series of agreements that would yoke all but one of the West Pilbara groups to a common Binding Initial Agreement governing Rio’s future mining activities in their territories. It is a record that will one day provide a fertile archive for historians interested in how this came about.

While a major benefit that accrued to Juluwarlu from this work was of course income, trainees also gained on-the-job experience by plying their trade in diverse public settings, which varied from the steady-steady routine of cultural and heritage survey recording. The work also provided them with firsthand knowledge of the tenor of negotiations between corporations, their consultants and Ngaarda. Significantly, it was income from this contract that allowed Juluwarlu to cross subsidize other activities closer to Juluwarlu’s cultural remit – for example, the employment of information technology, video production and graphic design specialist Alan Thomson who functioned across the spectrum of Juluwarlu’s operations, and also as an invaluable trainer. Notionally, a broader benefit derived from distribution of these meeting DVDs (in batches of about 50) to the traditional owner groups represented at the CNC, was that many traditional owners who were not at the negotiating table, and would not have normally been privy to negotiations, were apprised of their progress.¹⁹² The secretary of these meetings commented that the recordings were playing an important role in keeping everybody informed, especially community members who were not literate and gleaned nothing from written reports.¹⁹³ I do not know, however, who got
to see these DVDs – their information, in any case, did not assist a better result for Indigenous groups. The next commission Juluwarlu was to undertake for Rio Tinto was less congenial.

**Drill & Blast or 45 Seconds of Respect**

In June 2006, on the heels of the CNC recording job, Bill Hart was also instrumental in engaging Juluwarlu to produce a video about safety protocols and procedures in drilling and blasting open cut ore bodies. *Drill & Blast* was to be produced under the mentorship of Elephant Productions, the Perth-based video production house that customarily produced Rio Tinto audio-visual work. Juluwarlu staff and trainees led by Alan Thomson and Tyson Mowarin, who had been in training for some 24 months, embarked on the production under the guidance of the Elephant’s producer, Keith Woodland. Mowarin promptly shot and edited the video and recorded guide narration, which was green-flagged by Rio through to the next stage of on-line editing at Elephant Productions in Perth. This represented a significant milestone of attainment in Mowarin’s media training.

Consider that the most potent imagery of *Drill & Blast* was of Aboriginal lands being blown sky-high by spectacular detonations of explosives. It occurred to Woodley that an apposite and respectful prologue should be added to the video that acknowledged the Aboriginal heritage that permeated the rocks and earth that was being blown away: “I was thinking about this partnership, of how do we send the message in a short statement across to a Pilbara Iron audience about cross cultural awareness, about *Ngaarda* importance? Just to give them a thought in their head about this *Ngaarda* country – ‘Just because we can’t control what you do here, it doesn’t mean that we
don’t care about it or that we don’t feel strongly about it’ – How can I get that across?” Woodley duly met with Rio media managers Jason Brennan and Georgia Viveash to put his case for attaching a Ngaarda Introduction to Drill & Blast, but his proposal was received with scepticism.

The primary audience for this video would be non-Indigenous Australian workingmen – a sample from the so-called ‘unconverted’ cultural mainstream of the nation – an audience Woodley thought it was important to address. Juluwarlu’s Ngaarda Intro featured an Indigenous commentary over aerial images of unspoiled Pilbara landscapes backed by traditional song. (Ngaarda Intro for Drill & Blast is attached in Addendum 15C.) The commentary said:

Welcome. This production is a partnership between Juluwarlu Group and Pilbara Iron. It celebrates a turning point that after 40 years of mining, shows a renewed commitment from Rio Tinto to work with Indigenous communities in the Pilbara – To share the benefits; to promote a greater understanding; to better our lives; and most importantly, to respect Ngurra – our country – and the traditions of our people. It’s a partnership that acknowledges this country is our homeland – it’s sacred!

Bill Hart viewed the Intro repeatedly, and while initially equivocal, was ultimately convinced by Woodley’s argument that the Intro was promoting ‘partnership’, ‘respect’ and ‘land protection’ between Rio and Ngaardangari. When Woodley showcased the respect-for-country Intro at the September 2006 meeting of the Central Negotiating Committee and expressed Juluwarlu’s desire to have such prologues included in all future Rio Tinto corporate videos – Bill Hart again voiced his support. This, Woodley said at the time, demonstrated an acknowledgement from Rio that education about Indigenous values had a place at every level of the company.

**Rio’s Second Thoughts**

While the inclusion of this message at the head of Drill & Blast would undoubtedly have sent a signal that genuine culture change was afoot in Rio, and while it apparently met with the approval of Hart and his consultants in the Indigenous affairs branch of Rio Tinto, it encountered less enthusiasm in other areas of the corporate system. Rio media managers and Elephant Productions moved to radically modify Juluwarlu’s
concept of the *Ngaarda Intro*, firstly with the suggestion that it be cut shorter than its 45 seconds, and secondly that it be shunted to the end of the production, or listed in a menu that could be selected at the viewer’s discretion. For Juluwarlu, these options were untenable. They defeated the purpose of the *Intro* that Woodley believed should be unashamedly up front and centre, a message that each mine site worker would see as a matter of course. Despite assurances that the *Ngaarda Intro* would be cut onto the head of the video in time for a special screening to Rio Tinto Iron Ore CEO Sam Walsh, it was not. On being informed of this lapse, Hart cold-called Elephant Productions and requested that a copy with *Ngaarda Intro* be couriered to Rio’s Perth office immediately. Elephant obliged and Juluwarlu received assurance the *Ngaarda Intro* would be appended in the ultimate version of the production.

At the end of August Juluwarlu received a copy of the completed *Drill & Blast* DVD – the *Intro* was omitted. Reasons offered to Juluwarlu included the consolation that the video would never reach the general public, would be seen by only a negligible number of people, and the assertion that the *Intro* had nothing to do with ‘drilling’ and ‘blasting’. Woodley remarked: “Forty years you been doing this, we’re only asking for forty five seconds of introducing who we are”.

There was a secondary issue that perhaps gave indication of political problems militating against Juluwarlu. Rio objected that the placement of the Juluwarlu production company logo at the head of *Drill & Blast*, which clearly identified the DVD as a Juluwarlu production, put the Yindjibarndi identity ahead of other language groups that Rio dealt with in the region. This, Rio claimed, would run counter to the spirit of equality or no ‘favouritism’ in relations between the groups (who had come under the levelling apparatus of the CNC) and Rio Tinto. This objection signalled sensitivity to political fault lines and sectional interests in the broader Indigenous milieu of its operations (an issue discussed in regard to the failure of the *Pilbara Youth Leadership Program*, in *Community Politics*, and discussed ahead in ‘Pluto Commission’), and apparently moved Rio to adjudge that Juluwarlu’s bold identification as the video’s producer might represent an offence to other CNC members, and so should be deleted from the video together with its *Ngaarda Intro*. 

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*Sovereign Voices*
Summary

Drill & Blast fulfilled its function as conceived by Rio and was put into service, however Juluwarlu has not been offered another contract to produce video for Rio Tinto Iron Ore. It appeared that Hart and his Community & External Relations colleagues, who represented the ‘culture change’ at Rio, did not have the wherewithal to stand against the old guard represented by Rio media management (and more senior executives?) and Elephant Productions in regard to retaining the Ngaarda Intro. This experience suggested that organisational ‘culture change’ was something that played at the interface with Indigenous people, rather than at the heart of the corporation.

Equally, the media-management department might have resented the parachuting in of Juluwarlu and ideas at odds with their own, the intrusion of Hart and his department into their domain, and interference in their regular relationship with the service provider, Elephant Productions. It is also possible that Hart and company had simply played the ‘good cop’ on a corporate team whose purpose was essentially unified.

It is true, too, that it was conventional for commercial media houses to do precisely as they were directed by their clients in every detail. Juluwarlu was clearly not a ‘conventional’ service provider, and did not in fact see itself as one, but rather as a uniquely local and Indigenous company that could provide an authentic perspective in the delivery of its services – and it believed recognition for such (via placement of its logo) was appropriate and due.

With regard to the identification of the video with the Yindjibarndi traditional owner group, a seam in Rio’s philosophy as it bore on Indigenous management issues was perhaps also exposed. Their determination to find a one-size-fits-all system, by which all traditional owner groups in the West Pilbara might be marshalled through the CNC, had induced an aversion, or even paranoia towards any gesture that individuated a particular group and that might cause other groups to complain of unequal treatment or favouritism. This attitude effectively acted to prune ‘tall poppies’ or divergent views to the shape of Rio’s pan-Aboriginal vision for the Pilbara tribes.

Finally, the pioneering idea that conventional safety and training videos could also function as vehicles for cross cultural awareness and reconciliation, and that the partnership between corporation and community could be acknowledged and expressed in routine functions of the company, in forums of ordinary workers –
foundered on the *realpolitik* and *realmoral* of Rio’s corporate ecosystem. The disjuncture between Rio’s PR, which preached “partnership, working together, sharing the benefits”, and their actions, was exposed.207

**Pluto LNG Project Commission**

Running parallel with the production of *Drill & Blast* through the end of 2006 and beginning of 2007, and at the same time as Woodley (on behalf of NYFL) was negotiating a ‘new deal’ for NYFL and the *Indigenous Participation Plan* with Woodside executives, Juluwarlu worked with Pluto LNG Project in the production of a training video about Indigenous cultural heritage protocols intended for staff and contractors undertaking site works on its Burrup Peninsula LNG site (the *Pluto Heritage Video*).

Juluwarlu submitted a quote for the full production of this DVD, which was approved by Pluto Communications and Community Affairs Advisers, Hannah Fitzhardinge and Naomi Evans, who were the primary managerial/liaison personnel associated with the project. At this point Fitzhardinge ventured whether Juluwarlu would have any objection to Pluto’s regular corporate video producer, TV Perth, working alongside Juluwarlu on the production.208 With the understanding that Juluwarlu was the lead contractor, Juluwarlu accepted this request, reckoning that cooperation with this professional would provide useful experience.

Juluwarlu immediately set to work on the script and proposed that the narration of this DVD should be delivered in the voice of an Indigenous woman – an idea Pluto welcomed. This choice was based on Woodley’s judgement that a woman’s voice would elicit more ‘trust’ and would command better attention from the target audience of site contactors and staff.209 Pluto, however, was not happy with the script, which it revised, most significantly by demoting the first person, direct mode of address by the Indigenous narrator to third person. (See Addendum 7B for transcript of the opening scenes of the penultimate narration script that Juluwarlu delivered to Pluto, and then the version as revised by Pluto.) Secondly, the emphasis Juluwarlu placed on the singular meaning of each petroglyph, its placement and the global significance of the Burrup engravings was downplayed. Thirdly, the identification of Murujuga (the Burrup Peninsula) as the land of the Yaburara people was totally elided. And finally, the key statement that identified present-day custodians with the “grief and pain” of the Yaburara who suffered “many injustices”, and a statement that put on
record that much of Yaburara heritage had been “damaged or destroyed by unthinking industrial development”, were deleted altogether.

Thus the intention by Juluwarlu to convey to site workers and contractors a strong sense of ownership and an urgent, personal sense of what was at stake (via an Indigenous, first-person mode of address) was undone. Juluwarlu envisaged that the head of the film would place emphasis on the Indigenous identity of the country that these workers were being asked to disturb before introducing industrial themes. The Pluto revisions in the opening paragraph acted to dispel this ‘consciousness’ by placing the worker as “a member of the Burrup LNG Park workforce” at the centre of events, while the traditional owners were relegated to being “its people”. The decision by Pluto to elide reference to the destruction and grief caused by colonial and industrial incursion removed allusions to deeper history and the place of the present incursion in this history. These changes effectively stripped away the Indigenous authorial voice and recuperated the film’s address to one more typical of Woodside’s public relations/media language. Pluto had baulked at the first hurdle – nevertheless, Juluwarlu made no objection, resolving to honour its fee-for-service remit.

**Intervention by Murujuga Aboriginal Corporation**

As we have learned, the Murujuga Aboriginal Corporation (MAC) Board was incorporated in April 2006 with a remit to manage the benefits that flowed from the *Burrup State Agreement* on behalf of the Ngarluma, Yindjibarndi, Yaburara Mardudhunera and Wong-goo-tt-oo people, and was a major stakeholder on heritage issues on the Burrup. As such they were a crucial point of reference for Pluto with regard to it’s site development work. On completion of the cultural heritage DVD, Pluto previewed it to the MAC Board and was told by the Board that the use of an Indigenous female voice for the commentary was inappropriate, and that women had no place in speaking on heritage matters. Additionally, Pluto was told that virtually all of the images of rock engravings should be deleted because these were men’s business.²¹⁰ Also, at one point Juluwarlu was instructed that none of its Indigenous personnel were permitted onto the site, an order that outraged Ngarluma man Tyson Mowarin. Later, Pluto site supervisor John Nicholson, confirmed that the ban on Juluwarlu’s Indigenous media crew had been ordered by the MAC.
The MAC directions to Pluto, it should be noted, contradicted the fact that women were routinely included in the work of heritage surveys on the Burrup, and that no such prohibition on photographing engravings on the Burrup was issued to anyone else – the petroglyphs on the peninsula had been widely published in the press and corporate and tourist promotions.

As a result, Pluto stripped the voice of media worker, Tenellia Lockyer, from the cultural heritage video and replaced it with that of Brian Hayes, a Thalanyi man who did not belong to any of the local traditional owner groups, and who was employed as the Land Access and Indigenous Affairs Adviser in Corporate Affairs with the Pluto LNG Project (and was later promoted to its Community Affairs Coordinator position). (See Pluto Heritage Video in Addendum 16C for the final Pluto version of this production.) Juluwarlu concluded that MAC’s intercession was deliberately aimed at frustrating their commission and was driven by political rather than cultural motivations. 211

In an echo of the experience with Drill & Blast and Elephant Productions, the participation of Woodside’s regular video house TV Perth, presumably as insurance against the untested quantity of Juluwarlu, met with similar difficulties. TV Perth, without any communication with Juluwarlu and with the approval of Pluto, in a stinging vote of no-confidence in Juluwarlu, had undertaken its own shoot for the project. TV Perth then attributed expensive and time-wasting incompetence to Juluwarlu in post-production, when an Editing Decision List (EDL) did not display properly on the TV Perth system. This, it turned out, was caused by the incompatibility of TV Perth’s older PC based system with current versions of Final Cut Pro as used by Juluwarlu. 212 TV Perth’s derogation of Juluwarlu’s service was undoubtedly a competitive reflex, for like Rio Tinto’s regular media contractor Elephant Productions, they had a tremendous vested interest in maintaining their exclusive and undiluted relationship with a client as valuable as Woodside/Pluto.

Irresolvable Tensions
Juluwarlu’s reason for taking commissions from, and more generally engaging with the corporations was to lessen their dependence on government grants, foster their financial wherewithal, cross subsidise their cultural recording and reproduction work, and (through Woodley’s broader advocacy) leverage better terms for Roebourne. If
Juluwarlu hoped to undertake fee-for-service business with the major resource corporations on terms like any other ‘secular’ contractor, such hope proved imprudent. Ultimately, Juluwarlu was not by nature just another service provider. Instead, they believed that they could bring authentic Indigenous perspectives to the corporate video. This ran counter to the convention whereby fee-for-service providers were required to promote ideas that wholly focussed on their client’s agenda. Inevitably, despite the benefits of on-the-job training and earned revenue, Juluwarlu was disabused of their hopes for forging a workable relationship with Woodside/Pluto that could encompass both commerce and ethics.

Similarly disappointed were Communications and Community Affairs Advisers from Pluto who might have imagined that the simple act of engaging a local Indigenous company to produce their heritage DVD would provide ‘cultural guarantee’ or fiat for Pluto’s Indigenous heritage obligations. The reality was that Pluto was ultimately compelled to weigh most carefully the power relations that supported their development program, not that of Juluwarlu or the Roebourne community.

Woodside’s negotiations with NYFL on a ‘new deal’ and Indigenous Participation Plan had similarly come undone upon Woodside’s eventual realization that Murujuga Aboriginal Corporation and not NYFL had sway in regard to heritage clearances bearing on the Pluto site. This consideration clearly outweighed others bearing more closely on how engagement might give to greatest Indigenous community benefit. (Note that while NYFL had an array of programs in place for local community benefit, Murujuga Aboriginal Corporation did not have any.)

It was apparent that no matter how assiduously Juluwarlu worked for Yindjibarndi cultural and social betterment or towards programs for the broader community benefit, such as Television production/broadcasting and media training, and provision of other media services to Roebourne, they were inevitably marginalized or hedged for being ‘Yindjibarndi’ in business relations with Rio and Woodside; they were discriminated against, not for reasons bearing on the validity, value or quality of their work, but because their involvement did not serve the corporate aims of Rio and Woodside. Corporate attention to Indigenous organisations, we should conclude, is regulated according to their facilitation, or aggravation of corporate agendas.
Awkward Dilemmas, High Stakes

The *Pluto Heritage Video* also turned a mirror on Juluwarlu’s own motivation for undertaking corporate commissions. Irrespective of the Indigenous perspective Juluwarlu wished to bring to this work (which was spurned in any case), or the subsidy it brought to core cultural business, Juluwarlu could not escape responsibility for the product they made or the scrutiny and criticism of the broader Indigenous community. They could not retreat, as TV Perth, Elephant Productions and corporate liaison personnel could, to remote offices in the capital after the job was done.

In working with Pluto, for example, Juluwarlu faced the real danger of being implicated in the continuing erosion of heritage values on the Burrup, of ‘black washing’ Pluto’s corporate image while they pursued their objective of siting another LNG facility on the Peninsula. Indeed, perhaps it was this feature that had encouraged Pluto to commission Juluwarlu? Juluwarlu’s production of *Drill & Blast* ran similar risks (of being interpreted as Indigenous backing for Rio), particularly when the contextualisation of its *Ngaarda Intro* was removed. Juluwarlu thus risked confounding, or damaging their credibility in other fields of their operations, be they cultural heritage recording, project management, cultural consultancy, television broadcast, or heritage management for Yindjibarndi.

This recalls the ‘Faustian’ quandary the Ngarluma Yindjibarndi Foundation confronted when negotiating the ‘new deal’ and *Indigenous Participation Plan* with Woodside, in which they were compelled to weigh damage to cultural history by the Pluto development, against benefits for the Village negotiated on the back of this destruction.

Summary Corporate Liaisons

The experience of working with Juluwarlu presented Pluto/Woodside and Rio with a ‘real world’ opportunity to test their rhetoric of ‘community participation’ and ‘enduring relationships’ and divert from their stock routines of corporate media production. They were given opportunities to consider more seriously what mutually beneficial relationships and responsibilities entailed when working with a complex community, to understand that respect and trust were primary and required means more sophisticated than barter between vested interests. These possibilities, we should conclude, largely dispersed in the melee of corporate agendas, those of their professional consultants and commercial suppliers like TV Perth and Elephant...
Productions, and of Indigenous bodies like Murujuga Aboriginal Corporation and the CNC, and Juluwarlu itself of course.

In regard to the production of commissioned corporate video, hindsight shows it to have been a passing phase in Juluwarlu’s development, which while useful as an experience, did not consolidate into a routine part of its operations. Indeed, the interaction with Rio Tinto and Woodside on these productions revealed such irresolvable tensions between their aims and those of Juluwarlu, that Juluwarlu was dissuaded from seriously pursuing this kind of work and became more discerning about future commissions and partnerships. By the same token, Juluwarlu were not offered any further commissions of this sort by either Woodside/Pluto or Rio Tinto, suggesting that the experiment was just as unsatisfactory for them. Subsequently Juluwarlu returned their effort more wholly to cultural recording, renewed plans for television broadcasting, and applied their expertise to the management of Yindjibarndi cultural interests bound up in Native Title and heritage dealings – and to this end adjusted their strategies in regard to revenue-raising to better serve this core business.

At the outset of negotiations with Woodside and its most senior executives, Voelte and Della Martina, just as in the upswings of the Hart-led Rio campaign for access to Aboriginal land, and in taking on corporate fee-for-service work, both Woodley and Juluwarlu proceeded with an optimism for what might be achieved in working with an apparently more constructive culture in these corporations. However we should conclude that the core business of mining and gas companies, when it came to engagement with traditional owners, centred on gaining access to land for their developments, and the relations they fostered with Indigenous people primarily served this interest. While corporations employed ‘good neighbour’ relations or ‘corporate cultural shift’ in their approach to engagement with Indigenous people, and repopulated their Indigenous affairs departments with less oppositional personnel skilled in the vocabulary of ‘consultation’ and ‘community partnership’, this rhetoric was wanting if not duplicitous. It became increasingly clear that after the most pressing consents and agreements for corporate expansion phases were done, such attention inevitably abated.

We should also consider that while training and employment programs in resources companies, business with Indigenous contractors, and the compensation traded for
access to Indigenous land were also couched in the language of 'mutual benefit' and 'partnership', these exchanges more properly constituted practical commercial transaction. Skewed as they were in favour of resources corporations and the State, agreements for land access did not, in fact, demonstrate the good purposes of a neighbour, but embodied terms contrary to 'mutual benefit' and 'partnership' that fell sorely short of terms settled with common prospectors for example. Consider that Rio Tinto continue to pay Hancock and Wright a 2.5% royalty on iron from tenements contracted in the early 1960s, while the best contemporary royalty agreement with traditional owners in the Pilbara is half of one percent (0.5%). In the post-Native Title Australia of 2009, then, ancestral Indigenous connection to land is not equal to the common rights of a prospector who found and pegged a mineral deposit.

This should come as no surprise, perhaps, but it was a lesson hard-learned, because between the reality and its comprehension lay the immense and seductive field of corporate spin and politicking – 'myth and propaganda' that provoked hope until tested by time and the evidence of corporate action or inaction. At last, the incantation of "good neighbour policy", "relationship", "consultation", "mutual respect", "active partnership", "long term commitment", and "responsibility for community relationships" proved to be merely the appearance or performance of good corporate citizenship for the benefit of Australian media audiences and shareholders, rather than action – and this outward show left the most lasting impression.

(Note that there were strong currents of anger being stirred in traditional owner groups across the Pilbara by the aggressive expansion of mining, the methods of this expansion, and its consequence in the Pilbara. See Swine River in Addendum 20A for a potent expression of this by Palyku playwright David Milroy.)

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1 This echoes the similar outsourcing propensity in earlier eras, perhaps, such as when Governments empowered Christian missionaries to manage the 'Aboriginal problem'.
3 Priest: 2006, p45
4 This policy is described comprehensively in the context of the Argyle Diamond Mine in Doohan: 2006
5 Taylor: 2005
6 Diary 23/12/06
7 Diary 26/10/04
8 Ibid
9 Ibid
The Community Partnerships Program did not in fact get launched until 2006 with a per annum spend of $3 million; Diary 12/4/05


Joyce: 2006

Ibid

Diary 7/8/06

Rio Tinto web site: 26 April 2008; Diary 18/12/06

Rio Tinto web site: 26 April 2008; For example, in its 2003 Brochure the Foundation listed its Trustees as: The chairman, Mr Paul Wand, former Vice President Aboriginal Relations for Rio Tinto; three prominent members of the Aboriginal community - Dr Sandra Eades, Mr Mark Ella, and Professor Lowitja O’Donoghue; and four Rio Tinto trustees in Mr Leon Davis, Deputy Chairman, Rio Tinto; Mr Bruce Harvey, Chief Advisor Aboriginal and Community Relations based in Melbourne; Mr Bruce Larson, General Manager Group External Affairs, Western Australia; and Ms Pam Ruppin, Manager Aboriginal and Environmental Affairs for Pacific Coal. Rio Tinto Aboriginal Foundation Brochure 2003, www.aboriginalfund.riotinto.com/common/pdf/RTAFBrochure(2003).pdf

The Foundation’s Brochure was in fact quite candid about the aims of its benefaction: “We believe that a key to our competitiveness and future success is to build and maintain positive relationships with our stakeholders. One important group of stakeholders is the Aboriginal people of Australia, particularly those who live near our existing or proposed operations throughout Australia. In order for us to continue mining successfully or to gain access to new sites for exploration and possible development, it is important that we operate in a positive community environment and be accepted as a company with expertise and integrity. Good community relations provide a more certain basis for effective, uninterrupted business operation. Within the broad context of our approach to corporate citizenship the Rio Tinto Aboriginal Foundation plays an important role in our relations with Indigenous stakeholders” Rrio Tinto Aboriginal Foundation Brochure 2003

Lorraine Coppin recorded by the author, Capturing Community Stories Workshop, MDisc 10, Roebourne, August 2007

Rio Tinto web site > Our Programs: http://www.ciwa.riotinto.com/our-programs.aspx


See for example projects that received grants under Rio’s Pilbara Community Partnerships Program: Leaping Lizards: A program offered to primary schools promoting healthy eating and physical activity; David Wirrpanda Foundation: Mentoring programs for Aboriginal youth; Department of Sport and Recreation: Student practical placements; UWA Human Movement: Students working with local government to deliver recreation based school holiday programs; Early Learning Specialist Scholarship: Financial incentives for child care workers in Pannawonica, Tom Price and Karratha to undertake further childhood studies; Firebugs: A ‘learn to sail’ experience for high school students involving boat design, construction and sailing; Community bus: Assistance to deliver affordable inter-town transport; and Ashburton Aboriginal Corporation: Bio diesel production business. Rio Tinto Iron Ore 06 Pilbara Operations Sustainable Development Report, More Value With Less Impact, 2006, http://www.pilbaraion.com.au/sd/index.asp (This last grant to Ashburton Aboriginal Corporation for a Bio diesel production business is a rare exception.)

Priest: 2006

Rio Tinto Aboriginal Foundation Brochure 2003

Michael Woodley interviewed by the author, MDisc 2, Roebourne, September 2006

Phil Taylor: 2005

Juluwarlu Administration Manager and resident anthropologist Phil Davies summarized: “The findings highlight that of the 4759 Indigenous people in the Pilbara that are aged over 15 in 2006, 88% have no post-school education; 31.5% have less than Year 10 schooling; 58.8% are hospitalised each year; 42.8% have diabetes or a disability; 22% will be arrested; 6.5% will be in custody or under supervision; less than 50% of 15 year old males will reach the age of 65; 46% do not participate in the labour force (they are not looking for work and therefore are not included in the employment or unemployment statistics);
and of the 54% who participate in the workforce, approximately 40% are either on CDEP or unemployed; the majority of whom live in overcrowded, unhygienic conditions”. A Research Evaluation Report of: Taylor, J., and Scambary, B., (2005), Indigenous People and the Pilbara Mining Boom: A Baseline for Regional Participation, ANU E Press, Canberra, by Philip Davies; We could add that alcohol-related deaths accounted for around 10% of total deaths and 68% of hospital discharges; 78% of incomes were less than $500 per week; almost 50% ($40 million) of annual Centrelink payments were paid to Indigenous people who comprised some 20% of the total population in the region; the single largest occupation for Indigenous workers was cleaning. Priest: 2006, p40

I would argue that the single–mindedly econometric perspective imposed by Taylor/Scambary on the plight of their ‘study group’ created a crude and ‘disfigured’ picture of the community, and that such perspective, by definition, could not arrive at ‘humane’ conclusions (from the community’s perspective). This trend in reporting, perhaps, lay at the root of the historic failure of development of realistic and effective policy.

Diary 17/5/06; Bill Hart confirmed: “When we got the James [sic] Taylor Report it was a shock for Rio Tinto. The James Taylor Report said that on a range of different measures things in the Pilbara haven’t really improved, John Taylor, sorry. And one of the biggest things that stood out was the morbidity rate, and if he comes back and we get the same result in 10 years time then we’ve wasted our time”. Pilbara Iron CNC Consultation Meetings, Marnda Mia Disk 1 Vol 1, 14 June 2006

 Priest: 2006, p40

This strategic ‘go slow’ was likened by one consultant to Mao Tse-tung’s theory of ‘protracted war’ which held that while China represented a weaker force in the face of the Japanese, they had time on their side: “… having made an objective and comprehensive appraisal of all the circumstances concerning both the enemy and ourselves, we point out that the only way to final victory is the strategy of protracted war, and we reject the groundless theory of quick victory”. Tse-tung, Mao, On Protracted War, [Series of lectures from May 26 to June 3, 1938, at the Yenan Association for the Study of the War of Resistance Against Japan.] May 1938

http://www.tamilnation.org/armed_conflict/mao.htm

RIO TINTO, Social, Safety And Environment Report 2004, www.riotinto.com/documents/ReportsPublications/05_health__safety.pdf; Rio Tinto Iron Ore 06 Pilbara Operations Sustainable Development Report: 2006; Darren Injie, Director, Gumala Enterprises and Interim Chair of the Central Negotiating Committee described the initiative thus: “The CNC is committed to the future. We are helping you guys (RTIO) plan your future, we now want you to help us plan our future and how we are going to co-exist for the next 40 years”. Rio Tinto Iron Ore 06 Pilbara Operations Sustainable Development Report: 2006

Pilbara Iron CNC Consultation Meetings, Marnda Mia Disk 1 Vol 1, 14 June 2006

Ibid

Diary 4/9/06

Diary 10/2/07; Woodley began to doubt the ability of the CNC to clearly advocate for and represent the Ngaarda position even before the BIA negotiation process began when, at a meeting in Tom Price, his suggestion that they make a stand on a 2.5% royalty in agreements with miners – that is, on a par
with the agreement Rio Tinto had originally made with Hancock, Wright and Perron for exploitation of their tenements – was rejected by non-Indigenous PNTS advisors to the CNC group. (Diary, 12/6/09)

49 Cooperative Change advertised themselves as “advisors and catalysts in the change process,” and Gawler was promoted as someone who had “worked with Aboriginal communities across Australia” and was “able to engage with communities in a culturally sensitive and appropriate way”. Gawler had also been Chief Executive of the Australian National Training Authority and a member of the Worldskills and Higher Education and Training boards. She had also served as a Manager of Aboriginal Relations for Rio Tinto and also Executive Officer of the Rio Tinto Aboriginal Foundation. Cooperative Change web site: http://www.cooperativechange.com/people/staff/janina_gawler.html


53 CNC Meeting, Mini DV recording, Point Samson, September 2006

54 Diary 4/9/06; Professor Marcia Langton is Foundation Chair of the Australian Indigenous Studies Program at the University of Melbourne, and board member of Aboriginal Enterprises in Mining, Energy and Exploration; Ciaran O’Faircheallaigh is Professor and Head of the Department of Politics and Public Policy at Griffith University; Note that the professors were ultimately engaged in a consultancy that spanned more than 12 months to produce a report – Good Practice in Agreement Making. Upon presenting a draft of this report to the CNC, Rio Tinto and the PNTS on 16 November 2007, Professor Langton answered one traditional owner’s difficulty in understanding the report by pointing out that it was written for other experts and advisors and that she didn’t expect traditional owners to understand everything in it. Langton suggested that traditional owners should simply direct their lawyers and advisors to draw on the report when negotiating agreements on their behalf with mining companies.

55 CNC Meeting, Mini DV recording, Point Samson, September 2006

56 Diary 4/9/06

57 Diary 6/9/06

58 Diary 28/3/07; Note that by mid-2006 many traditional owner groups had already subscribed to the terms of a BIA with Rio.

59 Edmunds’ career in academe and research had most recently seen her work with the National Native Title Tribunal on matters relating to business in Western Australia, Queensland, and the Northern Territory, work that involved mediating between traditional owners and mining companies (amongst others). Edmunds had held the position of Director of Research at the Australian Institute of Aboriginal and Torres Strait Islander Studies (AIATSIS) and conducted sustained research onto questions “arising from the positioning of native title claimants within a legal and legislative process that objectifies ‘tradition’ while demanding the modification of that tradition to meet the demands of the dominant legal culture”. Edmunds had also served as Vice-President of the Australian Anthropological Society and been the co-initiator and founding member of the Research Reference Group of the National Native Title Tribunal. In the middle nineties she had run workshops about Indigenous relations and cultural diversity for Rio Tinto senior and middle management and throughout her career had produced a steady stream of journal articles, discussion papers, reports, and submissions with strong focus on Native Title and other issues concerning Indigenous Australians. Australian National University web site: http://www.anu.edu.au/culture/staff/edmunds_m.php

60 Edmunds: 1989a

61 Diary 14/5/09

62 Ibid

63 Diary 28/3/07

64 Ibid

65 Diary 2/5/07; In June 2007 The Australian reported: “Iron ore giant Rio Tinto is considering adding another 100 million tonnes capacity at its Pilbara iron ore operations, an increase of almost 50% on existing expansion plans, as it seeks to ensure its market share in a bull market./ Briefing analysts in Perth at the weekend, Rio iron ore chief Sam Walsh for the first time put a precise number on the group’s plans to expand beyond the targeted capacity of 220 million tonnes a year by 2009, with studies
under way on increasing capacity to 320 million tonnes”. Rio ponders 50pc Pilbara expansion, The
66 Email from James Fitzgerald to CNC, Subject: Draft Relationship Memorandum of Understanding with
YMBBMAC and PNTS, 29/8/07
67 Email from Michael Woodley to Frank Rijavec, 6 Sep 2007
68 Diary 23/12/06
69 At a Yindjibarndi Aboriginal Corporation meeting in December 2009, the resolve against cash
payments to members softened when the group decided that monies due from the settlement of the
Plan B Trust would be disbursed to individuals. This followed a two year period when the group’s
meagre reserves were assiduously expended on anthropological and legal work associated with
extending their Native Title claim; cultural publications at Juluwarlu; and challenging the actions of the
Fortescue Metals Group and Rio Tinto, and the decisions of the Western Australian Minister for
Aboriginal Affairs and the Native Title Tribunal. Amid the practice of regular membership disbursement
in groups surrounding them, the YAC executive adjudged that their elders were due some
remuneration for their restraint. Diary 8/12/09
70 Email from Michael Woodley to Frank Rijavec, 6 Sep 2007
71 Keith Lethbridge interviewed by the author, MDisc 5, Roebourne, September 2006
72 Ibid
73 Slim Parker interviewed in: ABC Television, Lateline, Rio Tinto finalises mining royalty redistribution plan,
74 Bill Hart in Lateline: 2008; Hart’s statement that negotiation had been in train for three years was
incorrect because negotiations bearing on the BIAs under his watch had begun with PNTS’ overture in
March 2006.
75 Pilbara Iron CNC Consultation Meetings, Marnda Mia Disk 1 Vol 1, 11-12 July 2006
76 Opening of the Roebourne Office, Marnda Mia CNC Pty. Ltd., 26 September 2007
77 Diary 12/5/09; Diary 2/2/10; It is sobering to be reminded just how far short of the lauded
expectations the CNC fell. In promoting the CNC concept to traditional owners, the PNTS, Rio Tinto
and sundry consultants flown in for CNC working party meetings, repeatedly extolled the power that
this group would have. PNTS lawyer, James Fitzgerald, offered: “The claim groups can now talk to Rio
Tinto through the CNC, but – Adrian if you just want to go to the next slide after that one – beyond
that, just to take up Bill’s (Hart) point, why couldn’t it be used for wider purposes? Native Title is not
the only issue in the world. Why wouldn’t you use it to, particularly at this time – you know one of the
things I think is just unbelievably good timing is that ATSIC is no longer. The Commonwealth
Government got rid of ATSIC, and they haven’t got a plan to replace it. They’ve got no plan. What you
are lined up to do if you want to do it, is to create a regional council in the Pilbara run by traditional
owners that has the say, it’s a potentially powerful opportunity”. (Pilbara Iron CNC Consultation Meetings,
Marnda Mia Disk 1 Vol 1, 14 June 2006.) Michael Gawler echoed: “The product this business has got to
sell is the ability to represent all of the working groups. And the people that want to buy that want to
buy it because it’s more efficient. Even if Rio has to stump up the cost of running the secretariat and
paying, to start with, the members of the board, it’s still more efficient for Rio and the Government to
buy representation by this body than it is for it to deal with the individuals”. His partner in the
consultancy Cooperative Change, Janina Gawler, encouraged traditional owners to think about how
they might use this power to ‘sell’ the CNC to government and corporations: “What’s the value-adv
that you provide by having a company, what ever the structure, which you’re setting up – what’s the
case you’re selling? To your claim groups, to the government, to Rio Tinto. So can I get some ideas from
you as to how you think, in putting forward this idea, of why the CNC company via an organisation that
is united in this way is going to be a better outcome. I think we’ve spent a lot of time saying why you
think it’s a better outcome for people, but why do you think it’s a better outcome if you’re gonna sell it
as a business proposition?” (Pilbara Iron CNC Consultation Meetings, Marnda Mia Disk 2 Vol 1, 19-21
September 2006.) It is poignant to understand the high aspirations traditional owner representatives
themselves developed for the CNC in the course of these meetings. Delegates variously hoped that the
CNC might “create our own destiny”; fill the vacuum left by the demise of Indigenous agencies like the
Aboriginal Affairs Planning Authority, NAC, and ATSIC; provide an opportunity for Aboriginal people
to try and change the direction of government policy that was forcing Indigenous service providers to put
services out to tender; constitute “a black government” with its directors playing the roles of ministers
with portfolios for health, education, etc.; enable traditional owners “to stand up for ourself and say
enough is enough”; and emulate the Cape York Institute for Policy and Leadership. (Marnda Mia Disk 1 Vol
1, Pilbara Iron CNC Consultation Meetings, 11-12 July 2006.) As of March 2010, the failure of this
proprietary limited company to deliver on the hopes and rhetoric uttered in its name, is a decisive confirmation of Woodley’s and the Yindjibarndi’s judgement.

78 Diary 17/6/06

79 These companies were members of the Pilbara Industries Community Council (PICC), which was formed to bring major corporate players together “to develop a shared vision for the Pilbara that would help boost the skills and employment of Indigenous Australians in particular”. Ripper, Eric, Deputy Premier; Treasurer; Minister for State Development, Press Release, Minister welcomes collaborative approach for Pilbara, 23/8/07, http://www.mediastatements.wa.gov.au/ArchivedStatements/Pages/CarpenterLaborGovernmentSearch.aspx?itemid=126767&minister=Ripper&admin=Carpenter (accessed 19/4/09)

80 Michael Woodley interviewed by the author, MDisc 5, Roebourne, September 2006

81 Michael Woodley interviewed by the author, MDisc 5, Roebourne, September 2006

82 Amongst other things, GIFT aimed to open lines of communication on issues relating to globalisation, the role of business in society, governance and ethics, and leadership development. Nair had for ten years been an advisor to the Prince of Wales Business Leaders Forum, advised the World Wildlife Fund in Asia, and was a director of the Jane Goodall Institute. His opinion and viewpoints received carriage on BBC World, and had appeared in print in the Financial Times, the South China Morning Post, The Economist, and Leading Perspectives, the magazine of Business Social Responsibility. Nair, Chandran Biography, www.brightsightgroup.com/printContent.asp?action=Biography&speakerID=20

83 Email from Chandran Nair to Michael Woodley, 30 June 2006

84 Diary 27/9/06 & Diary 30/9/06

85 George, Kate and Juluwarlu Aboriginal Corporation, Pilbara Young Leaders Program (PYLP) Proposal, 13 October 2006

86 George: 2006

87 Diary 20/11/06

88 George: 2006

89 Diary 10/2/07

90 Ibid

91 Ibid

92 Ibid

93 Ibid

94 Diary 20/2/07

95 Diary 10/2/07

96 Some time later, in mid-2007, when Juluwarlu was talking to Bill Hart about a guarantee from Rio for their proposal to develop a media precinct in the Victoria Hotel complex, Hart expressed regret in regard to the events that had befallen the PYLP. Diary 2/5/07

97 Woodside managed the North West Shelf Gas Venture for a syndicate that included BHPB, BP, Shell, Chevron and MIMI.

98 To view a comprehensive archive of studies and press reports about the heritage values of the Burrup Peninsula, plans for expansion of its industrial estate, and broader community mobilization against further destruction of sites, see the National Trust (WA) Archaeology and rock art in the Dampier Archipelago website at http://www.burrup.org.au/Resources_and_Links.html, or the Save Dampier Rock Art website at http://mc2.vicnet.net.au/home/dampier/web/index.html

99 Diary 14/12/05; Diary 18/1/06; This proposal to renovate the NYFL/Woodside Agreement followed on the successful bid in 2005 by the Western Australian State Government to renovate the State’s decades-old royalty agreements with Rio Tinto and BHP Billiton to better reflect the extraordinary expansion of these companies’ operations and escalation of ore prices; Diary 19/7/06; Diary 30/8/06; This ‘Indigenous Participation Plan’ was titled Working together with Ngaarda to seize and maximise the opportunities presented by the Pluto project to achieve sustainable change for the Roebourne region, was written by Kate George and Michael Woodley, and dated September 2006


101 Diary 28/8/06


http://content.enewsletteronline.com/11026/5348.html
Communication with Michael Woodley, 13/5/09; It turned out that in 2008 some Ngarluma did perform a smoking ceremony for Pluto, albeit at the displeasure of some other Ngarluma elders. Communication with Lorraine Coppin, 13/5/09

One of the world’s most significant rock art sites may soon be lost forever, Victoria Laurie, The Australian, October 31, 2006 http://www.theaustralian.news.com.au/story/0,20867,20672200-16947,00.html

Diary 1/11/06

A Woodside spokesman declared that equity was not a viable option because dividends would not flow to the community until 2020 – this, without a moment of shared consideration or consultation, or opportunity for research and interrogation by NYFL.

Diary 25/1/07

Woodside Energy’s Indigenous Community Policy, June 2005, p3

Trunkline, Woodside Energy Limited magazine, Q2 2006

Diary 28/8/06

In July 2006 as discussions with Woodside for a new deal for Roebourne were at their pitch, Russell Carey, who was of Woodley’s generation and his yalgu (brother in Birdarra Law), died of diabetes related illness complicated by the usual cocktail of alcohol, stress, appalling diet and so on. The gloom and personal distress that flowed from this death affected the mood Woodley took into negotiations with Voelte and Della Martino.

Diary 19/7/06

This troubled history, it should be recorded, joins with a broader sense of misfortune and mortal danger attached to the Burrup Peninsula by the people of Roebourne: knowledge of massacres of the Yaburara and their restless, wandering spirits was redoubled by the solemnity of the culture etched into the rocks, which reached back to the times of the Maarga creation spirits; in the late 1980s it was reported that Ned Snip had become separated from a fieldtrip to one of the Burrup islands and was led off by barri (mischievous, often harmful spirits), and later found in a state of derangement, never to regain his equilibrium; a Yindjibarndi elder complained that he had cooked and eaten portion of a kangaroo that David Daniel had shot on the Burrup and brought back to the Village, and then been assaulted by nightmares in which the old people of Murujuga rebuked him for eating the meat of their country – ‘Get meat from your own country!’ Over the years a number of deaths of those who regularly visited the Burrup were attributed to the angry spirits of Murujuga (Ngarluma elder Roger Solomon, archaeologist Pat Vinnicombe, Ngarluma elder David Daniel, heritage consultant Steve Zarbo, anthropologist Ron Parker).

Diary 10/11/06


Priest: 2006, p45

Late Night Live, Is it time to scrap the CDEP? Philip Adams interviews Marcia Langton, Chair of the Australian Indigenous Studies Program at Melbourne University, and Jon Altman, Director of the Centre for Aboriginal Economic Policy Research at the Australian National University, 14 August 2008


Priest: 2006, p45

Taylor: 2005, p151-152

Lateline, Noel Pearson interviewed by Tony Jones, ABC Television, Broadcast: 04/08/2008

Priest: 2006, p42

ABC Radio National, Late Night Live, Is it time to scrap the CDEP? 14 August 2008

Michael Woodley interviewed by Gerd Samland, MDisc 8, Roebourne, August 2005

Diary 11 April 2008
Millstream Link Project Update, Issue 2 November 2006, http://www.millstreamlink.com.au/Publications/default.aspx; Phil Davies commented that this article was a classic demonstration of how Indigenous identity and what was good for Indigenous people was manifested as a propaganda by the mainstream, corporate establishment, in their own image. Diary 15/5/09

The importance of Warrie’s leadership was noted by Carol Lockyer: “There’s a few young people here today I think could take on some of the roles and talk, you know, like what the elders done. If you went to Cheeditha and you talked to a person like Stanley Warrie, I am sure he wants to follow in his father’s footsteps and talk about what he wants to see happen now, because he’s off the drink now and he wants to get Cheeditha off the ground, cut back on the drink there and tidy the place up”. Carol Lockyer interviewed by the author MDisc 1, Roebourne, September 2006

Diary 28/8/06

Michael Woodley interviewed by the author, MDisc 6, Roebourne, September 2006

Tyson Mowarin interviewed by the author, MDisc 7, Roebourne, September 2006

Ibid


Late Night Live, Is it time to scrap the CDEP? 14 August 2008

Taylor: 2005, p48; Diary 1/1/06

Diary 30/8/06

Davies: 2007, p68

Michael Woodley quoted in Davies: 2007, p67

Davies: 2007, p67

Ibid, p26 & 30

Diary 4/9/06 CNC Meeting, Point Samson


Ibid

Dr. Jan Teagle Kapetas, Juluwarlu Manger Creative Productions & Publications (former Community Development Manager at the Shire of Roebourne), personal communication to the author, 4 May 2009

Michael Woodley interviewed by the author MDisc 2, Roebourne September 2006

Ibid

Diary 4/9/06 CNC Meeting, Point Samson

Six months later, in a presentation by the CNC to Indigenous Working Parties, and apropos of the Pilbara Youth Leadership Scheme which was now on the CNC agenda, CNC chairman, Slim Parker, made an extended speech on the theme of the brain drain: “This is what we’ve said to Rio Tinto – Rio Tinto, you come along and you take away the best people and you employ them in Rio Tinto. You take them out of the community and you employ them to run projects within the company. And we’ve said loud, you’re taking everything out of the community, you’re taking the best people out. We want to stop that. We want to train young people up to become the leaders for the future. And we’ve been saying to Rio Tinto, you put the funding into the people that are working in the community. People that work in the community in the organisations. Rio can fund those positions to let them stay employed within the community, within the organisations, and doing what they are doing now. Because when you take them out, you are taking the good people that are doing the work in the community. And what happens is the community suffers, people suffer, we all suffer because the good people all go and work inside the companies, and we’ve seen that. So we’re saying, Rio Tinto, you leave those people there and you fund those positions within the community. A lot of people don’t want to leave the community. They want to stay there and work and build up the community to do all that for people – community and business development, and wanting to help your individual groups to get involved in business and economic development and talk to government about government services in regard to housing, education, health, whatever that is. And we call that cultural vitality [sic] – the community concept of working within the community. So it’s all about helping ourselves.” Presentation to the Working Parties, Marnda Mia CNC Pty. Ltd. Unedited Presentation, Karratha, DVD, 2 March 2007

Diary 4/9/06 CNC Meeting, Point Samson

Ibid
Hart continued to prosecute Rio’s interests in retaining Indigenous employees in their workforce by offering that Rio could look at making conditions of employment at Rio more flexible (following recommendations of the Taylor/Scambary Report) so that Indigenous workers who could not meet the relentless rigour of shifts could maintain their employment in any case. He also argued that the benefits of company apprenticeships and work-ready courses endowed Indigenous youth with skills they could take back to their communities such as C Class driver training. Diary 4/9/06 CNC Meeting, Point Samson

Tyson Mowarin interviewed by Rebecca Woodhead, MDisc 9, Roebourne, November 2, 2005

Taylor: 2005, p152

Taylor: 2005, Interview segment 59, p153

Michael Woodley interviewed by the author MDisc 1, Roebourne September 2006


Daley: 1992, p27

Economic success alone, we might consider, holds at its heart an empty promise. What is its value when you cannot possess and enjoy your culture, your country and your Law?


In regard to the provision of employment schemes or job-ready programs per se, the question must be asked – can such programs, targeted at individuals who match profiles best suited to mainstream employment and training, and jobs that remove successful candidates from their communities to where the work is, achieve anything for the collective well being of their home communities? Or do they simply deliver the chosen ones to the ‘consensus’, the ‘universal remedy’ of mainstream culture and economy?

At the higher level they included a former Roebourne Shire President, a Pilbara TAFE Executive Officer, an Australian Institute of Aboriginal & Torres Strait Islander Studies researcher, a Mawarnkarra Aboriginal Medical Service program manager, a Roebourne CDEP manager, and the Pilbara Aboriginal Language Centre manager.

Langton forcefully argued that what was needed to bring the Aboriginal need for employment on one hand, and the miners’ need for labour on the other together, was to “overhaul our whole approach to Aboriginal participation in the economy,” and “a fully blown approach to education and training”. She charged that Aboriginal people were being held back from this union “by an industry of rent seekers” and “failed policies”. She cited the CDEP as being part of this “industry of rent seekers”. Following this argument, the question left begging was whether Land Councils and traditional owners who extracted “rent” or compensation funds from their heritage and Native Title rights, were also a part of this “industry of rent seekers?” *Late Night Live*: 2008

Lateline, Noel Pearson interviewed by Tony Jones, ABC Television, Broadcast: 04/08/2008; In support of Forrest, Pearson was compelled to extol his good character: “You know, Forrest’s difference with all of the other players in the big end of town with whom he interacts, Forrest’s difference is that he hangs out with black fellas and he’s hung out with black fellas in the Pilbara for all of his life. He has a generational relationship with Aboriginal people in that part of the world. I only met him for the first time 3 days ago, but he’s like any other white fella from a cattle property in Cape York Peninsula. He’s the kind of character that Aboriginal people from out in the sticks well know. Now, to have somebody with that kind of familiarity and good disposition to Aboriginal people batting for you in Sydney and Melbourne and in the heart of commerce in Australia, that’s a big thing”. (Lateline, Noel Pearson interviewed by Tony Jones: 2008)

In August 2005 David Stock and a splinter faction of the Nyiyaparli people had unilaterally signed off on an agreement covering 40,000 square kilometres of the Chichester Ranges with FMG that provided a meagre royalty, a payment of $400,000 cash, a commitment to “maximise vocational, educational,
training and employment opportunities,” and for preferred contractors status for Aborigines. This deal, it was reported, had been sealed by an immediate payment of $80,000 to Stock and fellow negotiator Gordon Yuline – monies that their community administrator Ross Norling said was used to buy Land Cruisers: “These fellas needed a car to get around in. It was in recognition for all the work they do”. Of greater concern was that the deal was “signed without legal representation and without prior consultation with the broader Nyiyaparli claimant group,” and so was duly disavowed by a meeting of Nyiyaparli two weeks later. Stock and the other signatories of this deal later told their PNTS legal representatives that they “did not understand critical terms and had signed the August agreement under duress”. A press report the day after the signing quoted Stock: “I didn’t know what was going on. I feel like they made me sign; they kept calling me ‘uncle’ … I’ve done a silly thing”. Priest: 2006, p43; Australasian Business Intelligence, August, 2005

176 Priest: 2006, p44

177 Denouncing Forrest’s modus, a spokesman for the mining company that had inherited the legacy of Forrest’s dealings said: “There was an awful lot of cash passed around to have groups sign off. We have got no way of being able to prove it but we do know that it caused significant disruption in the Goldfields and made reaching agreements with groups all the more difficult”. Plaintiffs were equally critical of Forrest’s modus, claiming he “went out of his way to woo individual claim groups, including attending their church, learning their hymns and visiting people at home and in hospital”. Priest: 2006, p44

178 Letter from FMG to Yindjibarndi people, 15 January 2008. This letter cautioned: “I would suggest you obtain urgent legal advice as to where this places Yindjibarndi people in terms of legal liability should our project be delayed.” Diary 10/2/08; Letter from FMG to YAC 29/2/08

179 Big miners sue State over listing of harbour, The West Australian, 12th November 2008


181 Diary 9/3/10 & 1/4/10


183 Forrest’s philanthropic work was canvassed again on national radio when he appeared on Australia All Over promoting the work of one of his Trusts in assessing the needs of victims of the catastrophic Victorian bushfires. He stressed that it was essential to meet needs as communities themselves expressed them. Australia All Over, Andrew Forrest interviewed, ABC Radio, 15 February 2009

184 In regard to the so-called “mandate to shape policy and direction” that Noel Pearson, Marcia Langton, and Warren Mundine had assumed during and since the Howard years, Professor John Maynard has argued that they in fact had “no grassroots mandate or support”, but instead were “selected” by media and government “to speak on all-encompassing Aboriginal issues”. Maynard observed that in recent decades “we have witnessed the slow but steady decline of the street-connected movement”. “It could be argued”, he concluded “that that we have been seduced by power and bought off”. Maynard has argued that selected by media and government “to speak on all issues in the Australian media”, Oxford University Press, 2000, p105

185 Diary 17/10/06

186 Hartley: 2000 p44

187 Diary 17/10/06

188 Charlie Smith, Executive Officer for the IBN Corporation Pty Ltd, expressed his frustration at the rubbery language and lack of action issuing from mining companies to Rio’s Bill Hart: “I want the company will do this, will do that. Forget about the ifs and maybes, because it never happens – in theory [perhaps] – but in practice it never works. So forget about that. I’m putting the company on notice that – forget about using those terms, and let’s talk about you will do this. And we will do certain things as well. It’s about making it happen, not suggesting that somewhere down the track we may think about doing it, because that’s happened – we’ve got that in our past agreements but it doesn’t work. Pilbara Iron CNC Consultation Meetings, Marnda Mia Disk 1 Vol 1, 14 June 2006


190 Diary 27/01/09

191 Diary 19/2/07
Woodley explained: “If it’s Drill & Blast, of course it’s ‘drill’ and ‘blast’, but also from a Ngaarda point of view its blasting up our country, it’s digging up our country and its selling it off overseas […] the majority of the work force that drives trucks for a living 24/7 or whatever – they don’t know about this”. Michael Woodley interviewed by the author MDisc 2, Roebourne September 2006

In an echo of this disjunction between corporate departments, Ngaarda Civil & Mining director Barry Taylor observed: “We still have middle management who don’t understand or support the policies from the top. If the chief executive of BHP says ‘this is what has to be done’ it still takes a while to filter down”. Priest: 2006, p45

Juluwarlu continued to accept occasional commissions from other organisations like the Department of Water, however, who commissioned Juluwarlu to produce a video about river care and weed infestation in 2009.

To take another example – Woodside Energy’s plans to build a liquified natural gas plant on Kimberley’s wilderness coastline – their efforts to engage local Indigenous groups was termed ‘friending up’. (Diary 18/12/05; and ABC News On Line, Land council questions Woodside gas plant push, 9 February 2007) Reports from Broome (via Goolarri Media) confirmed that Woodside was trying to win support for their project by ‘friending up’ handpicked individuals from amongst traditional owners. To this end Woodside had engaged the Liniari Foundation, an Indigenous consultancy whose principals included Pat Dodson and Peter Yu, to broker discussions with Kimberley Traditional owners.

Keith Lethbridge was sceptical about the motivations of the resource corporations or their ability to come to terms with what the communities in their shadow needed, and warned: “I deal with them, they are only in it for the buck. Trying to convince them for years about the community issues we have, about the real programs that need to be funded to get our workers back out of the company into our communities - not just rehabilitating our mines but rehabilitating our communities! This will never happen because they’re in it for the buck and everything else is second graded”. Keith Lethbridge interviewed by the author, MDisc 5, Roebourne, September 2006
SHIFTING THE GOAL POSTS

8.1 Juluwarlu’s ‘Bringing Them Home Campaign’

Media and communications, arts and education, and the whole gamut of ‘hearth & hob’, culture-based industries and services are taken as granted in the mainstream and are routinely facilitated by public funds. In their particularly endemic, Indigenous aspect, manifold forms of cultural production are more important than ever for Aboriginal minorities living under the panoply of dominant culture. To this end, Juluwarlu maintained that jobs-creation and training in the resources industry was not enough (see Brain Drain in Chapter 7), and that assistance from the private sector or government, if it genuinely sought to enhance the social integrity and wellbeing of communities like Roebourne, should more seriously account for uniquely local abilities and knowledge that sustained cultural/social life. Woodley observed:

So many times in the past we been driven down the industry path of employment and training – how ‘they’ want to form Aboriginal people so we end up ‘looking like’ and ‘being’ and ‘doing’ their core business. Whereas our community is suffering and we need to put back training and employment and those types of opportunities into the community, and hopefully get people trained up in health and education, media, television, language.

As noted in Training (Chapter 5.6), Juluwarlu took initiative by responding to this deficit by establishing an in-house training program. A crucial action in enabling this was, in the first instance, convincing Woodside to support Juluwarlu’s inaugural media trainees through the WY Program, and then to remove administration and oversight of these trainees from the auspice of Apprenticeships WA to Juluwarlu, and finally to shift responsibility for the whole WY Program from Woodside to NYFL. Of course, the fruits of these corrections – the cultural and social media work undertaken by trainees – reached beyond the trainees and Juluwarlu to the broader community. The process of turning the WY Training Program to Juluwarlu’s purpose, and all at once to the service of other community organisations, bears closer examination – particularly for highlighting the role of advocacy in redirecting the Program and amending the status quo.
These changes to the *WY Program* represented a significant shift in approach, for originally this *Program* (like that of Rio Tinto’s Aboriginal Training & Liaison unit) was geared to training Indigenous people for employment in Woodside’s operations in the first instance, and then other mainstream resources industries. The *WY Job Ready* program, for example, enrolled participants in Certificate I in Engineering and a number of Worksafe tickets (Dogging, Rigging, Forklift, Scaffolding, Basic Numeracy, Occupational Health & Safety, etc.), that aimed to give participants “a head start in finding employment with Woodside and its contractors in the region”. And indeed, it was noted that “many participants achieved work outcomes associated with the Burrup expansion” in the Program’s early years.3

Juluwarlu opened discussions with Woodside in March of 2004 regarding amendment of the *WY Program* to the support of Indigenous community organisations that wanted to build their own human resource bases, and Woodside eventually agreed to accommodate this aim.4 Late in 2004, Juluwarlu obtained support from this Program for a comprehensive staff development and training initiative that would in turn boost Juluwarlu’s cultural recording and maintenance projects.5 Woodside originally proposed that training arrangements for the Juluwarlu trainees should also involve a cluster of other institutional partners – CALM, the Waters & Rivers Commission and Apprenticeships Western Australia.6 After several meetings of these organisations that threatened more red tape than facility, Juluwarlu and Woodside opted for a simpler arrangement just between themselves that funded two media trainees (later extended to three) to commence in 2005 and be certificated through Goolarri Media in Broome.7 The new terms of the WY program were all at once available to other Roebourne organisations including NYFL and CDEP who also acquired trainees through this Program for the first time.

The agreement between Juluwarlu and Woodside was predicated, at Woodside’s insistence, on the third party involvement of Apprenticeships Western Australia (AWA) as the auspice/oversight/payroll agency – with significant management fees being paid to AWA. AWA’s responsibilities were also to include mentorship and monitoring of trainees, and review of their progress. Upon reflection Juluwarlu decided that this oversight by a third party was unnecessary and highly undesirable in that it usurped Juluwarlu’s responsibility for providing this mentorship and for administrating
its own training program. In early February 2005 Juluwarlu wrote to Woodside setting out its case for taking full responsibility of both training delivery and administration, and by mid-February Juluwarlu obtained agreement from Woodside that these functions and the management dividend would revert wholly to Juluwarlu.\(^8\)

This sea change in approach by Woodside, brought about as it was by constructive engagement with Juluwarlu, took a step further in 2006 when, under the leadership of Woodley, and after some two years of discussion, the Ngarluma Yindjibarndi Foundation persuaded Woodside to hand over the whole WY Program to NYFL.\(^9\)

**The Final Bridge**

It might be recalled that Woodside reneged on its commitment for this handover when the NYFL AGM of 2005 broke up in conflict (see Chapter 6). The immediate upshot was the unilateral decision by Woodside’s Jack Harman to suspend the arrangement. Reportedly, the NYFL AGM dispute had caused Woodside to doubt NYFL’s organisational stability. As convener of the NYFL Board Woodley challenged Harman for the arbitrary and high-handed nature of his decision, which had struck dead a process that had been in train for months, and for not discussing with NYFL either reasons or other options. Woodley was particularly troubled by the fact that the executive whim of one man could at a stroke have such radical effect in the community. When confronted with the implications of his decision, Harman reversed it on the spot and committed to follow through with the handover.\(^10\)

NYFL in turn put management of the Program out to competitive tender and this was duly awarded to Juluwarlu Aboriginal Corporation. The WY vision was now rewritten by Juluwarlu to reflect the Program’s new aim: “to support Ngaardangarli in strengthening identity, independence and community through personal development and economic empowerment [...] through creating and sustaining individual needs-based pathways to employment within local communities [...] while supporting organisations wishing to build local capability”.\(^11\) This management contract came with a budget of $450,000 per annum, $300,000 for the training programs and support of trainees and $150,000 for the coordinator’s employment package and Juluwarlu’s overheads. The fees due to Juluwarlu for management of this Program made a very important contribution to its running costs and ability to cross subsidize core cultural business.\(^12\) In a radio interview marking the transfer of the Program to NYFL, General
manager of Community Relations for Woodside Energy, Meath Hammond, described the achievement:

One of the things that we’ve found over the last couple of years as we’ve increased our efforts in employing Indigenous people in our business, is that some talented people are leaving Aboriginal communities and we often hear from those communities the frustration of the fact that their good people seem to be leaving and that’s adding further to disadvantage in those communities. So what we’ve done we’ve sat down with the community and we’ve come up with a program of rebuilding skills in those communities [...] its really about filling, I guess, the brain drain in the Aboriginal community that’s being caused by the boom and the Aboriginal people leaving those communities and those community positions to take up industry jobs.¹³

Offering deeper insight into Woodside’s rationalization of this reorientation of the Program, Hammond elaborated that it was “just one piece of a broader program of trying to get people from long-term unemployment into jobs”. This would result, he said, in “a more vibrant Aboriginal community; more people in work; young Aboriginal people seeing mum and dad and grandma and grandpa going off to work every day,” thereby making work “part of everyone’s life”. Such benefits, he explained, would ultimately flow to Woodside as one of the largest employers in that area.

By April 2006 there were a dozen trainees in the rehabilitated WY Program in a variety of jobs including horticulture, aged and child care, health and media work.¹⁴ In its review of the Program in late 2008 Juluwarlu could report that it had achieved a better success rate than Woodside in assisting trainees into fulltime employment. One of the beneficiaries, Tyson Mowarin commented, “I live and work in my hometown and not many people can do that and be satisfied in what they’re doing [...] you know, we don’t have to go and work for the big mining company and be taken away from our community and not have enough time for our people and our families because of the work hours of other types of work”.¹⁵ Of Tyson’s progress, Woodley observed: “Its telling us that we can do it if we’re given the opportunity and the resources and the support to do it”.¹⁶
The Department of Water Shifts

In November 2007, Juluwarlu advanced this course of directing corporate/State resources to employment and training under its own roof, when it concluded an agreement with the Department of Water (DOW) for Warrick Sambo to be employed at Juluwarlu as a heritage, mapping and waterways protection officer for Yindjibarndi country. Sambo accepted this position ahead of a much more lucrative job offer from the Millstream Link road construction project. Crucially, the terms of this agreement with DOW provided that while the trainee received part of his training with them, and Sambo’s work would contribute to waterways protection and information sharing about the country in question, the trainee would be based at, and came under the management of Juluwarlu.

It should be restated that the fundamental merit of this approach was that support by Woodside and DOW was no longer conditional on trainees donning ‘company colours’, or as Woodley put it, being “the face of the Department of Conservation or the face of Rio Tinto or Woodside”. Now they would be the face of Juluwarlu or whichever Indigenous organisation hosted their training. It should be marked that Rio Tinto was again ‘missing in action’ in regard to this reforming trend (as were Fortescue Metals Group, the Department of Environment and Conservation and a host of other companies and government departments in the region).

Coda - Subsidence to the Status Quo

While hopes for a more general shift in the attitudes and policies of resource companies were raised from time to time, the prevalence of the ‘jobs in the mines’ approach prevailed. In late 2007, in a curious reversal, Meath Hammond offered that the petroleum sector should look to the miners (i.e. Rio Tinto and BHP Billiton) for direction regarding Indigenous employment: "Over the last decade, the minerals sector has been showing us how to engage these people in their workforce," he said. "It's time for oil and gas players to say, 'Let's work together on this''." Petroleum News reported that within a year the number of Indigenous employees at Woodside had risen from two to eighty-eight, a statistic that prompted Hammond to say: "You're looking at trying to turn around a situation where there are often 20 people living together in the same house and a 15-year-old kid has just a 50% chance of making it to retirement alive". The ‘two to eighty-eight’ increase of Indigenous employees at
Woodside did not represent a “turn around” in the Roebourne Village for the simple fact that just one came from the Village.

Hammond’s call for resources companies to “work together on this” translated into a combined lobby by Woodside, Chevron, Rio Tinto, and BHP Billiton to the Federal Government for amelioration of their skills shortages. Their petition was rewarded by a Federal promise of $23 million for establishment of The Pilbara Australian Technical College in December 2006. Petroleum News reported, “The College aims to groom teenagers, especially Indigenous youth, for resources sector careers”. Former Western Australian Governor Lieutenant General John Sanderson, now the special adviser for Indigenous affairs to the Western Australian Government, offered, "It's a no-brainer that a technical college in the Pilbara needed a strong Indigenous focus […] Given the right training and support, they make fantastic tradespeople. In time, we're going to see more and more Aboriginal faces in the process plant operations and other hands-on roles". 21 This was business as usual with all the inherent problems pointed out in the Taylor/Scambary Report and Brain Drain – problems Hammond acknowledged when he warned, "You can’t go in there and cherry-pick the best people without thinking about the consequences this brain drain is going to have on the communities". 22 The Pilbara Australian Technical College did not fulfil Sanderson’s belief that "in 12 months to two years time, it's going to be a very different picture from today". 23

Summary
In an inversion of Tony Abbot’s wisdom that “Boosting Aboriginal employment means persuading Aboriginal people to leave what’s sometimes the comfort zone of working with Indigenous organisations”, Juluwarlu strived to create work that was not alienated from Ngaarda society. 24 Woodley observed: “Juluwarlu and the community projects that’s happening here now, it allows Aboriginal people to work within the comfort of Ngaardangarli, they’re working with Aboriginal people, they’re doing the things that we ‘can’ do, we ‘want’ to do”. 25 Both Woodley and Coppin held that the production of well functioning, healthy communities would finally attain an equal value as that placed on resource extraction and wealth-getting, when Indigenous people could choose meaningful work that served their community, under conditions of reasonable job security, personnel development, mentorship, housing and wages. 26
Despite the uncomprehending or vacillating corporate/government response to community priorities on training and employment, Juluwarlu did more than survive the status quo – they were activist in seeking to vary terms of business and they ultimately succeeded in leveraging enough support to boost their development, and all importantly, to advance their undertaking to maintain and reproduce their traditional culture. This quality of ‘activism’ or sanguine engagement with ‘establishment’ organisations and individuals exemplified Juluwarlu’s modus – a quality that essentially took its impetus from the character of Woodley and Coppin’s leadership.

8.2 Salvaging Native Title
Notwithstanding the adverse effects of Native Title in the community and the intrinsic insufficiency of the Native Title Act in ensuring Indigenous rights (see The Blighted Promise of Native Title in Addendum 21A), Juluwarlu necessarily searched for advantage within it. For example, opportunities for fee-for-service work from corporations, albeit a mixed blessing, followed on the politics attending Native Title, heritage and land access. Other opportunities were also to be extruded from the Native Title right to negotiate in ‘good faith’. Here I will offer further evidence of Juluwarlu’s change agency and examine the steps Juluwarlu took to return decision-making to local Indigenous people by applying its organisational capacity, and its cultural recording and media production resources to the economic and cultural ambitions of the Yindjibarndi traditional owner group, particularly in the field of Native Title management and the conduct of heritage surveys ahead of mining or capital works.

The Ngarluma Yindjibarndi Native Title Claim was ratified in 2005 and amended by appeal in 2007. The NTA directed that successful claimants should form a Prescribed Body Corporate (PBC) to manage their dealings with the State, miners, etc., and the Yindjibarndi Aboriginal Corporation became the PBC responsible for managing Yindjibarndi Native Title interests. (See Ngarluma Yindjibarndi Native Title Determination Map in Addendum 6D.)

It should be remembered that agreements made between Native Title claimants and developers effectively signed away Native Title rights for the lifetime of any particular mining operation – they could not be readily negotiated again – and would be binding on future generations. The 2.5% royalty agreement Hancock, Wright and Perron had struck for their Hamersley tenements with Rio Tinto, for example, was still delivering
a dividend half a century after signing. Similarly, the 0.5% royalty Agreement the CNC traditional owner groups had struck with Rio Tinto would bind their decedents. The substance of such agreements, then, was critical – for better or worse.

While neighbouring traditional owner groups had been thrust into the fray early and were inevitably at a disadvantage in the legalistic, administrative and strategic processes of agreement making with resource companies, for several years Yindjibarndi were afforded the advantage of learning from others’ mistakes. Yindjibarndi had come late to serious ILUA and Heritage Agreement negotiations with miners, chiefly because miners had come late to developing deposits in Yindjibarndi country (although Yindjibarndi were partners with other groups in the marginal and often fraught NYFL, West Angelas and Burrup State Agreement deals).

In March 2006 the Yindjibarndi Aboriginal Corporation took the first step in bringing the resources of Juluwarlu to the purpose of the broader Yindjibarndi traditional owner group, when they voted to contract Juluwarlu as managers of cultural heritage clearance work that routinely preceded any development work (roads, railways, construction camps, borrow pits, mines, etc.) in Yindjibarndi country. Until this point, this work had been mediated and managed by the Pilbara Native Title Service (PNTS) and their consultants.27

At this time, it should be recognized, the organisational and governance structure of YAC was emergent and certainly did not have the financial reserves of other such Indigenous groups in the Pilbara who had concluded ILUA compensation deals with Rio or BHP. On the other hand, Juluwarlu had already built resourceful and resilient administrative and managerial capacity, developed specialized skills, leadership and cultural heritage knowledge – and this, without the benefit of any large compensation agreements with miners. So when the opportunity to play a demonstrative part in the Native Title business of their people arrived, Juluwarlu was prepared.

While this union between YAC and Juluwarlu promised to be of advantage to the Yindjibarndi, it was nevertheless an arrangement that needed to be contested with interests both external and internal to the group that did not want this arrangement to go ahead. The primary external opposition came from the region’s Native Title Representative Body (NTRB), the PNTS.
Breaking Free of PNTS

Aside from the intrinsically jaundiced character of the Act they were bound by (NTA), many factors militated against the ability of NTRBs like the PNTS to effectively represent their collections of traditional owner groups (a dozen-plus in the Pilbara for the PNTS) in negotiations about land access and heritage matters with developers. These were: the immense volume of its work and the stress this placed on its staff; continuing pressure, not only from Indigenous clients, but from governments and mining developers eager to expedite mining; and the conflict of interest that arose from their financial reliance on developers and government.

With specific reference to PNTS’ role in signing up traditional owner groups to BIAs with Rio Tinto, Banyjima elder, Slim Parker, expressed doubt about whose interests PNTS really served:

This is PNTS’ process. They swear by God that is the only process that business can be conducted under [...] this particular process we are talking about, it’s to accommodate Rio Tinto. Rio Tinto’s needs. It’s not our needs. We don’t have to be here because Rio Tinto want to mine in our countries [...] look, every one of these people up here [indicating Rio and PNTS representatives at a meeting of the CNC], they’ve got all that tied up between themselves in regards to what that means to themselves, in regards to their participation here. What have we sorted out. What have we sorted out for ourselves? 28

Parker made the point that PNTS was funded by the Commonwealth Government and that “it accommodates Rio Tinto all the bloody time”. He lamented that PNTS had not shown any interest in trying to facilitate meetings that focussed particularly on traditional owner’s interests: “Why? Because it’s too hard. It’s too hard because it’s our business you know. It’s too hard for them. They can’t accommodate for us. Why they can’t accommodate for us? I don’t know why. Because we’re not Rio Tinto. That’s why. We’re not Rio Tinto”. 29

Woodley agreed: “It comes back to big brother government. Government funds PNTS to do a service for government, mining companies – they call it ‘Native Title’,
‘protection of Ngaardangarli’. It’s not that, it’s clearing up the issues so mining companies can have free range of mining, and government get their 10%”.

This problem was described in its endemic proportion by former Native Title Representative Body lawyer, David Ritter, who pointed out that the NTRBs dependency on government for their statutory status and funding made them unenviable beggars that, while equipped to litigate their clients’ interests against the Government, did so at the risk of biting the hand that fed them, and thereby risking a wrath of punitive rules and funding cuts. Ritter argued that this mendicant status hobbled the NTRBs:

The function of the NTRBs was, in a real sense, to implement government policy by providing representation to native title claimants of the kind that was deemed appropriate by the state […] If conflict became absolute, it was clear that the wishes of the state would prevail.

Their abject position positively discouraged them from challenging the fairness or rules of the NTA, Ritter said, because doing so could jeopardise their very existence under the Act, and so they “ended up hopelessly stranded amidst a complex of competing forces and imperatives and never achieved any sure foundation”. The inanity of their condition prompted Ritter to ask if these so-called ‘Aboriginal organisations’ were “furiously contesting the legacy of colonization at every step, or docile servants of government policy faithfully achieving key performance indicators?” He barbed his analysis by evoking fellow native title lawyer, James Fitzgerald, who said that NTRBs had been treated “like unacknowledged bastard children, paid minimal maintenance by a begrudging, estranged government that took no interest in their progress as long as they didn’t cause trouble”. (See The Difficulties of Being PNTS in Addendum 22A for a précis of the structure of the PNTS and the general circumstances of its insufficiency). Certainly the Yindjibarndi group, amongst others, perceived the consequences of these difficulties, but there were particular events during 2006 that combined to compel Yindjibarndi to break away from their NTRB, the Pilbara Native Title Service.

Heritage clearance surveys of disturbance zones routinely involved expeditions of traditional owners, an anthropologist, archaeologist or representatives of the developer to specific tracts of country where development was proposed. During
these surveys, paid for by the developer and managed by PNTS, traditional owners would check over the site for evidence of culturally significant material and negotiation would follow about how the proposed development could minimize or compensate disturbance of cultural heritage, or avoid it altogether.\textsuperscript{35} Recording of heritage clearance field trips was undertaken by the PNTS heritage survey manager in a notebook, with stills camera, occasionally with an audio recording device, and less often with a video camera. The totality of these recordings were then taken away by the manager and distilled into a report that became the ‘definitive’ document that informed any negotiations and agreements between the developer and traditional owners regarding any cultural heritage injuries within a said tenement.

The manager’s notebooks and any other recordings that comprised sources for the report were usually retained by the manager and never seen by the traditional owners. Juluwarlu Administration Manager, Phil Davies, reported that the Yindjibarndi community felt “they were not in command of the process” and “did not retain, or find it easy to gain access to, any of the information gathered”.\textsuperscript{36} The scheduling of these field trips, and the focus of their recording was strictly prescribed by the site of the proposed disturbance, and supplementary or wider reaching information was not recorded.

Coppin and Woodley were conscious that such field trips inevitably stimulated dialogues amongst Indigenous participants about complementary features of social history, biography, creation mythology, and traditional knowledge pertaining to plants and animals. They were concerned that the records of these trips retained only a fraction of the cultural information that was revealed in the course of their undertaking, and so approached PNTS with a request that Juluwarlu accompany heritage clearance surveys and comprehensively record them with video for the Yindjibarndi archive. The prospect of being able to marry the larger Yindjibarndi cultural recording project to these heritage clearance surveys made good sense from Juluwarlu’s perspective, not only in terms of making the best use of limited resources, but also in ensuring that coincidental knowledge and narratives were recorded, and that the fullest record was retained in the community. The desire to retain or hold the knowledge of these surveys ‘in first position’ was informed by the difficulties Juluwarlu endured in trying to retrieve cultural materials from anthropologists and others who had recorded community elders in the past. Rather than having to chase these records
after the fact, Juluwarlu wanted to apprehend them on behalf of future generations before they were taken away.

On the occasion of a particular field trip in which the most senior and knowledgeable Yindjibarndi elder, Ned Cheedy, was to participate, a request was made to PNTS to allow Juluwarlu to record Cheedy. PNTS advised that the request would need to be cleared with the mining company who was paying for the survey, and would not give assent to the request. That members of the Yindjibarndi traditional owner group did not have clear authority and control over terms of the surveys, and that PNTS felt compelled to defer to the mining company involved, struck Yindjibarndi traditional owners as beyond the pale.

Subsequently the Yindjibarndi Aboriginal Corporation set clear guidelines regarding heritage surveys, the chief one being that PNTS was to consult with the YAC about the particularities of each and every heritage survey field trip, including decisions about which traditional owners were to be included on the trip. PNTS breached this protocol with their very next survey when they rounded up a crew of traditional owners without any reference to the YAC executive. YAC subsequently asked PNTS to stop all heritage clearance work on behalf of Yindjibarndi until these issues had been considered and resolved. At a meeting in which PNTS was represented by its legal officer Michael Ryan, anthropologist Robin Stevens and fieldworker Vince Adams, the YAC informed PNTS that their actions in circumventing the leadership of the Yindjibarndi traditional owner group were unacceptable, and that their management of heritage surveys was suspended. YAC then voted to appoint Juluwarlu to manage heritage for the Yindjibarndi group. PNTS justified their omission to consult with YAC by arguing that the particular survey in question was a “low impact” disturbance involving 10 kilometres of tracks and drill holes and routine salvage work of stone artefact scatters – an undertaking that need not have bothered the YAC executive. How PNTS could determine that such a survey was “low impact” before traditional owners had examined the site was not clear. Nor was it clear, if such disturbance was ‘low impact’, what constituted ‘high impact’? It appeared that PNTS was so entrenched in bureaucratic routines and ‘efficiencies’, which were driven by mining companies, and so ‘overwhelmed’ by the intensity of their work schedules, that concerns and protocols important to the traditional owners...
were disposable. A Gurrama informant also expressed frustration with PNTS’ warped sense of priorities, saying that they seemed to be all about “doing deals” and had no time or “feeling” for culture and country or the work required to properly gather information for country.40

**Juluwarlu’s New Order**

Without delay YAC, with the support of Juluwarlu’s consultancy, annulled the concept of “low impact” surveys and assumed direct responsibility for selection of survey participants. Further, they ruled that development work occasioning disturbance, even after heritage surveys had been undertaken, would perforce require the presence of Yindjibarndi monitors to ensure that the directions of their heritage site report were interpreted correctly, and so that traditional owners would be on hand in case of any new heritage issues. YAC also stipulated financial penalties for damage incurred to sites, that all surveys would be video recorded by Juluwarlu, and be conducted with the participation of consultants (anthropologists, archaeologists, etc) exclusively at the discretion of Juluwarlu.

Davies has noted that renovations recommended by Juluwarlu to ‘standard’ Indigenous heritage survey practices resulted in: “collecting, archiving and storing the ethnographic and archaeological research locally; incorporating the mapping technology used for surveys into the Juluwarlu cultural database; implementing signed agreements with Yindjibarndi survey participants so they report their experience and findings at Yindjibarndi Council Meetings; and for Yindjibarndi Heritage Agreements (YHA) to be directly negotiated between the Yindjibarndi members, Juluwarlu Group Aboriginal Corporation and ‘disturbance proponents’”.41

The Yindjibarndi Heritage Agreement provisions incurred costs over and above the routine bills the PNTS and mining companies were accustomed to, particularly in regard to Juluwarlu administration overheads, the monitors and video recording – costs which Yindjibarndi insisted be covered by the companies and accounted for in all future heritage survey agreements. At this stage the separation of YAC from PNTS was incomplete. While Juluwarlu immediately assumed management of heritage surveys, and produced the ‘definitive’ site report for surveyed areas, this report was still lodged with the PNTS who continued to mediate the financial and legal aspects of the work with the development proponent. Consequently PNTS pressed the view that
developers would view the extra costs as unreasonable and not accept these special provisions, and advised against them. Moreover they attempted to sway the Yindjibarndi membership against breaking away by emphasising their long experience in these matters and suggesting that Juluwarlu would strike difficulties in the ‘real world’ negotiations with companies and the demanding economies of time and budgets. Further, PNTS lawyer, Michael Ryan, suggested that YAC’s move to divest PNTS services would come at the cost of people’s jobs at the PNTS. The imputation that YAC/Juluwarlu did not have the experience to manage business involving their country cemented YAC’s determination to take charge. In regard to PNTS jobs being lost? Woodley suggested that perhaps this could be off-set by the offer of subcontracts to PNTS on an as needs be basis.

Phil Davies, Administration Manager at Juluwarlu since the beginning of 2005, was also a student of anthropology who had completed his degree and then attained honours through external study while employed at Juluwarlu, and with the encouragement and support of Woodley and Coppin. Davies and Woodley formed the management core of Juluwarlu’s heritage survey division, and in August 2006, together with Yindjibarndi custodians and the Juluwarlu video crew, they undertook their first heritage survey for the Millstream Link project.

PNTS made further effort to frustrate YAC’s intention to break away by questioning the time taken and costs incurred for video recording; and by officious insistence that Juluwarlu provide to PNTS a sample consultant’s contract, a register of consultants Juluwarlu intended to use, a list of standard Juluwarlu costs, a schedule of Juluwarlu’s availability, and a business plan demonstrating Juluwarlu’s capacity to properly acquit this clearance work along with its own business. YAC/Juluwarlu deflected this intimidation by pointing out that it was for Yindjibarndi to determine how surveys would be conducted: “It’s on our terms now, no more on their terms. This is not ‘business business, go there chuck a blackfella in the country go and walk there find your things, and move the thing while you’re at it!’ We’re taking a blackfella out there and doing it properly”.

**Final Straw**

Final divestment of PNTS’ remaining services would be triggered by a presumptive recommendation by PNTS for sign-off on a Heritage Agreement with Fortescue Metals
Group based on a 'standard' PNTS form of such Agreements, which utterly ignored
the unique provisions that Yindjibarndi sought to build into their Agreements with
mining companies, and more seriously, obviated the desire of the YAC to become
involved at the coalface of such negotiations.\textsuperscript{48} PNTS argued that such involvement
would hold up the settlement of an Agreement with FMG and thereby cause delays in
payments to Yindjibarndi elders that would flow from heritage surveys.\textsuperscript{49}

This remark, regarding the timeliness of payments to elders, again recalled the trope of
‘Christmas money’ deployed by developers on the premise that the chief concern of
Indigenous elders was cash. Such inducements were usually proffered in the conduct of
negotiations between companies and traditional owners for the purpose of attaining
speedy settlement on heritage and land use agreements – enticements, it must be said,
that had worked well from the perspective of companies and circumvented traditional
owners in their push for better overall terms. That such a rationale was being relayed
by the PNTS, an organisation ostensibly representing the interests of Yindjibarndi,
prompted YAC to issue a directive to all companies seeking to deal with heritage and
land access issues in Yindjibarndi territory to approach YAC directly in the future,
rather than the PNTS.\textsuperscript{50}

PNTS countered by sending out notice to the YAC membership of an extraordinary
meeting – without prior information to, or consultation with the YAC executive, and
in breach of the YAC constitution regarding the proper issue of notices for meetings.\textsuperscript{51}
This gambit was at the behest of a Yindjibarndi splinter group, one of whom was
employed by PNTS and was advocating continued affiliation.\textsuperscript{52} At this extraordinary
meeting, on 30 January 2008, the vested interests behind this splinter group’s grievance
were aired, the Yindjibarndi membership reaffirmed confidence in the YAC board and
Juluwarlu, and YAC overwhelmingly elected to jettison the vestigial legal service
provided by PNTS and retain Juluwarlu to manage every aspect of its Native Title
business including the exacting process of prosecuting the outstanding Yindjibarndi
One Native Title Claim.\textsuperscript{53}

Yindjibarndi were not the first traditional owner group in the Pilbara to elect to divest
part or all of PNTS’ services, however, the loss of its Yindjibarndi clients sent an
inauspicious signal to other groups in the region. The prospect of losing Yindjibarndi,
then, posed as a serious issue for PNTS, not simply for the loss of revenue, but for the
erosion of PNTS’ prestige and power-base which was measured to a large degree by the number of traditional owner groups in its stable. This power-base all at once served as legitimisation of government funding provided to the organisation, and also as leverage when seeking private sector funding from Rio Tinto and BHP Billiton, who relied heavily on PNTS to progress their access to Aboriginal land. It is hardly surprising then that PNTS made strong endeavour to retain Yindjibarndi in their fold.

8.3 The Consequence of Taking Charge
Separation by Yindjibarndi from PNTS inaugurated another phase of development at Juluwarlu. Its operations broadened to encompass every aspect of the management of Yindjibarndi Native Title business: it provided secretariat, policy and research services that informed Yindjibarndi’s forward strategy; coordinated negotiations with disturbance proponents; and retained professional legal and anthropological services as required. Following are some examples of the benefits wrought by Juluwarlu’s management of Native Title business.

In September 2006, Juluwarlu undertook its second heritage survey under the improved terms of the Yindjibarndi Heritage Agreement, which it had directly concluded with the Millstream Link road construction project. A team of Yindjibarndi traditional owners, the Juluwarlu video, mapping and photographic crew, Phil Davies and Michael Woodley and a representative from Millstream Link gathered to resolve the position of a creek crossing. On an embankment above a deep river gully, Yindjibarndi custodians fell into discussion about a stone-tool-making site. This opened to an extended narrative from Bruce Woodley and his nephew Michael that imagined the social scene they might have encountered at this place 200 years before – the men and young initiates quarrying tools, while the women and children harvested or prepared food at the pool below – delivered straight to the camera in Lyle Wally’s hands. (See the DVD Heritage Survey Millstream Link in Addendum 17C.) At another site, the group was shown a rock by Millstream Link that showed markings resembling faded rock art, which after examination were determined not to be Indigenous but an effect of water seepage through hairline cracks in the rock. Another set piece to camera was delivered about the nature of these marks and the conclusion elders had reached about their origin.
Every aspect of the survey was thus video recorded for various contingencies: as in situ records of cultural information; official minutes of the survey; ‘lessons’ regarding the process of heritage surveying for less experienced survey participants – all of which could be replayed as verification of the survey work, or for educational purposes.

The value of video recording surveys was never more apparent than on an expedition to Rio Tinto Gorge, at the farthest south-eastern reaches of Yindjibarndi territory, to assess country in the path of FMG’s exploration program. On this occasion YAC chairman, Stanley Warrie, discovered a burial cave whose opening was partially sealed with rocks, and Bruce Woodley once again recorded a narrative about the special features of the site. The Gorge also offered another find – a plant that was not observed further west and which had not been recorded before by Juluwarlu. This was dutifully photographed for the second volume of Wanggalili.

Juluwarlu’s methodology also proved useful in a more technical sense. The Rio Tinto Gorge survey recorded a freshwater spring in the vicinity of FMG’s proposed line of exploration drill holes, which was specifically marked for avoidance. Some weeks later an FMG contractor who was either not briefed on Juluwarlu’s site report or had overlooked it, ran a bulldozer through the spring. This damage was also video recorded, thus making for vivid ‘before and after’ proof. FMG CEO Andrew Forrest sent a letter of apology for this error, and in their contrition FMG were encouraged to agree to the Yindjibarndi Heritage Agreement for all future work, an Agreement that stipulated a substantial financial penalty for such breaches. This established a precedent for Agreements with other miners.

Juluwarlu’s conduct of surveys also facilitated a better experience for the traditional owners involved who found surveys under Juluwarlu management more congenial than when under the control of PNTS or the companies, where the atmosphere could be tense and disagreeable, and the work too officiously fixated on the object and schedule of their contract. Under Juluwarlu, on the other hand, heritage surveys were designed and scheduled to maximize the scope of ‘visitation’ and extent of information gathered on any one trip, and allow for its ‘performance’ in a way not possible under the previous regime. Additionally, Juluwarlu added value by bringing the entire documentary resources of its archive to the survey; and, because Davies was the group’s anthropologist, all the information he collected was retained by Juluwarlu, and
together with the photographs and unedited video, was filed in the Yindjibarndi archive.

**Summary**

While there was a period of intense research and documentation of cultural information during the prosecution of the Ngarluma Yindjibarndi Native Title claim in the mid to late 1990s, this ceased after the hearing, and the records have not been returned to traditional owners. Native Title had the effect of escalating the practice of heritage surveys ahead of ‘disturbance proposals’ affecting Indigenous heritage, but such ‘ambulance chasing’ heritage work was also problematical in that heritage survey recording was not motivated by traditional owners, but by developers, and was undertaken by professionals whose commitment and motivation varied in quality.  

With Juluwarlu’s assumption of heritage recording for YAC, this practice was amended to cover not just places under threat, but other sites of rarer significance whose custodians, in past times, had died before any thought or effort was given to recording their knowledge. Of course, Juluwarlu’s broader agenda for cultural recording had been set by their most senior elders long before assuming responsibility for Yindjibarndi Native Title, but now this process was instituted across the entire field of Yindjibarndi business. An example later in this chapter regarding Gurrawway Yinda, demonstrates how such routine recording in fact pre-empted disturbance.

Juluwarlu had long endeavoured to develop an operational independence underlaid by diversified revenue. YAC’s conferral of agency on Juluwarlu advanced this effort considerably, since the daily management costs for such clearance work were billed to the developer – a dividend that previously had been reaped by PNTS and largely lost to the community. Even more important was the cross subsidy that enabled people to return to country for cultural recording work. Woodley explained: “Getting people out onto country, we find that difficult because we don’t have the resources. When a company want to do heritage work we can use them to fund a vehicle, fund a film crew, fund the elders”.

Juluwarlu’s delivery of heritage management services to YAC also boosted human resources with the recruitment of two Yindjibarndi Heritage Officers in late 2007. Angus Mack resigned his tenure with the education department and Thomas Jacob
defected from a resources sector contractor to join Warrick Sambo, thus ramping up Yindjibarndi capacity in cultural fieldwork and mapping. Additionally, a grant from Lotterywest enabled the Juluwarlu archive and language services division to grow by four with the recruitment of Yindjibarndi language workers Jean Norman and Lyn Cheedy, archivist Joanne Pritchard, and researcher Noeline Harrison.

Plate 52: Heritage Officer Angus Mack and Archivist Jo Pritchard reviewing mapping data.

In his analysis of Juluwarlu’s heritage management practice, Phil Davies proposed that by capitalising on the economic opportunity offered by conducting cultural heritage surveys – an area in which Juluwarlu held comparative advantage – Juluwarlu had created a unique Indigenous knowledge industry that had ‘crystallised monetary value’ from Yindjibarndi ‘ways of knowing’.60 The consolidation of this Indigenous knowledge industry, Davies postulated, had the potential to “maintain economic independence, protect the environment, overcome recurrent social disadvantage, and strengthen personal and community identity”.61

Raising the Bar on Governance and Negotiation

YAC’s decision to cast off from PNTS all at once compelled closer attendance to matters of governance in the Yindjibarndi traditional owner group who were immediately and directly obliged to exercise their judgement, authority and responsibility more fully than before. To this end Juluwarlu moved to bring greater transparency to day-to-day communications, negotiations and fieldwork. Meetings occurred more frequently and became more accessible to the entire YAC membership. Their tenor became more earnest because they were not called simply to give direction to an executive, or as previously, to PNTS, but engaged in face-to-face meetings with company negotiating teams and executives regarding Indigenous Land Use and Heritage Agreements (including with FMG chief Andrew Forrest, and
Rio’s Bill Hart, Mary Edmunds, Janina Gawler, etc.) – and conversely, company negotiators were routinely obliged to address the entire YAC membership (rather than just their native title rep body or executive negotiators). Henceforth the YAC executive and their lead negotiators performed in full view of membership and participation from ‘the floor’ was encouraged; and both Yindjibarndi and their corporate interlocutors were minuted in continuous video recording – a convention that provided maximal accountability and transparency.

Plate 53: Open meeting of Yindjibarndi traditional owner group at the Fifty Cent Hall in Roebourne.

Plate 54: Yindjibarndi Aboriginal Corporation meeting with Fortescue Metals Group at the Roebourne basketball courts. FMG Head of Land Access and Community Development, Blair McGlew, stands (right) with Michael Woodley.

An important level of relationship between corporate operatives and traditional owners traded on ‘personal confidences’ and familiarity that particular agents established with the individual members of traditional owner groups, a ‘method’ that came under their ‘cross-cultural relations’ brief. The opportunistic or informal communication this allowed with traditional owners outside forums of ‘official’
negotiation was a useful instrument of business, whether at the highest level of ILUA negotiations or routine maintenance of ‘relationships’ by Indigenous liaison officers.

To appreciate the ‘commercial’ or strategic value of such familiarity, one need only recall the appointment of Dr. Mary Edmunds to head negotiations with Yindjibarndi on behalf of Rio Tinto; the “we love Indigenous people,” church-going approach of Andrew Forrest; or the impromptu visit of Rio agent Stuart Robinson. (See Andrew Forrest’s Personal Touch in Addendum 23A for a detailed outline of his tactical deployment of such informal liaisons.) Another ploy by Rio Tinto in promoting confidences and familiarity with Indigenous negotiators was profferment of free passes to watch AFL football matches in Perth and accommodation in Rio Tinto’s corporate box at Subiaco Oval.62

Plate 55: Rio Tinto General Manager for Community & External Relations, Bill Hart, and Clontarf Football Academy CEO, Gerard Neesham, with traditional owner negotiators Darren Injie and Keith Lethbridge at the Subiaco Oval football ground.

When it came to ILUA negotiations between the Yindjibarndi traditional owner group and Rio Tinto in 2008, these charades would no longer be tolerated by YAC who insisted that all communications between the company and Yindjibarndi be undertaken through YAC or its instrument Juluwarlu, or in meetings open to the entire Yindjibarndi membership, and with the participation of Yindjibarndi legal representatives. Thus approaches by Rio negotiators to convene in meetings that involved only key negotiators and lawyers were minimised. Juluwarlu resolved that approaches by agents like Stuart Robinson, who had urged Woodley to sign up to the CNC Agreement over a cup of tea on the Juluwarlu veranda, outside the formal
process of negotiation that was in train between the Rio negotiating team and YAC, would be curtailed. Such one-on-one approaches to individual traditional owners or factions by developers and other agencies who cultivated agendas outside the purview of the whole group and in circumvention of the collective processes of membership meetings, not only showed disrespect for the Yindjibarndi Aboriginal Corporation, but risked compromising the open process YAC had instituted, and left individuals like Woodley and Davies open to criticism from YAC members.

This discipline was especially applied to the conduct of meetings between corporate negotiating teams and traditional owners and their executive, which in the past had allowed corporate negotiators to informally intermingle with and chat to traditional owners about business over lunch, and carry on private discussions with elders that the group as a whole were not privy to. To avoid such lobbying, it was decided that corporate negotiating teams should leave the meeting hall and make arrangements for their lunch elsewhere: “We not having a weekend barbeque. We talking business”. 63

With the benefit of experience, Woodley dismissed as insincere the corporate rationale for such intermingling which he said ran something like: “You know, we go to the meetings, we pay for lunch and we stay to have lunch with the people. We want to build a relationship, get to know you, so that when our talks continue to develop we got a better picture of where you going, what you want to achieve, understand the people’s desire, aspirations and dreams”. 64

Gone were the days when corporate agents could massage and potentially undermine community resolve through private one-on-one discussions, and when the driving rationale of Heritage Survey Agreements was the $500 per day cash-in-pocket payment to individuals. Thus the support Juluwarlu offered to the Yindjibarndi traditional owners contributed to a maturation of governance processes, and galvanized YAC membership behind their leadership as never before.

**Representation**

The prosecution of Yindjibarndi interests by YAC/Juluwarlu necessarily led to various theatres of arbitration or contestation such as the National Native Title Tribunal (NNTT), Mining Wardens’ Court, and Aboriginal Cultural Materials Committee (ACMC), and while the scope of this engagement cannot be contained in this dissertation, a few impressions might be useful.
YAC/Juluwarlu’s first appearance in the NNTT followed on a dispute with Cazaley Resources over the legitimacy of a Heritage Agreement that had been negotiated and executed by PNTS some two years previously, and which fell far short of new benchmarks and principles of equity YAC wished to establish. At such hearings it was exceedingly rare for any Aboriginal people to be present. It was commonly a forum where lawyers representing Native Title Representative Bodies such as the PNTS contended cases against lawyers representing developers and/or the State in a city court. As usual in contests between the rights of native title holders and miners in the NNTT, YAC lost this case, however it was the first opportunity the YAC leadership group had to directly represent themselves in such a forum; of forcefully answering misrepresentations of their legal opponents; and of being heard and understood by a magistrate who made it clear that he valued their collective representation. This maiden experience of the processes and practices of self-representation had a strong rallying effect on the group.

This hearing was also notable for Juluwarlu’s production of a DVD that set out their case for renovation of the Cazaley Agreement. It drew attention to sites of cultural significance within the Cazaley tenement and proposed terms that would be acceptable to the Yindjibarndi – terms, they pointed out, which had been accepted by other disturbance proponents (Millstream Link and FMG for example). (See the DVD Cazaley Resources Tenement Appeal in Addendum 18C.)

A more consequential campaign involved the new Yindjibarndi One Native Title claim, which sought to secure country elided in the original claim. Much of the evidence for this Claim emerged from information gathered in the course of routine cultural recording projects over the previous few years, and once again was re-presented in a DVD that featured the testimony of Ned Cheedy. This documentary depicted Cheedy’s by-heart recitation of the canon of Yindjibarndi country and creation mythology that tracked across the territory in question. This recitation was incorporated with video of the locations and Google Earth satellite images, which were in turn overlaid by mapping information showing waterways, hills, etc., and on which the specific sites of Cheedy’s testimony were synchronously highlighted by graphics. This ‘audio-visualization’ of the Yindjibarndi claim represented another milestone in Juluwarlu’s capacity for cultural recording and mapping work; and demonstrated the
dedicated, discerning relationship they had with their elders. (The DVD *Yindjibarndi One Claim* is included as Addendum 19C.) Most importantly, the prosecution of the Yindjibarndi One Claim required Juluwarlu to resolve legal representation for YAC, a decision they understood – not just from their experience with PNTS, but from witnessing the plight of traditional owner groups around them – would be critical for the future of the group. Juluwarlu finally settled on legal firm Slater & Gordon and barrister George Irving.

Plate 56: Deploying Juluwarlu archive resources for the Yindjibarndi One Native Title Claim – Yindjibarndi TOs and Juluwarlu staff brief Barrister George Irving on Yindjibarndi genealogy.

An example of the seriousness with which YAC approached negotiations, and their awareness of the irretrievable nature of the decisions bound up in ILUA Agreements was demonstrated when Hancock Prospecting lead negotiators met with YAC membership and executive in 2008 to discuss access to land within their Mulga Downs tenement. Hancock Prospecting opened with a PowerPoint presentation that featured a quote by their founding mogul, Lang Hancock, to the effect that mining was not like farming where a new crop could be grown each year; but that mining relied on the progressive discovery of new deposits and that the wealth that flowed to the nation, and which supported the affluence of all Australians, depended on the continual opening up of new deposits. It happened that YAC barrister George Irving had been
taken by Woodley on a tour of the Village immediately before this meeting and witnessed first-hand the living conditions of this community. In reply to Hancock Prospecting, Irving put the YAC position that the affluence devolving from mining had not benefited all Australians, that it was nowhere in evidence in Roebourne, and that Hancock’s homily about mining not being ‘like farming where a new crop could be grown each year’, was precisely the reason why Yindjibarndi needed to be fully aware of the once-in-a-lifetime nature of any Agreement they made.

Another documentary was produced for an expedited procedure hearing at the NNTT in early 2009 following on the breakdown of negotiations between YAC and FMG. Central in this video evidence, which sought to substantiate YAC’s endeavour to negotiate ‘in good faith’, were ‘video minutes’ of negotiations with FMG, which, in Juluwarlu’s view, demonstrated that FMG had not negotiated in ‘good faith’. The NNTT decided for FMG thus clearing the way for State approval to mine, showing up a discrepancy between the interpretation that Yindjibarndi held on the one hand, and the Tribunal and the disturbance proponents held on the other, in regard to what constituted ‘good faith’. Yindjibarndi believed that amongst other matters, the “lowest possible counter-offer” FMG had made to Yindjibarndi regarding compensation for erosion of their ancestral rights, was contemptuous. This again demonstrated to Yindjibarndi the insufficiency of Native Title in protecting their rights.

The distortion of Native Title was confirmed more generally by former Native Title Representative Body lawyer, David Ritter, who observed that after the Howard Government’s amendment of the Native Title Act in 1998, “gaining a ruling that mining should not go ahead because of the importance of the interests of a claimant group in a particular area – was well nigh impossible”. He observed that the Tribunal had never once in its history ruled that a resource company should not get its mining leases, and that:

The inevitable effect has been to reduce the value of the right to negotiate to registered claimants, while resource firms have been able to engage in bargaining, increasingly secure in the knowledge that it is unlikely that if a matter goes to inquiry, the consequences will be anything more onerous that the additional delay occasioned by the hearing.
Indeed, his experiences with the NTA and the NNTT moved Woodley to conclude that the so-called ‘right to negotiate’ traditional owners had in the NTA, was effectively a ‘right to dictate’ by corporations and the state.\(^\text{70}\)

**Gurwaying Yinda**

A brutal demonstration of the power of miners and the State to damage and destroy Yindjibarndi ancestral places was provided by Rio Tinto and its devastating disturbance of *Gurwaying Yinda* while repairing flood damage at so-called Bridge Eleven in 2009.

Before sending their bulldozers in, Rio Tinto obtained an archaeological report from their in-house anthropologist that drew on outdated and incomplete data, and which concluded that the construction of a temporary bridge could go ahead. His report nevertheless warned that Department of Indigenous Affairs records indicated the area had “ethnographic significance”. Regardless, Rio Tinto obtained permissions to undertake the disturbance before informing Yindjibarndi about what they intended to do; set the date for the work to proceed; and then, just one day before commencing, ‘consulted’ with Yindjibarndi and invited them to attend the site to observe the destruction of the middle pool of *Gurwaying Yinda*. Fate accompli.

Yindjibarndi made repeated appeals to Rio Tinto indicating the deep significance of the site, and asked that their earthworks be halted pending consultation and agreement with Yindjibarndi on how the work might proceed with minimal damage and a modicum of respect. Rio Tinto responded that the work would proceed “with or without Yindjibarndi involvement”.\(^\text{71}\)

It happened that the year before, in 2008, the Juluwarlu mapping project and resulting book *Ngurra Warndurala Buluyugayi Wayumarrri* had documented and published detailed information about *Gurwaying Yinda*.\(^\text{72}\) If Rio had had the decency to consult YAC before committing their bulldozers, they would have received information (illustrated with full colour plates and elder’s testimony) that this pool was highly significant to Yindjibarndi as *ngurra* (traditional camping place) because it held water year-round; was associated with a nearby spring (*Gurwaying jinbi*); and was abundant with *gurrwa* (freshwater mussels). They would have also learned that *Gurwaying Yinda* was so hallowed that it was celebrated in the *Burndud* song cycle, which originated with the *Maarga* creation beings and was sung to prepare initiates for *Birdarra* Law. Woodley
later explained that Yindjibarndi traditional owners were compelled to do all in their power to uphold the Law in relation to Gurrwaying Yinda – for the good of both Yindjibarndi People and Yindjibarndi country:

Under Yindjibarndi Law, Yindjibarndi Ngaarda are responsible for everything that happens at Gurrwaying Yinda and we are obliged to make sure that whatever happens, accords with Yindjibarndi Law. I am Ngurrara (kin) for Gurrwaying Yinda and if something happens that is not right under Yindjibarndi Law, I suffer – Ngurrangga Mankunearli (the country grabs me). It’s the same for all Yindjibarndi Ngaarda.  

Yindjibarndi Ngaarda understood that the consequences of being “grabbed” by the Maarga creation spirits who inhabited the site could be fatal, could result in their sickness and death.

Plate 57: Images of Gurrwaying Yinda under Bridge Eleven BEFORE the damage – recorded during the Juluwarlu mapping project in 2008.

It should be noted that provisions of the NTA, under which Rio would have otherwise been obliged to ‘negotiate’, did not apply to Gurrwaying Yinda because it was on country where Native Title had been ‘extinguished’ by Whitefella law in the federal Native Title Act. Statutes of the State’s Aboriginal Heritage Act did however obtain, and
Rio Tinto’s initial action to go ahead with earthworks for their diversion bridge was deemed in breach of section 17 of the *Aboriginal Heritage Act*. Although DIA launched an investigation into this breach, the damage was done, and a year later this investigation had produced no outcome.

When Rio Tinto negotiators were presented with a copy of the publication, *Ngurra Warndurala Buluygayi Wuyumari*, on 16 March 2009, they were confronted with the graphic, pre-existing depiction of *Gurrwaying Yinda* and its irrefutable significance, and they agreed to stop work for a day so that Yindjibarndi traditional owners could gather on the site and see the result of Rio Tinto’s work – an event that revealed something about both parties.75

Plate 58: Images of *Gurrwaying Yinda* AFTER the damage.

After traditional owners witnessed the extent of the damage and had opportunity to consider Rio Tinto’s conduct, YAC directly broached Rio Tinto negotiators with actions needed for remedy. Firstly, they asked that Rio commit to moving forward on the terms of a Heritage Agreement (laying out protocols and procedures, etc.) that covered their activities on entire extent of Yindjibarndi country so that such calamity
could be avoided in the future; secondly, that Yindjibarndi monitors be present for the
duration of the work being undertaken at Bridge Eleven; and thirdly, that Rio commit
to negotiation of terms of compensation for the damage already caused to Yindjibarndi
heritage at Gurrwaying Yinda. Janina Gawler, Rio Tinto’s General Manager Communities,
expressed annoyance at such unceremonious and prompt negotiation (which occurred
on-site, over lunch), and said that she felt like she – an officer enjoying the amenities of
one of the largest resources corporations in the world – was being ‘ambushed’. Perhaps Gawler had expected, Woodley commented, that the visit ‘out on country’
was merely a walk-and-talk, something to put traditional owners at ease?

It is also noteworthy that discussion of the occasion of this meeting at Gurrwaying Yinda
and Rio Tinto’s decision to stop work on the bridge for the duration of the meeting
had ‘gone all the way to London’, according to Gawler. An indication that management
at Rio’s most senior level understood the gravity of the company’s conduct, or at least,
the possible ramifications. Possible ill consequences were no doubt amplified by the
fact that the Australian Federal Investment Review Board was at this time considering
an important bid by Chinalco to increase its stake in Rio Tinto – it would hardly have
helped if Rio’s carelessnes
s had hit the headlines at this point.

Certainly, YAC was mindful that it was a strategically important time to pursue
agreements from Rio on several fronts. To this end Juluwarlu mobilized its cultural
recording and media production capacity to document and make explicit the
consequence of Rio’s precipitous action. They video recorded progress of the damage
(which they were powerless to stop), and also various meetings of Yindjibarndi
traditional owners and Rio Tinto representatives. Juluwarlu later edited this material
for YAC into a forty six minute documentary that was screened to Janina Gawler and
her team of five at Juluwarlu on 24 April. The Rio contingent watched this
documentary in the company of the broader Yindjibarndi traditional owner
membership who, as usual, had gathered for negotiation. Woodley reported that
Gawler was plainly annoyed with the documentary, which expressed trenchant
Yindjibarndi protest and laid out her company’s vandalism at Gurrwaying Yinda. (See the
DVD Damage at Gurrwaying Yinda in Addendum 20C.) Woodley made it clear to
Gawler that Yindjibarndi intended that this record would serve as “protection” for
Yindjibarndi country and interests if Rio Tinto refused to respectfully remediate their
transgression. Yindjibarndi wanted to indicate that Rio Tinto’s actions were not ‘out of


sight, out of mind’, and that if necessary this video would stand as evidence – for Government, mass media and future generations of Yindjibarndi – of the Yindjibarndi Aboriginal Corporation’s pursuit of fair resolution.\textsuperscript{80}

Plate 59: Michael Woodley (left) and Janina Gawler (centre) at the site of the damage.

From the end of February, when Rio Tinto first acted to destroy country at \textit{Gurrwaying Yinda}, and through 2009 as they proceeded to bring down and rebuild the flood-damaged bridge, a round of communications between Rio Tinto, the Yindjibarndi, their legal teams and negotiators, the Department of Indigenous Affairs, the Aboriginal Cultural Materials Committee, the office of the Minister of Aboriginal Affairs and the Minister himself proceeded in which Yindjibarndi pleaded for protection of their country and culture. Just how their appeals were dismissed by the professional bureaucratic apparatuses of the corporation and the State provides a text-book example of how power ‘performs’ consultation with traditional owners while proceeding with industrial development regardless; a ‘performance’ that all at once consumes the best resources, time and energy of traditional owner communities.

At the outset Yindjibarndi had written directly to the Minister for Indigenous Affairs, Kim Hames, informing him that Rio Tinto had breached the \textit{Aboriginal Heritage Act} and appealed to him to stop the destruction of \textit{Gurrwaying Yinda}, only to be told: “I have no power under the AHA to order that works which may be impacting upon an Aboriginal site be ceased”.\textsuperscript{81} As we have seen with the Marapikurrinya’s attempt to injunct development in a part of the Port Hedland harbour, while the Minister claimed to lack the power to stop miners from destroying Aboriginal sites, he was ever willing
to sanction their destruction regardless of protective provisions of the *Aboriginal Heritage Act*.82

Yindjibarndi immediately moved to provide records of the full extent of *Gurrwaying Yinda* to the Department of Aboriginal Affairs so that it could bring its records up to date and properly register the site. Subsequently Rio Tinto was obliged to ask for express permission for its ongoing work – that is, permission to destroy an Aboriginal site under Section 18 of the Aboriginal Heritage Act. The Aboriginal Cultural Materials Committee (ACMC) duly granted this permission on the condition that Rio Tinto’s work proceed according to the terms of a Cultural Heritage Management Plan (CHMP) that met with the satisfaction of the Yindjibarndi. But even this condition was effectively dismissed when a Ministerial officer saw fit to alter the minutes of the Committee by deleting the condition obliging Yindjibarndi agreement to the terms of the CHMP. Rio Tinto were then given the Ministerial green light to continue their works. This transgression of administrative procedure and other grievances were referred by YAC to the Supreme Court of Western Australia with the object of staying and reviewing the Minister’s decision. However, while anomalies were recognized by the presiding magistrate – “there is an arguable proposition to the effect that the resolution transmitted to the Minister was not in fact the recommendation upon which the Committee resolved” – the Minister’s decision was allowed to stand on the basis that even if the court was to find the Minister’s decision invalid on the basis that he had been misled, this would make no difference because, as the Minister stated, even if he had been given the original text of the ACMC’s decision, he would have used his discretionary power to ignore it.83

In the end, *Whitefella* law, both Federal and State, would not impose a penalty on Rio commensurate with their actions at *Gurrwaying Yinda* – indeed, Rio skilfully used the apparatus of administrative procedure and the law to facilitate and legalise their offence against the Yindjibarndi.

Rio Tinto’s corporate behaviour shows the lie to the lip service they paid to ‘respect’ on occasions such as the opening of the Roebourne office of the Marnda Mia CNC for example: “Rio Tinto and the mining industry have not been in the Pilbara for a very long time compared to the traditional owners of the land. Rio Tinto respects your link to the land and the culture that has developed over many thousands of years”.84 On
the contrary, a recurring feature of Rio Tinto’s *modus operandi* in pushing forward its program was the duplicity of its communications to government authorities. These variously assured Government that Rio Tinto had ‘consulted’ with the Yindjibarndi – ‘consultation’ that amounted to an invitation to view Rio Tinto work after the fact; that Yindjibarndi withheld relevant cultural information from Rio Tinto;\(^85\) that Yindjibarndi claims about the significance of the site were only recent;\(^86\) and that Yindjibarndi were in agreement with certain Rio Tinto actions, when they clearly were not.\(^97\)

For their part, relevant Government authorities – the office of the Minister for Aboriginal Affairs, the DIA and the Aboriginal Cultural Materials Committee – all too often failed to corroborate information fed to them by Rio Tinto with the Yindjibarndi traditional owners and, as the whim took them, simply ignored Yindjibarndi requests for clarification of issues or intercession.

It should be noted that this précis emerges precisely from the activism of YAC and its instrument, Juluwarlu, for it was their action that challenged and inscribed the conduct of Rio Tinto and the State, thus preserving a record of the events that would have otherwise passed without a murmur.\(^89\)

### 8.4 The Continuing Search For Fuller Rights

YAC’s experience led them to understand more precisely how Native Title, ILUA and Heritage Agreements with the corporations, and State heritage law eroded their ‘traditional ownership’ and heritage rather than safeguarding them – an understanding borne out by Maureen Tehan in her reflections on common law native title and the *Native Title Act*:

Ten years of the *NTA* has seen the common law of native title emerge, blossom, change and wilt. The promise engendered by Mabo has failed to materialise in the form of a robust and enforceable native title. To that extent, the sun may have set, with native title fatally wounded by the *NTA* and the High Court.\(^89\) (This concurs with assessments I have drawn from other sources – see Addendum 21A, *The Blighted Promise of Native Title.*)
The sense of despair and futility engendered in Native Title holders confronted by the stacked deck of the NTA and the obduracy of corporations and the State was encapsulated by Chair of the Palyku Native Title Working Party, David Milroy, when he commented: “What gets me is that while you’re going into battle for your heritage and your people, you know before you start that you will lose the battle”. Woodley concurred, and added that what made it worse was the responsibility of leading one’s people into a battle that would more than likely disappoint their aspirations.

This grim understanding heralded a tougher approach by YAC with regard to their negotiations with miners and the State – a shift in consciousness from the apprehension that Yindjibarndi were ‘subject’ to the machinery of Native Title and State law as it was plied by powerful institutions and corporations, to a conviction that their rights as they understood them – in a profoundly cultural sense – were sovereign and must be defended at all cost against the drive of the Native Title ‘machine’.

The last sentence of Maureen Tehan’s, A hope disillusioned, an opportunity lost? Reflections on common law native title and ten years of the Native Title Act, anticipated: “As the common law of native title lies dormant, waiting for the common law to revive and reinvigorate it as a set of fuller rights, the promise and process of change and the search for a fair and just relationship will continue”.

YAC’s engagement of Slater and Gordon and barrister George Irving hoped to explore this “promise and process of change” beyond the limited provisions of the Ngarluma Yindjibarndi Native Title Determination, and statutes of the Native Title Act and State heritage laws. Dismayed with the process of haggling terms and conditions in the flea market of Native Title, YAC began to explore their rights beyond the NNTT in the Mining Warden’s, Supreme and Federal courts. In particular, Yindjibarndi submissions to the Federal Court of Australia summoned section 116 of The Constitution concerning religious freedom. They spelled out how under the system of native title and other State instruments, their religious freedoms, guaranteed under section 116, were being attacked, and progressively eroded. To the support of their appeal under Australian Law, Yindjibarndi also invoked international instruments such as The United Nations Declaration on the Rights of Indigenous Peoples, which Australia signed after the election of the Rudd Government. This Declaration recognised the right of all indigenous peoples “to be different, to consider themselves different, and to be respected as
such”, and declared that Indigenous individuals “have the collective right to live in freedom, peace and security as distinct peoples”. Further, States were duty bound to prevent and redress any action that intended or caused deprivation of their integrity as distinct peoples, or of their cultural values or ethnic identities; any action that intended or caused dispossession of their lands, territories or resources; or that destroyed their culture.

This signalled a return to first principles and the courts, and was based on the premise that recourse to fundamental, albeit latent rights in Australian law would provide for less discriminatory outcomes than those eked out through negotiation with hostile governments and corporations, or begged through the NTA or appeal to public and political spheres as favoured by many Aboriginal rights campaigners. (We should be reminded that for Yindjibarndi, it was their grave, traditional responsibility under customary Law that motivated their quest for justice through fundamental principles of Australian law.)

This course was more crucial for the fact that 80% of Native Title rights on Yindjibarndi country, which was largely covered by pastoral leases, had been extinguished in accordance with the “bucket-loads of extinguishment” promised by Deputy Prime Minister Tim Fischer and delivered by the Howard Government’s amendment of the Native Title Act in 1998. We should remember that these Amendments were a response to a finding by the High Court that pastoral leases did not necessarily extinguish Native Title (the Wik decision of 1996). Howard’s Amendments nullified the Wik decision. (See The Blighted Promise of Native Title in Addendum 21A for fuller exposition.)

(In parenthesis, consider the perversity that in order to enjoy and protect their rights and their existence as Yindjibarndi, Australian polity and law compelled YAC to engage in a never-ending legalistic process of negotiation and NNTT appearances dependent on a large legal firm and barrister – a process that robbed scant financial and human resources from the development of their community.)

While cognizant of the need to publicly (through mass media) and politically advocate their essential customary rights on the national stage – rights unmet by Native Title or any other Australian law – and to educate Australian opinion, Juluwarlu had chosen not
to prosecute this broader ‘social work’ for the time-being – although, it should be acknowledged that Juluwarlu’s cultural video production and publication work did serve ‘public education’ to some degree. For example, spectacular exposure for the *Ngurra Warndurala Buluyugayi – Millstream* book, in the form of large display boards, was gained by display of the book in the disembarkation corridor at Karratha airport.

Plate 60: The publication *Ngurra Warndurala Buluyugayi – Millstream* displayed at Karratha airport (4 November 2008).

**Conjecturing Mature Relationship**

Answering a question from *Management Today* about the role employees played in building strong businesses that were open to change, Woodside CEO Don Voelte offered: “People thrive when they are given, and they take opportunity. Companies thrive when people are able to extend themselves. A key role for me is to give people opportunity. It is in their gift to choose to take it […] We fail as leaders and managers if people do not feel they are being given opportunity to change and to grow”.

In an October 2005 meeting with Voelte, Woodley took occasion to remind Voelte of this advice, for it was an approach he would have liked Woodside to extend to relationships with the Indigenous organisations they dealt with. Woodley maintained that *Ngaardangari* were increasingly able to run their own agenda, and that if corporations were genuinely interested in providing assistance then they should do so without ‘quid pro quo’, “paternalism” and “devaluing people”: 
The partnership needs to be that they come and share their expertise, also have the respect for us and our track record and the things that we can do and want to do, and be able to work together where there’s no strings attached.\textsuperscript{100}

For Woodley “being given the opportunity to change and grow” required that ‘Indigenous interests’ were not incessantly hinged to corporate land access agendas and ‘interpreted’ or attuned to ‘community partnership’ policies by experts outside the body of the communities themselves.

In their dealings with corporations, YAC and Juluwarlu wanted it understood that the game had moved on from the field of cultural ‘experts’; that negotiations were not served by the theatre of cross-cultural, inter-racial understanding or the trade of favours and petty concessions. Rather, Yindjibarndi wanted a turn to fundamental tenets of equity in business and law that respected their ownership of ancestral country on a par with mineral tenement holders – at the very least – and more properly, on a par with freehold land owners who have a veto on land disturbance to a depth of 30 metres in Western Australia. In any case, in current ILUA negotiations YAC was wholly uninterested in the ‘Claytons’ provisions routinely thrown up by corporations and which included training and employment in the companies, community investment programs, or other ‘in-kind’ benefits that were notoriously evasive or nebulous. Instead YAC sought to strip terms back to fundamental royalty or financial compensation considerations. They did not wish to become enmeshed in Agreement terms that bound them to interminable processes of discussion and ‘relationship’ with miners about community development programs.

YAC determined that the business transactions and settlements with miners should be utterly distinct from ‘altruistic’ social or development programs in their community, and that these would be better served under the direction of YAC in collaboration with such business and community development expertise as they themselves contracted, and that came with an unequivocal intention to collaborate with grassroots Indigenous leadership.

Woodley lost interest in long-winded discussions about pan-community, grandiose, fix-all strategies with corporate executives and their emissaries (e.g. Bill Hart, Lucio Della Martino and Don Voelte), and instead turned attention to specific projects and
negotiations in train at Juluwarlu and the Yindjibarndi Aboriginal Corporation; to working with other points of Yindjibarndi leadership and with a cadre of non-Indigenous Yindjibarndi advisors, employees and consultants – whose allegiance was clear, whose partnership took shape in practice.

Woodley offered the example of the relationship Juluwarlu had developed with the Waters & Rivers Commission (later subsumed in the Department of Water), which was brokered through its Pilbara executives Ross Doherty and Susan Worley. The beginnings of this relationship lay in the launch of *Know the Song, Know the Country*, which Doherty attended, and where he expressed his interest and admiration for Juluwarlu’s work to Lorraine Coppin. This led to the *Ngurra Two Rivers* project, which Waters & Rivers supported with $15,000 in 2004. This mutually agreeable experience, which allowed Departmental staff to accompany elders on field trips and hear their testimony firsthand, in turn led to more substantial Department Of Water sponsorship for environment and heritage trainee Warrick Sambo and the *Ngurra Wamurdala Buluyugayi* project. While the Department Of Water had an interest in the country Juluwarlu was mapping for *Ngurra Wamurdala Buluyugayi*, it did not seek to push its own programs, priorities or methods, and had no desire in funding Juluwarlu, for any purpose other than the one Juluwarlu itself put forward.

The assistance offered by Woodside under Meath Hammond’s watch in 2005 which funded development of the archive, broadcasting facilities, re-versioning of Exile as DVD, and contributed to building maintenance and overheads for three years, was similarly untied and fulfilled a program designed entirely by Juluwarlu. Similarly, Woodside’s agreement to allow reorientation of the *WY Program* to training in and for the community, and their handover of management of this Program to NYFL, demonstrated a willingness to abide by community intention. Each instance of assistance had a multiplier effect in developing Juluwarlu’s capabilities. (Unfortunately it was not an approach that Woodside sustained or extended into its Pluto project.)

These approaches coincide with lessons highlighted by the *Little Children Are Sacred Report*, which stressed that “a one-size-fits-all approach to reform in Aboriginal communities” could not work; that if support was to be effective it must, by definition, be tailored to local needs, and be owned and accepted by Indigenous people rather than come as an imposition from outside. This all at once echoes approaches to
community development I have outlined at the head of this study in Chapter 1.5 (Participatory Research). In Chapter 9.2, Fellow Travellers, I will further elaborate the case for meaningful partnership or intervention predicated on steadfast relationships, an approach that enabled Juluwarlu to ‘change and grow’.

A Design Fulfilled

YAC quickly discovered that by their independence, and by the undiluted projection of their intention and their ‘responsibility’, they were able to make more of their negotiating rights within the ‘round yard’ of Native Title, and reach beyond the terms PNTS had professed as ‘given’. Yindjibarndi were no longer diminished as ‘those represented’ by lawyers and other professionals, and, because they were at a remove from the pressures applied to PNTS by both State and corporate benefactors urging timely land access, YAC could more freely test their hand, and prosecute terms in advance of the so-called ‘best practice’ Agreements mediated by PNTS and lately offered by Rio Tinto.

There were more profound effects of Yindjibarndi assertion noted by Juluwarlu Administration Manager, Phil Davies, and which were of significance to all Native Title holders: If they were to maintain their Native Title rights into the future, Davies wrote, “An Indigenous Australian must continue to maintain links with their country if they are to be ‘viewed’ by the courts as ‘authentic’”. He continued:

In order to avoid a challenge to Native Title in the future, Indigenous Australians need to demonstrate that they have maintained their cultural practices, occupied their country, and have a ‘special’ connection with their determination area.103

The idea that Native Title substantiated and adjudicated in contemporary times, as paltry as it was, may need to be defended again in the future and could be further eroded, is sobering. The institutional apparatus that Juluwarlu had developed to promote the continuance of Yindjibarndi connection to country, and to advocate their ‘authenticity’ in courts and tribunals, utilizing all the communications tools and business stratagems that the wider world offered, provided another forceful validation of its work.
Without recourse to Juluwarlu’s growing wherewithal in management, strategy and policy, YAC and the broader Yindjibarndi traditional owner group would not have had the confidence or the instruments to set their own course as effectively as they did. To recap, this wherewithal was characterised by Juluwarlu’s obstinate gathering of resources and responsibility into the Yindjibarndi group, and was steadily forged over a number of years by, for example, Juluwarlu’s action of employing an administration manager and recuperating its financial management from the auspice of Wangka Maya; its cultivation of diverse sources of income and support, including fee-for-service work; its fight to stem the brain drain and amend training and employment programs to the support of community organisations rather than only the needs of resources companies, and so on. This ‘temper’ was also tested in Juluwarlu’s disavowal of arrangements that compromised its independence, such as those proposed for the Pilbara Youth Leadership Program by Rio Tinto, and its withdrawal from corporate video production after lessons learned from Drill & Blast and the Pluto Heritage Video. Also, Juluwarlu had developed a confidence in negotiating community politics and a toughness in dealing with the private sector, hard-earned in the throes of cultural recording and commercial work, that well prepared it for the partnership with YAC and robust engagement with Native title business. Finally, Yindjibarndi independence and assurance was powerfully demonstrated by YAC’s decision to refuse – alone amongst all other traditional owner groups – membership of the CNC and subscription to the Rio Tinto all-of-claim, life-of-the-mine Binding Initial Agreement ratcheted at .5% royalty.104

Juluwarlu’s design, then, was fulfilled by its integration with the Yindjibarndi Aboriginal Corporation and the universal aims of the Yindjibarndi traditional owner group. Just as Juluwarlu had shifted the goal posts in its own quest for independence, so in league with YAC, it was able to amend the status quo of relations between Yindjibarndi and developers. In the business of Native Title, heritage management and land access negotiations, Juluwarlu was able to shift a modicum of control from PNTS and the Corporations to the Yindjibarndi traditional owner group.

1 The public sector, for example, routinely provides for programs and funding for cultural practice through ScreenWest, for film, television, and new media; The Department of Culture and the Arts, for individuals and organisations in all art forms including: travel, collections, community facilities, contemporary music, designer fashion, Indigenous arts, youth, and artists with disabilities; the Lotterywest, for miscellaneous arts projects; the Rural Arts Network, for rural and regional arts
practice; etc. Additionally, support for cultural practice is provided through tertiary institutions and community arts organisations (video, theatre, music), where Indigenous people are sorely under-represented.

2 Michael Woodley recorded by the author, Capturing Community Stories Workshop, MDisc 10, Roebourne, August, 2007


4 Keith Sinclair was the original point of contact. Michael Woodley interviewed by the author MDisc 2, Roebourne September 2006; Diary 25/3/04

5 Diary 25/3/04, conversation with Lorraine Coppin

6 Diary 25/3/04

7 Email From Phil Davies to Warren Fish, Woodside, Subject: WY Traineeships and publication, 5 April 2005

8 Diary 2/5/05

9 Michael Woodley interviewed by the author MDisc 2, Roebourne September 2006

10 Diary 24/11/05

11 WY Program web site, http://www.wy.pilbara.net/

12 ABC Radio interview with Meath Hammond, (General manager of Community Relations, Woodside Energy), Karratha, 19 April 2006

13 ABC Radio Karratha: 2006

14 Ibid

15 Tyson Mowarin, (Juluwarlu Media Centre Station Manager Trainee), interviewed ABC Radio Karratha, 19 April 2006

16 Michael Woodley interviewed by Gerd Samland, MDisc 8b, Roebourne, August 2005

17 Diary 3/1/06; Diary 6/2/07

18 Diary 29/2/07

19 Oilies working to boost Aboriginal employment, Petroleum News.net, 16 August 2007,

20 Oilies: 2007

21 Oilies: 2007

22 Ibid

23 Oilies: 2007; Coming on the heels of Woodside’s terse curtailment of ‘new deal’ negotiations and the Indigenous Participation Plan, the irony of the disparity between this resolute action (the establishment of The Pilbara Australian Technical College) and the lack of action by both government and industry to the unremitting deprivation of his community, was not lost on Woodley. Diary 25/1/07


25 Michael Woodley interviewed by Gerd Samland, MDisc 8, Roebourne, August 2005

26 Diary 28/8/06; Michael Woodley interviewed by the author MDisc 2, Roebourne September 2006

27 Diary 20/3/06

28 Pilbara Iron CNC Consultation Meetings, Marnda Mia Disk 1 Vol 1, 14 June 2006

29 Ibid

30 Michael Woodley interviewed by the author MDisc 2, Roebourne September 2006

31 Ritter, David, Contesting Native Title, From Controversy to Consensus in the Struggle Over Indigenous Land Rights, Allen & Unwin, 2009, p60

32 Ritter: 2009, p71

33 Ritter: 2009, p70-71

34 Ritter: 2009, p49

35 Culturally significant materials comprised artefacts such as grinding stones and stone implements; sites of stone tool making; scar trees; hills, rocks and trees that figured in songs and creation myths; natural elements of the country such as creeks, springs, permanent pools; ancient and contemporary camp sites, and so on.

36 Davies: 2007, p64

37 Diary 2/5/07

38 Diary 8/5/06
Just how grave the consequences of disturbance to country could be for a custodian was demonstrated by the death of Long Mack after the construction of the Harding Dam in Lockyer’s Gorge. It was commonly believed in Roebourne that his death was directly attributable to the construction of the Dam wall and subsequent inundation of the Gorge and its sacred sites. See Exile: 1993

Diary 31/8/06; Carol Lockyer continued: “I didn’t have any success with PNNTS because I kept arguing with them, and I could see that we were getting nowhere. Never got anywhere regarding any connection report for our claim because they got that way that they are becoming money mad you know. They’re not talking – like we want to talk land, about securing the land, preserving as much land as we can – all they are thinking about is what you can get out money-wise. And now it’s put that much money into the people’s head that they’ve gone all money mad”. Carol Lockyer interviewed by the author MDisc 1, Roebourne, September 2006

Diary 17/7/07; With respect to traditional owner groups who were reluctant to sign up to the BIAs with Rio Tinto, Slim Parker also observed PNNTS trying to intimidate groups: “PNNTS challenges Native Title claimant groups who go outside of this process, about negotiating business, their own business. PNNTS challenges, challenges: ‘Oh that can’t be done. No you got to get advice’, and all those sorts of things. ‘You got to do it here in this process, you got to bring everybody to the table.’” Pilbara Iron CNC Consultation Meetings, Marnida Mia Disk I Vol 1, 14 June 2006

Diary 16/8/06

Diary 19/12/06

Diary 8/5/06

Diary 16/8/06

Diary 17/7/07

Diary 17/7/07

Diary 15/9/07

Diary 15/9/07; Diary 17/7/07; It should be noted that later (subsequent to the January 2008 YAC membership meeting), YAC discovered that PNNTS CEO Simon Hawkins had signed off on a Heritage Agreement on behalf of Yindjibarndi with FMG on the same day of this decisive meeting, which was held to determine future relations between YAC and PNNTS. This action by Hawkins cleared the way for exploration permits to be issued to FMG for the tenements concerned – and he did this without the knowledge or approval of YAC. This came to light when FMG resisted negotiation of a Heritage Agreement with YAC, saying that they had already signed off on a Heritage Agreement with Yindjibarndi executed by PNNTS. However, FMG resiled from insisting that the Hawkins/PNNTS Agreement be adhered to, understanding full well that its legitimacy could be challenged, and proceeded to negotiate with the YAC on the terms of a new one.

Diary 5/9/06

Bruce and Michael Woodley described their ancestors sitting at work on the rise that gave them clear view of the country around, as well as the pool where their wives and children and mothers fished, swam and slept. The group they described comprised men in their prime as well as elders and younger initiated men, who, warmed by the winter sun, gossiped about clan life, sang songs for making good knives, compared and showed off their achievements while teaching some of the younger men the tricks of the trade. Their talk, Woodley and his uncle proposed, also turned to Law and prospects for the season ahead. Out of earshot by the pool below, the women were baking milinyja (spangled perch) and ganggurrja (catfish), and perhaps even a ngarrawirri (tortoise) on the coals, singing their own songs and
discussing their own business, while children swam downstream or hunted lizards and birds. Diary 8/9/06

56 This survey was undertaken during a short thaw in relations between YAC and FMG, which subsequently iced over again.

57 In the decades preceding Native Title, it might be noted, cultural recording by agencies such as the Aboriginal Sites Department of the Western Australian Museum, academic departments of universities (anthropology, linguistics), or national institutions like the Australian Institute of Aboriginal & Torres Strait Islander Studies were most often synonymous with the immanent destruction or devaluation of Indigenous country and culture, and provoked a profound sense of alarm and disempowerment. People in Roebourne vividly remember the flurry of attention bearing on sites for a dam in the late 1970s and early 1980s, which converged first on the Fortescue River at Wuyumarri (Gregory’s Gorge) and later on the Sherlock and Harding Rivers. The cultural assay for the Harding River at Yawajunha (Lockyer’s Gorge) was so flawed that the Public Works Department initially concluded there would be minimal cultural impact. Community protest forced a second survey that belatedly recorded the extraordinary significance of this Gorge before it was inundated. The Burrup Peninsula has also attracted cycles of examination by cultural professionals attending State Government plans for industrial expansion over the late 1980s and early 1990s, which then intensified in the late 1990s.

58 The daily cost for such clearance work, billed to the developer, paid wages for traditional owners walking the ground, the recording anthropologist’s fee, and facilities, and also included a charge of $2000 per day for the video recording component, plus Juluwarlu management fees.

59 Michael Woodley recorded by the author, Capturing Community Stories Workshop, MDisc 10, Roebourne, August, 2007

60 Davies: 2007, p8

61 Davies: 2007, p7

62 Commenting on the traffic of informal relations with corporate Indigenous affairs liaison operatives, Woodley said: “I refuse to do business in that sense for Yindjibarndi because if you start doing business in that sense then it’s easily playing into their game. You easily get caught up in that and then you start making obligations because you’ve grown friendly with Mary [Edmunds] and all these mob. Before you know it – ‘How about we fly you to Perth and you can meet the director. You can go and have a meal with him, see what he’s thinking and where the company is going, and we take you to the box to watch the football, put you in the best hotel’. And then when it comes to the crunch – ‘Look I thought we had an understanding here, I mean we took you to Perth and you met the director, and we took you to Subiaco oval, you stayed in a real flash hotel and Rio covered all the costs. You know, it’s like you don’t appreciate all that we do!’ And this is what they have been doing. That’s why I refuse any of that in the Yindjibarndi. I seen that happen plenty of times”. Michael Woodley, interviewed by the author, MDisc 26, Roebourne, November 4-7, 2008

63 Michael Woodley, interviewed by the author, MDisc 26, Roebourne, November 4-7, 2008

64 ibid

65 For example, recordings of songs pertaining to country and explication of their meaning; names of hills and rivers that tracked through Yindjibarndi heartland and delineated its boundaries; transcription of Burndud, secret bush songs and jawi; evidence of ngurrara inheritance; and so on.

66 Conversation with Michael Woodley, Diary 26/4/09

67 Note that once the NNTT cleared the way for the grant of a mining lease to any miner, the miner was no longer obliged to negotiate terms or pay any compensation for the damage they caused to a traditional owner group’s country. The NTA did not stipulate any benchmark for compensation payments, nor state that they were compulsory. Thus a group fighting for terms a miner was disinclined to meet, risked losing out altogether since the NNTT had never blocked the grant of a mining lease to a miner.

68 In May 2009, the Western Deserts Lands Aboriginal Corporation (WDLAC) was the first (and remains the only) native title holder to stop mining on its land when the NNTT ruled that Reward Minerals Ltd subsidiary, Holocene Pty Ltd, should not be granted a mining lease at Lake Disappointment in Western Australia. **Native Title Tribunal stops mining lease**, Warwick Stanley, The Age, 28 May 2009, http://news.theage.com.au/breaking-news-national/native-title-tribunal-stops-mining-lease-20090528-bowc.html

69 Ritter, David, **Contesting Native Title, From Controversy to Consensus in the Struggle Over Indigenous Land Rights**, Allen & Unwin, 2009, p125

70 Diary 15/5/09

71 Chronology of Events, *Gurwaying Yinda*, Internal YAC Briefing Document, 26/05/09, p8-9
Submissions On Behalf Of The Traditional Owners to Aboriginal Cultural Materials Committee in the matter of an application under Section 18 of the Aboriginal Heritage Act 1972 by Robe River Mining Company PTY LTD (re: Special Lease LGE II123390; Special Lease LGE II123393; and, Reserve R38991), Yindjibarndi Aboriginal Corporation, 2009

Damage at Gurrwaying Yinda, on 9 June 2009, their application seeking Ministerial consent for the erection of their new bridge and removal of the temporary bridge was considered at a meeting of the Aboriginal Cultural Materials Committee (ACMC). In this meeting Rio Tinto were censured by the ACMC for their conduct and were obliged to cease work at Gurrwaying Yinda for one month and consult with the Yindjibarndi people about heritage values at Gurrwaying Yinda while the Committee considered what recommendation to make to the Minister.

Damage at Gurrwaying Yinda, DVD, 46 minutes, Juluwarlu Aboriginal Corporation, 2009

Ibid

Ibid

Damage at Gurrwaying Yinda, DVD, 46 minutes, Juluwarlu Aboriginal Corporation, 2009

Ibid

Chronology of Events, Gurrwaying Yinda, Internal YAC Briefing Document, 26/05/09, p46; Letter from YAC to the ACMC, 29 June 2009

Chronology of Events: 2009, p31

Chronology of Events: 2009, p36

These events received only one mention in the press, when the Minister for Indigenous Affairs, Kim Hames was forced to justify his actions in the Supreme Court challenge instigated by Yindjibarndi. See: Hames to testify in Pilbara legal row, The West Australian, 16 September 2009, p56

Yehan, Maureen, A hope disillusioned, an opportunity lost? Reflections on common law native title and ten years of the Native Title Act, Melbourne University Law Review, 2003


David Milroy in communication with the author, Diary 3/5/09; See also Swine River in Addendum 20A for further explication of Milroy’s response to mining in the country of his Palyku people; Milroy’s anguish was born of the bitter experience of witnessing the protected status of Palyku country at the Woodstock-Abydos Aboriginal Reserves in the Pilbara region – which were originally protected, we should note, because of the age and proliferation of some tens of thousands of rock engravings found there – being smashed by WA’s Minister for Indigenous Affairs, Sheila McHale, to accommodate the building of a railway line for the Fortescue Metals Group. (Campaign to Save Indigenous Rock Art, Media
Milroy wrote to the Premier Alan Carpenter urging him to shoulder the responsibility of protecting such areas rather than undermining them – to set boundaries for industry: "Embrace a vision for Western Australia that transcends economic imperatives by ensuring that the priceless inheritance of this unique land is passed on intact to future generations". Milroy warned that heritage decisions in WA were being made in a leadership vacuum, and that "the present piecemeal and toothless approach to heritage protection means that soon any West Australian who wants to experience the power and meaning of an ancient place, will probably have to travel to overseas do it". (Letter to Alan Carpenter, Premier of Western Australia, from David Milroy, Member, Palyku Native Title Working Group, Re: Woodstock- Abydos Reserves in the Pilbara, 3 August 2006)

Barrister George Irving cited the successful case prosecuted by Scientologists for their right to be recognized and to operate as a religion, as an example of the potential offered by common law in the prosecution of Yindjibarndi ‘religious rights’, as against the frail provision of the Native Title Act. Federal Court of Australia Western Australia Registry, McKerracher J, No. Wad 161 of 2009, Ned Cheedy and others on behalf of the Yindjibarndi people and state of Western Australia and another, Extract of transcript of proceedings, Perth, 2 March 2010

The United Nations Declaration on the Rights of Indigenous Peoples, United Nations, March 2008, p1; Article 7, p5

This approach was exemplified by successful Yindjibarndi objection in the Mining Warden’s Court to allotment of mining tenements to FMG and to licensing of their exploration plans, thereby defaulting FMG operations directly to the obligation to negotiate ‘before’ exploration. This overturned the conventional practice that precluded the right to negotiate until application for a mining license proper, had been filed. Additionally, YAC would no longer contemplate Native Title in its non-exclusive form, but sought to prosecute ‘exclusivity’ in their new claim, and rehabilitate their extant claim determination to ‘exclusive’ status.


Woodley elaborated: “They said ‘We like what you’re doing’, they supported us with a trainee, and they also supported us to continue documenting a certain part of the country, which they manage. So they said ‘Here’s some funds, can you document that for us?’ So we have to develop these partnerships because it helps them to understand there’s cultural significance and importance there, and it also gives us the opportunity to go back on country and record our significance”. Michael Woodley recorded by the author, Capturing Community Stories Workshop, MDisc 10, Roebourne, August, 2007

Ampe Akelyernemane Meke Mekarle, “Little Children are Sacred”, Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse, 2007, p52

This was in stark disparity to the 2.5% royalty, for example, that Hancock and Wright received from Rio Tinto on sale of the tenements they had pegged; or the 4.25% of gross revenue plus annual rental of $200,000 for the use of the land paid to the Kakadu Land Trust by Energy Resources of Australia (ERA) for its Ranger Uranium mine, a deal that has paid over $200 million in royalties since 1980. (University of Wollongong web site: http://www.uow.edu.au/eng/phys/nukeweb/fuel_safety.html)
CONCLUDING DISCUSSION

In this chapter I will round off aspects of organisation that attended Juluwarlu’s achievement (the parameters of their business model, if you like) – encompassing finance, governance, divisional structure, infrastructure, risk management, staffing, and balance between cultural and commercial functions – and then turn to key findings regarding collaboration and partnership, leadership, cultural identity and the essentially experiential and adaptive character of Juluwarlu’s practice. A penultimate passage also offers caution and recalls inconsistencies that remind us of the inherent vulnerability and hazard of Juluwarlu’s venture. And the conclusion considers the overarching importance of Juluwarlu’s work in narrativising a cultural future for Yindjibarndi.

9.1 Organisational Overview

Before appraising Juluwarlu’s organisational performance, a review of a particular encounter with government offers insight into how Juluwarlu both experienced and navigated public sector bureaucracy prior to arriving at more workable engagement.

Notwithstanding the critique in Chapter 2.3 that described the Government as ‘missing in action’, Government is deeply involved in the lives of Roebourne people at every level – in education and health, through schemes like CDEP and the services of community welfare, police and justice, local government, etc. As argued, however, the function of these services is for the most part directed to minimal maintenance or subsistence – and co-depends with disadvantage rather than acting to remedy it at deeper, structural levels. So then, the entrenchment of Government in domains of welfare, and their simultaneous disengagement with proficient programs of community development, coupled with the axing of ATSIC, left a gap in Roebourne (and elsewhere), which the private sector was encouraged to fill. The Indigenous Coordination Centre (ICC) was formed to intervene in the post-ATSIC environment, by coordinating a ‘regional engagement and consultation model’ for federal government expenditure in Indigenous communities, and in 2005-2006 Juluwarlu made some effort to engage with the South Hedland ICC.
Juluwarlu’s approach to ICC in 2005 came on the back of their significant achievements over 2003 and 2004. The chief problem Juluwarlu identified in their presentation to ICC, and for which they sought assistance, was their difficulty in sourcing on-going funding for the three keystone positions that would guarantee their ability to further develop – those of Administration Manager, Operations Manager, and Media Training and Production Coordinator. ICC offered to bring together a summit of government and private sector entities in the region that could potentially assist Juluwarlu in developing a long-term and integrated funding strategy. It suggested that this round-table would be scoped by the end of 2005 and take place in early 2006. The success of this summit, ICC counselled, would depend on Juluwarlu’s ability to demonstrate a capacity for good governance and sustainability in its Business Plan. Crucially, another contingent requirement was that Juluwarlu subscribe to a Shared Responsibility Agreement with the ICC. It transpired that by August 2006, some nine months later, nothing had come of ICC’s plans. Even if the ICC had mustered a workable funding strategy in its proposed ‘summit’, the Shared Responsibility Agreement with ICC would have proved a stumbling block, for Juluwarlu was of the view that their successes to date were spirited by their independence, and that tying itself to ICC’s bureaucracy and oversight would be more impost than good.

Juluwarlu was called to another meeting with ICC in late 2005, this time to a showcase of DCITA’s new Indigenous arts funding strategy. DCITA described a two-pronged strategy made up of the National Arts and Craft Industry Support (NACIS) and the Industry & Cultural Development (ICD) programs. It was apparent that Juluwarlu fell outside the scope of both these programs, which catered to commercial art practice in the first instance, and traditional cultural transmission in the way of dancing, singing and people-to-people transmission or ‘strictly traditional exchange’, in the second. Digital media as Juluwarlu deployed it in cultural recording, publications and video production did not seem to fit the NACIS or ICD boxes.

When pressed on the critical need for recurrent funding to employ key staff members upon whom the survival and sustainability of Juluwarlu depended, DCITA officers proposed that the such wage costs should be funded by 10% levies built into discrete project budgets. This was manifestly absurd, for at the beginning of any year, it was impossible to predict how many projects might be funded, and whether levies would
add up to enough to employ a cleaner let alone an administration manager. Good personnel were difficult enough to recruit and retain in community-based Indigenous organisations, and without a secure employment package, almost impossible. Ultimately Juluwarlu was at a loss as to how it could find opportunity in or adapt its operations to DCITA or the ICC. Testimony included in the Taylor/Scambary Report echoed Juluwarlu’s frustration:

ICC, well it’s still not what we want from them, what the community needs, it’s what they think what's best for the community, for the people, see? But we want a full-time administrator in the office, a coordinator. We need someone who is tough and tell people what they need to do, and they gotta be paid to do it. But that ICC, they came here, but they ignored that.⁶

Of relationships between government instrumentalities and Indigenous communities Eric Michaels observed: “Wherever Australian officialdom appropriates a population, as it has attempted to do with Aborigines, it quickly bureaucratises such relationships in the name of social welfare. This assuredly defeats the emergence of their sovereign forms of expression”. Michaels went on to stress the need “to subvert the bureaucratisation” that was expressed “in the training programs, funding guidelines, or development projects which claim to advance Aborigines, but always impose standards alien to the art (because these will be alien to the culture producing it)”.⁷

Certainly the NACIS and ICD programs represented a bureaucratising influence and promoted ‘standards alien’ to Juluwarlu’s practice, and their schema raised the question of whom it was that decided how culture was practiced in contemporary Indigenous society. Coppin was mystified by the prescription of ‘strictly traditional exchange’ in the ICD program in particular because, she explained, in Roebourne, kids had to go to the state school where they were taught English, and Ngaarda used all the technologies available to them in their daily lives, and even in the performance and maintenance of their Law.⁸ So, she asked, how was the community supposed to quarantine their culture from the world?⁹

It is important to acknowledge that Juluwarlu would eventually be more successful in gaining funding through DCITA/ICC for cultural recording projects and employment of
key staff, in part due to the agency of a particular DCITA project officer, based not in South Hedland, but in Perth, who had opportunity to weigh Juluwarlu’s achievements and potential more judiciously.¹⁰ This assistance when it came, it should be marked, was not subject to a Shared Responsibility Agreement. While government contributed funding to Juluwarlu in greater amounts as time went by, this only came after Juluwarlu had proved its concept and better established itself by recourse beyond public sector grants.

We should understand, then, that Juluwarlu’s engagement with public sector bureaucracy was commonly fraught by moral hazard as dangerous as that brandished by corporate bureaucracy – a hazard they met variously with scepticism, pragmatism and assurance that sought advantage without surrendering vital tenets of Yindjibarndi identity or Juluwarlu standards.

**Organisational Structure – Lateral Integration and Diversifying Risk**

Juluwarlu did not necessarily fire on all cylinders at once, but shifted the emphasis of its operations by creative intention, or by triage and necessity. A thumbnail sketch of income sources over the 6 years 2003-08 reveals that as the mix of funding changed from year to year, and as new sources presented and others diminished, Juluwarlu resorted to diverse measures and was responsive to the changeable climate of opportunity in order to survive.¹¹ (See also *Chronology Of Income* in Addendum 15A.) Woodley described the strength of Juluwarlu’s diverse funding support and client base thus:

> Each division delivers cultural products in various mediums building on partnerships with Australian institutions. With that we don’t put all our eggs in one basket, we look at drawing and developing other partnerships that we have in the area with health, education, industry, government, because they all have an interest in *Ngaarda* history.¹²

Juluwarlu has described the structure of its operations as falling into nine areas of activity. These were:

I. Language & Translation Services
2. Publication & Educational Services
3. Geographical Surveys & Site Clearances
4. Heritage Mapping & Site Protection
5. Historical & Genealogical Services (including Archiving)
6. Indigenous Knowledge and Consulting (including Cross Cultural Training)
7. Broadcasting and Media Services
8. Special Projects (other consultancy, Project Management)
9. Office Administration & Support (including Human Resources)

It should be noted that there were no hard boundaries between these operations; that each division supported, had synergy with, or was integrated with one or more others. (See also Addendum 2D, Juluwarlu Strategic Plan 2009, for an up to date overview of organisational aims and resources.) For example, the primary and original function of cultural recording, in all its manifestations (video, stills photography, audio, mapping, text), and cultural production (physical and digital archiving, publications, documentaries), underwrote divers tertiary functions – such as geographical surveys and site clearance work, cultural consultancy, project management, broadcasting and commercial video production. Additionally, digital media was able to serve both cultural and commercial briefs concurrently and, by earning revenue was able to provide cross-subsidy to cultural recording, publications, and IT.\(^{13}\)

I suggest that the persistence and authenticity of the Juluwarlu project, its ability to weather financial vicissitudes, relied on this integration; and that this dispersal or ‘seasonality’ of practice allowed Juluwarlu to tune its operations to suit the prevailing weather of technology, finance, human resources, local politics or government policy.\(^{14}\)

As ventured earlier, Juluwarlu had benefited by the absence in its early career of big deals between Roebourne groups and the miners, which, incidentally, had done little to unite groups behind leadership in other regions, and had made negligible contribution to the wider community.\(^{15}\) So Juluwarlu had by needs, developed the capacity to pursue their objectives within severe financial limitations, and had developed the communications and management wherewithal to leverage maximum result from a humble purse. Woodley put it this way:
I think the key to our success is that we have never used dollars as the main motivation to stay afloat. It's succeeding with what you have to work with and making it work – that taught us a lot. It taught us how to manage an organisation properly.\textsuperscript{16}

Media trainee Tyson Mowarin remarked Juluwarlu’s achievement by the absence of any other similar endeavour across the Pilbara – despite the fact that other traditional owner groups had access to “four or five times” the income of Roebourne’s NYFL: “They could build a whole media centre from the ground up if they wanted to, them fellas, where as little Roebourne over the last two or three years – that many things have happened – Juluwarlu and the media centre, TV station – not just a sleepy little community anymore”.\textsuperscript{17} Keith Lethbridge unreservedly attributed Juluwarlu’s achievement to Woodley and Coppin’s leadership: “You could set up a duplicate Juluwarlu in Tom Price, and it would fail, in Onslow, and it would fail – unless someone drives it with their idea and do the hard yards – that’s the difference”.\textsuperscript{18}

While the relative financial security at the end of 2008 kept the wolf from the door, this never put the wolf out of mind.\textsuperscript{19} At the beginning of 2007 Woodley was expressing frustration at not being able to secure funds to employ a television station manager, a stumbling block that was holding up broadcast and video production and stunting training.\textsuperscript{20} In August of 2007, he would admit that for all the gains, the cold reality of cash flow never ceased snapping at Juluwarlu’s heels.\textsuperscript{21} Even when successful in their submissions, the funding Juluwarlu received was invariably dispensed project-by-project, always short-cycle, stop-start and never recurrent, thus making it difficult to build corporate infrastructure and capacity, and to plan for the long term. However, as we have seen, the organisation persisted.

A factor at the heart of Juluwarlu’s endurance was its asset base. In 2004 Juluwarlu had relied on CDEP to cover its basic costs and its premises came courtesy of a peppercorn rental from the Shire of Roebourne. Today Juluwarlu own outright its own base (the former kindergarten and the teacher’s house), and a large block of land in front of its premises extending to Sholl Street. It has also purchased and is meeting repayments on three staff houses in Karratha, and another block with a dilapidated
store and transportable house in Roebourne, which has been tagged as the future premises of Ngaarda Television. This asset base has afforded Juluwarlu capacity in two crucial areas. Firstly, its ability to provide accommodation for its staff and volunteers, a crucial factor in employing and retaining personnel in the hyper-priced housing market of the Pilbara; and secondly as security against loans. Deserving special acknowledgement for its prescience was the decision in 2006 by the Shire of Roebourne to sell on ‘soft terms’ the Sholl Street premises to Juluwarlu – an action that permitted further asset growth.

Of course, Juluwarlu’s core cultural business of recording and reproducing Yindjibarndi language, culture and history could not be sustained by a ‘market’ as such – the Yindjibarndi nation, some 1,500 people, hardly represented a consumer base (even if they had sufficient disposable income), and the decidedly endemic nature of Juluwarlu’s production was unlikely to break into a broader market unless Yindjibarndi culture was ‘marketised’ and packaged for such a purpose. So despite their diversification and advances in operational and financial aspects of their work, and an increasing ability to choose the most suitable partners on the better terms, timely and well-targeted allocations of government grants would remain an essential part of Juluwarlu’s design.

Inordinately significant for Juluwarlu’s development was the fact that, unlike other local Indigenous organisations such as CDEP, Mawarnkarra, or NYFL, which were established according to the requirements of their administrative, service-delivery functions, and according to Wajbala design, Juluwarlu was not at its core a pan-community, cross-language group. Rather, it became an expression of Yindjibarndi leadership and cultural aspiration, and it was this orientation that anchored its organisational identity. The governance structure, then, was relatively simple, and while coming under the Aboriginal corporations act, its AGMs and the election of its officers were not a free-for-all, but occurred within the secure ambit of its (and Woodley and Coppin’s) clients and supporters.

While the fusing of Juluwarlu’s cultural production and media work with its identity as a ‘Yindjibarndi’ organisation was problematic when undertaking fee-for-service work for clients such as Rio Tinto and Woodside who regulated their relationships with factions and tribes according to their political needs, as I have discussed, it was
ultimately positive and inevitable. Even so, Juluwarlu endeavoured to remain responsive to, and responsible for furthering the well-being of the community more generally through its training and broadcasting functions; and also by its ability to mobilize as a commercial/community service provider.

**Staffing**

From 2005 through 2006, the largest proportion of Juluwarlu’s Indigenous staff, by virtue of the training program, occupied positions in its media division. However these roles declined dramatically in 2007-08 after the demise of media training programs and expiry of training subsidies, and while a few Indigenous staffers kept a hand in media production, Indigenous recruitment converged on functions more closely tied to archiving, cultural research, language work, heritage management and fieldwork. This shift also followed on Juluwarlu’s increasing role in heritage management for YAC and the success of the Ngurra Warndurala Buluyugayi cultural mapping and publications project. Simultaneously, non-Indigenous employees and volunteers were increasingly assigned to specializations in administration, IT, media production, publications, and cataloguing.

Juluwarlu was unabashed in assigning non-Indigenous staff to such key operational positions, and Woodley considered the recruitment of these specialists – people who brought the skills Juluwarlu needed to fulfil its cultural mission – as one of his most important functions: “At the end of the day we need to be open-minded, and also be open to ourselves about the skills that we don’t have, so we need to employ people who have those skills”. Woodley was clear that in making decisions about recruitment, the issue of race was not over-determining. What was important was their skill and attitude, or the prospect that they would fit into the organisation in a good way. From 2004 through 2006 Coppin had invited a number of Village girls to take up media and archive training, and while there were periods of good service, none endured, and Coppin concluded that it mattered less whether an employee was from the Village or Sydney; what mattered was whether they could get the critical job of cultural recording, archiving and publication done. So then, while there was a declared objective to give preference to Indigenous people, this was pragmatically weighed against the imperative of cultural recording and reproduction. Even though half of its staff was non-Indigenous by March 2009, there was no question that
Juluwarlu was an ‘Indigenous organisation’, an instrument of Indigenous aims governed by an Indigenous executive and board.

**Balancing Core Cultural Business and Enterprise**

It is interesting to note that Howell, writing about minority-language broadcasting in Wales and Ireland, observed that the Irish-language broadcaster was not as successful as the Welsh because it was imbued with 'anti-business attitudes' and showed resistance to change which resulted in an unimaginative approach to alternative types of funding. While Juluwarlu was not hampered by such anti-business attitudes and was ever open to new ideas and change, not all its experiments were successful. The Rio Tinto *Drill & Blast* and *Pluto Heritage Video* commissions revealed that Juluwarlu’s aspiration to bring something uniquely Indigenous to the stock-in-trade of corporate videos did not resolve with regular fee-for-service business. This work, however, was well remunerated, contributed to Juluwarlu’s bottom line, helped to stabilize the organisation and, for a period, allayed anxieties about how next month’s wages were to be paid. The positive video production experience that trainees gained in acquitting these productions, should also be acknowledged. Ultimately, however, while experimentation with commercial commissions preoccupied Juluwarlu for a season, such work was de-prioritised and failed to consolidate as a regular function of Juluwarlu’s operations.

While cultural recording and field trips diminished while commissioned corporate work was most intense, they never ceased, and subsequently experienced a resurgence that focussed on the Millstream, Gregory’s Gorge and the Harding Dam areas. It is also noteworthy that in the final analysis these commercial engagements did not compromise essential Juluwarlu or Yindjibarndi ambitions and principles. For example, Yindjibarndi refused to subscribe to Rio Tinto’s Central Negotiating Committee or its *Binding Initial Agreement* even though this promised to increase cash flow and could have led to more commercial media work. Equally, as fate would have it, their involvement with Woodside did not serve to lubricate Pluto’s push for smooth passage of heritage clearance matters affecting their Burrup LNG site. (As Yindjibarndi are not traditional owners of *Murujuga*, this was of course, never on the table.)
It is important to note that Juluwarlu stood apart from many Indigenous ‘cultural centres’ or ‘visitor centres’ or ‘interpretive centres’ that were commonly established as enterprises trading on cultural tourism or Indigenous art – and whose production was projected at, or packaged for a market or clientele not of their community. Vis-à-vis the dilemmas confronting Aboriginal cultural centres funded by the public purse, Kirstie Parker, Editor of The Koori Mail, observed that “there were always competing interests between: Are you a cultural centre that is there to present Indigenous people to tourists? Or are you a cultural centre where Aboriginal people can go and actually practice their culture?”29 Juluwarlu never faced this quandary, for while its production happened to serve extra community purposes – not so much tourists, but schools and institutions seeking specialist knowledge – this was a corollary benefit. Juluwarlu remained very much a ‘working space’ whose endeavour was oriented above all to Yindjibarndi and the community of Roebourne.30

**Limitations as a Media ‘Watchdog’**

It is important at this point to acknowledge the failure of Ngaarda TV to meet the aspirations that Juluwarlu and others in the community held for it, particularly in mounting routine broadcast of material in the public interest that might hold local, corporate and government power accountable. For example, while the debate about continuing industrial expansion and destruction of heritage on the Burrup Peninsula was running in the mass media during 2006, Juluwarlu did not cover this issue as they had, for example, the threat by the State to downsize the Roebourne Hospital.31 (See DVD Save Our Hospital in Addendum 6C)

This aversion might be understood by the manners governing who might speak for particular country and cultural matters and who may not. However, the fact that the developer, Woodside-owned Pluto, had engaged Juluwarlu to produce a DVD explaining Pluto’s heritage management process immediately raised issues of conflict of interest for Juluwarlu with regard to making media/news comment on the destruction of Indigenous heritage on the Burrup by Pluto. Another factor militating against Juluwarlu’s function as media watchdog, was that in Roebourne media makers were not ‘mobile professionals’ but a part of the community who watched and were subjects of their production. So they were immediately accountable to their community/audience, and this brought with it pressures. Woodley explained that it
took a special wherewithal and skill to confront local issues of public/political contention – wherewithal and skill that Juluwarlu did not have. While media workers at Juluwarlu did have liberty to pursue their own creative and professional aspirations, they were not political operators, power-brokers or spokespeople; they did not have a broader authority or status that might have given them liberty to provide public commentary. On the other hand Elders, and figureheads like Woodley and Coppin for that matter, needed to observe etiquette in pursuing their cultural agendas by avoiding political soap-boxing or public stoushes. Juluwarlu, then, was not oriented nor inclined to play the role of media watchdog in a general sense, or to cover contentious community affairs outside the domain of its core business precisely because they did not wish to further embroil themselves in community politics. As has been described, their use of media, however, was activist in its application to matters of specifically Yindjibarndi cultural recording, Native Title, heritage and negotiation.

**Summary**

After Eric Michaels, we might ask, did the intervention of State or corporate “officialdom” impose “standards alien to” cultural production at Juluwarlu, or defeat the emergence of “sovereign forms of expression” by Yindjibarndi people? There is no question that the terms of Juluwarlu’s various engagements did influence the development of their practice and provoked contradictions or accommodations; and that standards ‘alien’ to ‘traditional’ cultural practices of the Yindjibarndi were both rehearsed and recuperated by Juluwarlu. However, it does not follow that Juluwarlu’s intercourse with State or corporate “officialdom” defeated the emergence of “sovereign forms of expression”.

In a sense Eric Michaels’ proposition was miscued, in that intervention by, and engagement with ‘alien standards’ are an immutable given in the lives of colonised Indigenous people everywhere, and the hope that some kind of prophylactic would or should shield Indigenous communities from such incursion, was hopeless. Juluwarlu was able to experiment with terms on offer, and in many cases challenge and amend these to better suit their objectives. They certainly employed conventions and chose applications off the mainstream shelf in an opportunistic, and on an as-needs basis – digital media technologies, financial facilities, Wajbala personnel, Wajbala law, etc. – but
the evidence of their practice suggests that they necessarily turned these tools to Yindjibarndi cultural needs and desires.

Aside from the application of media to the overdetermining function of maintaining culture, we should be reminded here of the aide video provided to particular policy or political objectives of Juluwarlu and YAC. For example, in advocating the networking of Ngaarda TV and the Pilbara Youth Leadership Program; in ‘discovering’ Bill Hart’s snub of Woodley’s role in the PYLP; in video minuting negotiations and producing DVD submissions to the NNTT; in documenting Woodside and its ‘A Team’s’ tour through the Village; in gathering video evidence of the Bridge Eleven disturbance at Gurrwaying Yinda and using this to leverage their position in negotiations with Rio Tinto (the Ngurra Warmdurala Buluygayi books also played a role in this instance).

Certainly the composition and use of such video ‘documents’ came more naturally to Juluwarlu and YAC than hardcopy paper reports or dissertations, and served to present a direct Ngaarda view, while the necessary paper reports were delegated to Juluwarlu staff and YAC Lawyers and anthropologists. Woodley was effectively the producer and director of these productions. While he did not have time to master the technical aspects of camera and computer editing, he had an acute sense of what needed to be recorded and how it might be structured or edited to communicate the issue at hand. He was compelled to become a director and producer precisely to project Yindjibarndi ideas or voice. Note that Woodley was never a dedicated media trainee in one of the certificated courses at Juluwarlu, but had acquired his skills by absorption, observation, and interaction with staff, visiting trainers/ professionals, and of course, as a keen mainstream movie buff.

In due course, then, Juluwarlu used all the administrative, communications, and management tools within their grasp – which we should be reminded, were developed on the bedrock of its cultural maintenance and media production operations – to boost the broader cultural, political and economic aspirations of Yindjibarndi. This was an immeasurably important accomplishment that bore heavily on their economic, as much as on their cultural future.
Following Bergman’s observation of Native Canadian broadcasting – *Cultural industries grow, not only from commercial viability, but because of their ability to express the cultural goods of the societies from which they emerge* – we should reckon that Juluwarlu, while tested by the demands of administration and income generating activity, and engaged by aspects of commerce and business, held true to their cultural mission.35

### 9.2 Fellow Travellers

Juluwarlu’s essential collaboration was of course with Yindjibarndi elders, and the nature of these primary relations has been canvassed throughout this study. I now turn to an evaluation of partnerships as they involved non-Indigenous people who worked with Juluwarlu. The work of these ‘fellow travellers’ significantly contributed to Juluwarlu’s development and pursuit of specific outcomes, and their participation was conscientiously cultivated and integrated by Juluwarlu’s executive.

As discussed in *Conjecturing Mature Relationship* in Chapter 8, the partnerships that mattered most to Juluwarlu contrasted markedly with the character of the ‘community partnership’, training and employment programs and conditional donations of resources companies, which were invariably plied by company employees carrying a company brief. Instead, at Juluwarlu, cross-cultural relationship showed correlation with ‘participatory’, ‘community development’, ‘public interest’, ‘advocacy’, and ‘applied’ anthropological approaches, and was predicated on service to, and observance of Indigenous leadership.

**Historical Examples of ‘Participatory’ Community Development**

There were important examples in Roebourne of community development that varied with the commercially driven machinations of resource companies and the too often misguided ‘welfaring’ by government bureaucracies, and which accorded more closely with the collaborative or participatory approach. One example close to Juluwarlu was the establishment and development of the Njurrawaana Community on the Yindjibarndi tablelands, which was supported by, amongst others, Catholic Sisters of Mercy, Bernadette and Bernadine, Father John Gherardi, Department for Community Development welfare officer Bob Hart, and DCD project worker Rod Mitchell.
The Sisters had initially come to Roebourne for three years to tackle remediation of alcoholism, and formed a close relationship with Woodley King while working with him to overcome his alcohol addiction. They then coopted Father John and Catholic Aid Abroad to assist with King’s dream to establish a ‘dry-out camp’ far from Roebourne and in his country. Hart and Mitchell helped under the auspices of their community development brief, which in the early 1980s was still an active feature of the Department. While these agents sought outcomes and brought with them their own values, these were not confounded by the self-interested imperatives of most corporate Indigenous affairs officers. King had no Native Title or heritage clearances to offer his collaborators, and they sought no more reward than his success.

Also significant was the work of Pastor David Stevens and his wife, Margaret, who together with Roebourne elders established a Christian congregation that, over a period of decades, successfully supported those who wanted to get off the grog. The Pilbara Aboriginal Church represented a collaborative enterprise whose Wajbala and Ngaarda progenitors lived in, and were of the community. Carol Lockyer recalled that the Church hosted Christian fellowship meetings for men and women where they discussed their problems and those of families in the Village. These gatherings were not just Aboriginal, she noted, but were mixed: “That’s where they drew their strength, not in an Aboriginal setting but as people – black and white together”. Lockyer holds that it was the generation that found their feet in the church who “set it up for Roger [Solomon]” – who provided a model for public advocacy that was later demonstrated “in the confidence to speak up and speak out that we see in Exile”. Michael Woodley, who was never a member of the Church, nevertheless admired the way the Church worked:

I always thought that Pilbara Aboriginal Church helped a lot. The beauty of it was, the most important part of it all was that Dave Stevens used to participate, he used to go out there and take photographs at some of the [Law] meetings, he never shunned what was theirs by saying it was pagan and all that, and that you have to live in a white man’s way. That never happened, church was interlinked with the Law and culture.
As we have learned, the recordings Stevens made of the Law today form an important part of Juluwarlu’s archive.

Other proximate examples of such partnerships included the work of Ieramugadu Group project manager Bruce Duncan who assisted in development of the Mount Welcome and Chirratta pastoral enterprises; Lawyer/MP Peter Dowding who advocated for grants of leasehold in Ngarluma and Yindjibarndi country; anthropologist John Lawrence who volunteered for many months with Juluwarlu in their early efforts; and Kate George who periodically provided them with valuable strategic and legal counsel, and moral support. This history gave to an understanding at Juluwarlu that there were forms of partnership that were not confounded by vested interest, or by personal or ulterior motive.

**Recruitment by Osmosis**

Woodley and Coppin were wary about casting into the unknown for staff, and diffident about inviting strangers into their project, and so had not recruited any of Juluwarlu’s staff by published advertisement. Instead Juluwarlu moved in more gradual, intuitive, and personal ways when seeking staff. Their recruitment grew out of casual associations with people who were drawn by the character of the organisation, and the commitment of Woodley and Coppin. These associations sometimes led to volunteer work that served as probation in the Juluwarlu milieu – a rehearsal of communication and participation that allowed Woodley and Coppin to develop a degree of confidence in people before employing them. Several of these relationships developed into long-term employment at Juluwarlu. Staff were also wooed from other organisations in the region such as the CDEP, Wangka Maya Aboriginal Language Centre and the Shire where their good purposes were observed and appreciated.

Relationships between each non-Indigenous partner and Juluwarlu were undoubtedly unique in every case, but were commonly stimulated and sustained by virtues like professional satisfaction, personal friendship and working relationship, a desire to ‘serve’, an understanding of Juluwarlu’s vision and ethos, and an enthrallment with the culture of Yindjibarndi people and their country. (See September 2005 issue of the Juluwarlu Newsletter in Addendum 4D for cameos of Juluwarlu staff.)
Phil Davies was originally employed with the local CDEP as a project officer and came to know Woodley as a member of the CDEP board, and then Juluwarlu as one of the organisations he assisted. As he grew more familiar with Juluwarlu’s undertaking, he volunteered assistance above and beyond his CDEP remit and then changed organisations in January 2005, becoming Juluwarlu’s Administration Manager. Davies expressed his admiration not only for the cultural knowledge he was privileged to share, but for the determination it took to sustain it:

> It’s a testament to the Indigenous people of Australia that we’ve still got these knowledge systems here; it’s a testament to the resistance, and the value that Aboriginal people placed in their history that it’s still here today, and that other people like me can still benefit from that.\(^4\)

Upon his successful attainment of an anthropology degree in June 2006, Davies also took on responsibilities for management of Yindjibarndi Cultural Heritage and Native Title business. He said that he was grateful “to be involved in activities which are entirely original, innovative and positive”.\(^4\)

As sketched earlier, my induction came on the back of an historical connection through *Exile and The Kingdom*, relationship with the Solomon family, Woodley’s grandfather and others, and more recently, collaboration on revising and republishing *Know the Song, Know the Country*. Woodley asked me why I chose to work with his elders in making *Exile*, and why I now chose to work with him and Juluwarlu in developing their project. I said that because of my friendships in Roebourne, it was
where my connection with ‘Australia’ and Australian history made most sense to me; it was where I was able to participate.\(^{33}\) The element of exchange was fundamental for me. Like Davies, I was stirred by understandings of creation, country and history; was awakened to the legends, lessons, songs, poetry, genealogy, rumours, and so on that were natural to beautiful landscapes or unremarkable kangaroo flats. Finally, I would not have moved back to Roebourne with my family to take up fulltime employment with Juluwarlu after the completion of \textit{Ngurra Two Rivers} had it not been for Coppin and Woodley’s eagerness in provoking cultural production, and more importantly, their constancy and leadership which provided security for my renewed participation – without it, nothing else would have followed.

Vicki Webb came to Juluwarlu via the Wangka Maya Aboriginal Language Centre in Port Hedland, having become a familiar in the throes of making \textit{Wanggalili} (when Wangka Maya was the auspice agency for Juluwarlu). Alan Thompson originally came to work on the digital transformation of \textit{Exile}, and later when finances became available, and after demonstrating commitment and application through other short-term contracts, was brought on fulltime. Sheree Martin was coordinator of the Healing Arts Centre where Coppin was Chairperson, and when her contract ended, migrated to Juluwarlu to serve as WY Training Coordinator, and later as Marketing Manager. Paul Berry was a stay-at-home father casually consulting as a surveyor who came to Juluwarlu offering to volunteer his services, and was later contracted to discrete funded projects. Jo Pritchard had opportunity to observe Juluwarlu develop over a number of years in her job at the Shire of Roebourne Local History Archive and as a Juluwarlu volunteer, and resigned her position there to join Juluwarlu as Archive Manager in 2007. Dr. Jan Teagle Kapetas, who had been Community Development Manager at the Shire of Roebourne, also came to admire the ethos and cultural maintenance activities of Woodley and Coppin, and migrated to Juluwarlu in 2009 to serve as Manager Creative Productions & Publications – it was a familiar pattern.\(^{44}\)

**Volunteers**

In 2007, Juluwarlu instituted a volunteer program that was advertised on its website and in targeted mail and which invited “volunteers with skills in filming, editing, directing, multimedia or web design to work on producing cultural documentaries and interactive CD-ROMs”. Suitable applicants who were willing to donate their services
to Juluwarlu for a minimum of four weeks were offered return domestic airfares and accommodation.45 Anthropologists were also sought and the first of these, Columbian expatriate Fernando Hincapie, accepted an offer to manage the WY Training Program after serving his term as volunteer. Maria Rosa Rodner, former community television producer in Venezuela and Applied Anthropology Masters student at Macquarie University, volunteered to work in the media centre and also signed on as an employee in July 2008. And anthropologist Rose Butler and media practitioner Inge Olmheim arrived to assist with fieldwork and book and media production in July 2008.

The volunteer program functioned as a discerning recruitment tool; in the first place selecting from a subset of candidates who were disposed to volunteer their time and services, and notionally had empathy for, or a professional interest in working with remote Indigenous communities; and who at the same time possessed skills Juluwarlu needed. The volunteer program allowed Juluwarlu to ‘try-before-you-buy’, to observe how volunteers related to staff and the community, and to gain a sense of their capabilities. Of course, the process of familiarization ran both ways so that Wajbalas also could make a commitment based on their understanding and affirmative appreciation of the circumstances and people they came to work with. Virtually all of them came with an academic interest in anthropology or media, and looked to practice or garner something to their degrees. Each contributed according to his or her capacities.

Woodley offered that these relationships could not be predicated on ‘charity’, and that their assurance grew from the fact that everyone involved had something to give:

It comes back to the one simple thing really, why people want to help other people – it’s because [Juluwarlu] are helping themselves. If you are passionate about what’s happening, and you see activity there and people already helping themselves, then you know that if you put your energy and support into it, that Ngaardangarli are doing it for themselves as well.46

Woodley reckoned that things came unstuck when collaborators and employees came with their own fixed ideas for community projects or benefit (or indeed, for their own profit), and then became disillusioned when their hopes failed to materialize. The
“genuine people” participated, he said, “because there is something they can gain from it from a more personal, feeling side of it, rather than having another agenda”. Woodley here drew a distinction between the ‘personal side’ of participants’ intentions, that is, their ethos and empathy – and the ideas, knowledge, expertise, and prescriptions they offered. While the later were part and parcel of the ‘contract’, it was the former that betokened success. Sheree Martin concurred, saying that what was important for successful relationships and for people in the workplace to feel comfortable with each other were qualities of compassion and understanding. A ‘warmth’ was needed: “People need to be adaptable, rigidness just scares people off. You need to be flexible and go with the flow. It takes a long time to build those relationships and build a trust”.48

While in the broader scheme of things my earlier verdict that the corporate sector dominates the Indigenous knowledge ‘economy’ holds, we might note that the involvement of these professionals with Juluwarlu dilutes this claim a little. There was no question about who owned the fruits of their work, and where it’s principal repository would be.

**Factionalism and Taking Sides**

Levels of functionality, fractiousness and fragmentation wax and wane in communities and organisations in all places and they must perpetually negotiate cooperation and dispute. The exercise of such negotiation is usually opaque to outsiders or newcomers whose agency can be caught up in its drifts, be cajoled, intimidated or repelled. Woodley observed that a common pitfall of non-Indigenous workers in community organisations was their cooption to, or intercession in community politics, and their capture by sectional interests. He considered such dalliance inappropriate for employees who were by rights answerable to their executive and board, and not to the factions that drew them into disputes and power plays.49

This proposition is problematic in that points of leadership and members of boards themselves also hold sectional interests, and employees (black or white) are inevitably compelled to make choices that are perceived locally as ‘political’. The work of staff in management and administration by definition requires an understanding of endemic political circumstances and occasional intervention in them, not avoidance of them. My
own involvement with Juluwarlu, as a matter of course, was political from inception –
passive in the sense that I was facilitating the work of Woodley/Coppin and Juluwarlu
who had political adversaries in the community, and more active when bringing ACID
funding and my Murdoch University candidacy to the *Ngurra Two Rivers* project;
facilitating clearances for the re-versioning of *Exile* as DVD; arranging conferral of *Know
the Song, Know the Country* copyright to Juluwarlu; or defending them in public stoushes
such as that of the 2005 NYFL AGM discussed earlier.

In these instances I made a deliberate decision to ‘take sides’ with Juluwarlu’s
determination to carry forward its cultural recording program because I could not
identify another group that might have led these projects. As a result, my partiality was
also guaranteed within a consequential power-base in the community. As my working
relationship with Juluwarlu developed in 2004-05, I learned to disentangle the
relationships and ideas that remained from the late 1980s and early 1990s production
of *Exile and The Kingdom*, and adjusted to the post-*Exile* character of my status in the
community, and to the fact that I was now working for an Aboriginal corporation
rather than as a ‘freelancer’ amongst the elders. I learned to better heed the leadership
of Coppin and Woodley, which preceded and would post-date my coming and going.

This ‘adjustment’ was inevitable because *Exile* belonged to the less factional, pre-Native
Title era when, as Trevor Solomon said, the community more or less functioned on
the basis that “we are not separated, we are inter-married with each other, we are
one. There is no separation between Ngarluma and Yindjibarndi people”.*50 Although
his view was rhetorical and hopeful, it was true that a consensus across tribal lines had
been possible under the leadership of the *Exile* elders. However, since the making of
*Exile* there had been generational change, Native Title, etc., and such consensus was
not possible for the *Ngurra Two Rivers* project a decade and a half later.*51

While I had clearly nailed my flag to the mast of an identifiable faction/group in the
town, I had no reason to expect thereafter to be seen by members of other factions in
the town simply as ‘the Frank Rijavec that had worked with their elders to make *Exile*’.
While the tensions and flak from some quarters was ameliorated by the renewal and
strengthening of some older relationships and establishment of new ones, this was
nevertheless personally difficult. I was troubled by the thought that I had hurt some
relationships through an allegiance that was too explicit, but I could not see how I
could otherwise participate and make a sustainable commitment—not simply to the
undertaking of one cultural media project, but the development of a sustainable,
Indigenous-driven media capacity—without demonstrating allegiance. I concluded that
methods of working across the community that were tenable during the production of
Exile were no longer so; and that one could not do better than make a judgement on
the quality and motivation of a particular leadership base, and then lend one’s agency
to it. To try to resolve the complexities of the broader social/political flux, or trade
between parties, was paralysis. Such was the effect of advocacy and participation.52

My ‘partiality’ naturally maintained in the relationships between Juluwarlu and its
institutional and corporate interlocutors, so that while offers of media work came
from companies and neighbouring traditional owner groups to me personally, I abjured
such invitations and effectively disqualified myself from working as a freelancing
consultant between Indigenous and other interests. This partisanship contrasted
perhaps with the (putative) arm’s length, objective code of some researchers and
professionals who plied the ‘negotiating space’ between the state/private sector and
Indigenous groups. Of course, consultants with a ‘professional’ background might have
felt restrained from partisan advocacy by an ethos or tradition that spoke about
‘objectivity’; and by the methodologies promoted in academies and guilds? Perhaps
they perceived their highest duty was to the academy or mediation between power
and disadvantage, rather than on-the-ground advocacy for one or the other?
Unfortunately consultancy, by definition, generally gathers to institutions that can
afford it—a trend, it might be noted, that increasingly characterises academic research.

While I have promoted the necessity of participatory modes of cross-cultural
partnership, and while my collaboration with Juluwarlu may have assisted in
contributing some useful outcomes, we should not forget its failure, most
conspicuously in the establishment of community broadcasting through Ngaarda TV.
Alternatively, the fact that Juluwarlu nevertheless persisted according to their own
proclivities, capacities and priorities after my substantial withdrawal, could be seen as
an affirmation. Such staff impermanence always hung over Juluwarlu, forever
underscoring the need for local solutions and capabilities.
Weighing the Value of Partnership

In closing, the discussion in the *Little Children Are Sacred Report* regarding partnership in community development between Indigenous and non-Indigenous people is worth noting for its corroboration. This Report held up particular examples of partnership as exemplary. One such attributed the success of the Maningrida Community Action Plan Project to Indigenous locals working in tandem “with a non-Aboriginal project officer who had a long-standing relationship of trust in the community”.53 In the Umbakumba community, the Report observed, a key ingredient of success in a program to reduce alcohol abuse was the “strong core of skilled and committed ‘outsiders’ who had built up a relationship of trust with the local community over a long time and who worked in partnership with the local community”.54

The value of partnerships to Juluwarlu was not taken for granted by Coppin and Woodley and they readily acknowledged that without the steady contribution of ‘fellow travellers’, alongside the core group of Indigenous trainees and staff, Juluwarlu would struggle to hold together some aspects of its operations.55 Phil Davies expressed a corresponding appreciation when he commented:

> We’re very privileged to be here and we’ll be here for as long as we’re wanted. Our job is to support the vision, but at the end of the day if there is somebody else that can do that better than me then it’s time for me to go. So that’s what I have to remember as well – that we’re here for as long as we’re wanted.56

I would suggest that the willingness Woodley and Coppin brought to making connections with prospective helpers, collaborators or employees was one of the central reasons for the success of their endeavour. Summing up the value of such partnerships during the seminal start-up period of 2005 through 2006, Woodley offered:

> We all play a part, we all make up a cog that turns this machine […] As we moved along in the last 18 months we were lucky to get guys like Phil and Frank, and also Yalgu Keith [Lethbridge] to come in and develop the big picture of this multi-media and how we want to do it. And to tell you the truth we’re
all new to the game, but it’s exciting every day now, it’s actually blowing us away.\textsuperscript{57}

We should conclude that like the practice of Birdarra Law, community development was a participatory and not a spectator ‘sport’.

9.3 Leadership and Innovation

At the outset I indicated that Leadership was the fundamental factor behind Juluwarlu’s development at every level. Here then I will reflect on its key aspects, its carriage and challenges, its lessons and achievements – beginning with the importance of endemic Ngaarda leadership.

Aboriginal corporations are Ngaarda by statute, however while their boards and chairs are Indigenous, it is by no means given that executive day-to-day management is comprised of local Indigenous leadership. In fact this is relatively uncommon. Aboriginal and Torres Strait Islander Social Justice Commissioner Tom Calma noted: “You can look at any community, and there’s very few around where you have Indigenous people managing those communities that are the CEOs of the communities or administrators of communities. Most often, it’s a non-Indigenous person there”.\textsuperscript{58}

Referring to the Indigenous Mexicans, the Fox, John Van Willigen noted that because they “were more or less unsuccessful in using non-native organisational models,” their organisations tended “not to work effectively without significant white participation”. This was problematic, Van Willigen said, because these organisations “tended to collapse with the withdrawal of white support,” and this in turn produced a sense of inadequacy in the Fox and limited their development.\textsuperscript{59} The danger of such collapse or crisis of confidence at Juluwarlu was lessened because, among the principal Indigenous organisations in Roebourne, Juluwarlu was the only one managed by local Indigenous leadership – in fact a management duo in Executive Officer Michael Woodley and Archive & Language Manager Lorraine Coppin.\textsuperscript{60}

While the attribute of local, ethnically specific leadership would hardly be expected of non-Indigenous businesses and organisations carrying out secular functions according to laws, models and practices that are relatively standardized through Wajbala society,
management of Indigenous organisations serving more or less discrete Indigenous
groups, is a different matter, especially when the organisation is concerned with
cultural maintenance and re-production, and representation. Management of such
groups involves a plethora of concerns beyond the laws, models and practices of the
‘material world’, and needs to comprehend both local and secular governance issues
while acquitting responsibilities concerning language, culture, politics, and history.

The importance of employing local Indigenous people in community organisations to
address difficult and sometimes delicate issues – health, education, community
development, cultural maintenance, counselling, violence, substance abuse, and so on –
was at the root of the resolve by Woodley and Juluwarlu to divert the resources of
the WY Program to training and employment of locals within the community.

Perhaps one of the most difficult and occasionally invidious aspects of a non-Indigenous
manager’s job in an Indigenous organisation is the exercise of authority over
Indigenous people. Wajbala in such positions became vulnerable to antagonism and
resentment – as in the case of the NYFL CEO in 2005 around the time of its AGM
(see Chapter 6). In Roebourne issues of race, historical examples of non-Indigenous
abuse of authority, patent disparities of wealth and ‘education’, cross-cultural
misunderstanding and communications difficulties, disjuncture between incoming and
outgoing management styles, the implementation of rules, the dispensation of benefits
and permissions, and so on – from time to time resulted in backlash from Indigenous
members, clients and boards. In the unhappiest examples this was expressed in racist
terms.

The fact that Juluwarlu was directed by hands-on, local Indigenous managers on a day-
to-day basis, largely obviated difficulties prompted by social, racial or cultural
difference. Another advantage was mitigation of executive-officer churn, which saw
organisations falter from one passing CEO to the next. Juluwarlu was in the fortunate
position of having a managerial executive who were there for the long haul.

**Promoting Youth Leadership Against the Grain**

In *The Spectre of Annihilation* (Chapter 2) I described the ‘missing link’ generation as
those children who saw drinking rights engulf the Old Reserve in 1967; who were
around the age of puberty when the second wave of mining development hit in the early 1970s; who were consequently caught in the cultural rip of the late sixties and early seventies; and who died young or failed to take up the baton for Law and culture from the generation of their fathers. The phenomenon of the ‘missing link’ was the stigmatic precursor of Woodley and Coppin’s activism because, as I have said, it fell to their generation to pick up the pieces and to straddle the cultural break that opened with the deaths of their grandfathers in the 1990s. It was a testament to their dedication that they, as part of the ‘come back’ generation, weathered the disparagement that was provoked when they ‘overstepped’ their station or rank of authority, which was usually determined by age. Woodley observed:

If you take up a leadership role, then your voice is only for one thing when you start off – to try and get your people along side you. But it does the opposite. By standing up and saying ‘this is what our people don’t want to do anymore’ [drinking for example], people say, ‘Hey hey, he’s not speaking for me, he can speak for himself. I can speak for myself!’ It’s the tall poppy thing – it’s not about the issue, it’s about the man.61

It was an irony that while the up-and-coming corps of young Roebourne Lawmen were admired by elders in the neighbouring communities, at home they often suffered the jibes of rivals and malcontents. And so the leadership collaboration between head Lawman, Tim Douglas, and his young deputies drew fire from the uncles of those deputies, who issued threats that they should be wary of their ‘inexperience’ and the lethal consequences it might beget.62 Such attacks inevitably came from the ranks of men who did not have the wherewithal, discipline or following to prosecute the Law in their own right, and who may have felt threatened or shamed by the spectacle of younger men taking the lead.63 Some from this ‘missing link’ generation mocked Woodley as the ‘young elder’.64

Van Willigen observed that amongst the Fox there was a cultural tendency to resist accrual of power, even in the face of dire need for leadership. He said that individuals amongst the Fox “who attempted to increase their authority were subjected to severe sanctions”, and that it was cultural constraint that increased the reluctance of individuals to participate in political leadership positions.65 Obversely, Woodley did not
believe that the problems faced by leadership aspirants simply concerned “cultural constraint”, as if these “cultural constraints” comprised an innate and inescapable Indigenous ‘affliction’. He suggested the remedy for this problem clearly lay within the grasp of the community:

Standing up for something you believe in is an honourable stand and takes courage. It’s also a choice not taken lightly and a difficult task to handle and manage without becoming a victim of community politics. Leaders in our community have all travelled down this path of destruction, finger-pointing, and community spotlighting of blame – and it’s all because of wanting to do the right thing and standing up for something they believed in. Young leaders in any community are a rarity and a blessing. But these leaders also need time to develop, grow and progress in order to become effective and mind-strong. It begins with the encouragement and support from the community members they represent.66

As I have outlaid in Current Socio-Economic Conditions (Chapter 2) and Community Politics, psychological damage had scored deep into the psyche of the ‘missing link’ generation, and also more generally – and complaint and retribution are an expression of this. And so is shame. The potent emotion of shame afflicted many who lost their grasp of cultural knowledge and Law – an emotion and a loss that deepened their alienation from younger generations that were ready to learn and lead. At times the expression of this psychological scarring and defeatism overwhelmed and suffocated young leaders, and Woodley coped by understanding that he could not answer this condition; nor could he defer to the reflexive custom of deference, the expectation of failure, and the unending cycle damage – even amongst his elders:

If you got a big picture in mind, you need to be up front honest with people – and you need to grow a double skin basically, you need to be tough and you need to have your own style about leading. If you worry about what everybody else thinks about you, then you’re not going to succeed. If you think someone’s doing the wrong thing, then tell them and if he can’t handle it he shouldn’t be in a position to make decisions that are going to damage and cripple the community. That’s the way I look at it.67
Negotiating Inter-Generational Communication

For the progressive imagination it reveals, the Pilbara Youth Leadership Program merits recollection here. In Template of the Law (Chapter 3), I touched on the breakthrough of younger Lawmen in disarming the shame of the ‘missing link’ generation, and establishing the extraordinary practice of passing Law ‘up’ to the previous generation. Woodley observed there was an element of ‘uncoupling’ here that had been unthinkable in earlier times: “Sometimes that chain of command needs to be, not broken, but sometimes you need to work back with it, instead of waiting for these people to say ‘come over here’”. 68 In the Pilbara Youth Leadership Program, then, Woodley saw a unique opportunity to renovate intergenerational communications and the system of leadership-transition. The time had come, in Woodley’s view, for youth to carry forward an agenda of action: “I wouldn’t do this twenty years ago, even forty years ago. Fifty years ago you wouldn’t even think about it! But it’s new times”. 69 (See The Corporatisation of the Pilbara Youth Leadership Program in Chapter 7 for details of the PYLP.)

The need for a younger generation to take up the cudgels was echoed by Tootsie Daniel in recollecting her deceased husband’s struggle to come to terms with the complexities of Native Title, and his urging for the next generation to rise:

Mining companies, they can come and take things from our land, but they can sometimes rob us you know […] we don’t want to be put down all the time. A strong voice and a strong message – straight out! [David] was saying more young leaders need to rise; we need more young men and women to rise. That’s the only way we can make things happen in the community, especially with mining companies you know, we gotta get a message to them. 70

Both Woodley and Coppin strived to provide opportunity for others to emerge from under the shroud of recent history, and by this initiative committed the ‘sin’ of nonconformism. Canadian philosopher, Charles Taylor, has argued that youth need more than material relief – they require structure, meaning and purpose to channel their lives. They yearn for ideals and ethics to rescue them from the chaos of the world; and for leadership to guide them to good purposes and a life not overwhelmed
by cynicism and fear, despair, depression or pessimism. This was not something that could be conferred by a job in the resources industry. Taylor’s views do, however, echo Woodley and Coppin’s inherited and considered belief in the role of Law and culture in their community – a system of knowledge and values that underwrites the function of Juluwarlu, and which Juluwarlu sought to project into the community, and particularly to children in the throes of forming their identity. A positive reception of Juluwarlu’s effort to build a bridge from the younger generation to the elders was expressed by Yindjibarndi woman Jill Tucker on the occasion of the launch of Juluwarlu Television in November 2005: “When old people and young people work together – working as a team – respect comes back in. I’m glad [Juluwarlu Television is] out, been a long time, been a long journey for the Aboriginal people of Roebourne. My feeling goes out to the old people, the ones that passed on – and their knowledge can carry on with the Juluwarlu organisation and for the whole of the community”.

Especially meaningful to Woodley was the wider recognition young men and women who joined the Juluwarlu project received. Woodley recalled a CNC delegate who was so taken at seeing Juluwarlu trainees Glen Toby, Lyle Wally and Glen Lee behind the cameras recording the meeting, that he made a speech to the forum expressing his pride at seeing these young men in command of media technology. That Juluwarlu’s example was increasingly opening Ngaardangarli eyes to the fact that they could do these “high-tech things,” was an affirmation. Woodley understood the Juluwarlu project as a vehicle bearing the resources that the next generation would need to carry on the work of cultural reproduction:

I think it is about planting the seed and nurturing it to grow. We have come a long way – six years in the making and we’re looking to stay a very long time – and when we’re gone we want to be able to hand this thing over to our next leaders, for our next generation to come in and also fly the flag for Roebourne, for culture, for language and for history.”
As I have noted, by 2009 most media trainees had left Juluwarlu, and so leadership transition arrangements looked fragile. Woodley and Coppin, however, held hopes that their own and other children who were receiving private school and university educations in Perth (sponsored by NYFL and resources company scholarships), would, within the next decade, come back and take up leadership roles at Juluwarlu and other local organisations.

**Metabolising Knowledge**

The bilateral exchange of knowledge between partners and Juluwarlu was an essential function of Woodley and Coppin’s leadership. They acted to ‘metabolise’ knowledge to Juluwarlu’s purpose:

In terms of the technical stuff you see around here now, I don’t have a clue how these things work – I basically direct traffic. One of my key roles is to try and get people like Frank [Rijavec], Alan Thomson, Vicki Webb – all these
people with the skills – to buddy up with local Ngaardangarli and then make sure they transfer the skills over. 75

Woodley said it was important for him to honestly acknowledge what he knew and what he did not know, and to trust in the counsel of his partners: “If you have someone who is a leader and doesn’t allow themself to be flexible in everything they do with knowledge, and in accepting other people’s expertise, then you don’t succeed. You have to open yourself to those advices”. 76 In his analysis of the Epic of Gilgamesh, Alberto Manguel suggested that this story offered two lessons:

On the one hand, that civilization must find in what lies outside whatever contrasts and enriches its social and cultural identity; and on the other, that the community must be healed from its inner evils by setting up rules and regulations, and enforcing their obedience. 77

This resonates with the sensibility, and indeed, the tradition Woodley and Coppin brought to their leadership.

In considering the coption of various technologies to Yindjibarndi cultural purpose, we should be mindful not to accredit too much to the dynamism and agency of technology per se, for the facility of these technologies could not have been integrated, I would suggest, without the intervention of Coppin and Woodley – an agency imbued and impelled as it was by ‘respect’ and ‘country’. It was this cultural centrifuge – channelled by leadership – that provided gravity for the technology, and defrayed the possibility of it becoming superficial or merely entertaining.

**Law as Paradigm for Governance and ‘Adaptation’**

Tenets of Birdarra Law found congruence with modes of governance at both Juluwarlu and the Yindjibarndi Aboriginal Corporation. Instances of such correspondence between custom and organisational governance included: unambiguous points of leadership or applied management; authority earned through exemplary conduct within the community, rather than being conferred by endorsement from elsewhere; a strong disposition to relational warranty as the best basis for partnership or recruitment; a
raison d’être and modus operandi that prioritised language, Law and culture and weighed these as fundamental to being in the world.

Woodley suggested that prospects for development in the community would be helped if the ethos of Law was more widespread in the conduct of town affairs: “Would be good if we had a policy that said, ‘Who leading in the bush should lead in town’. Nobody question it. Properly though, for the people”.78 The idea that contemporary town life would benefit from the values and leadership protocols of the Law was not fanciful, but found an echo in the practice of leadership in the Old Reserve before the upheaval of mining development and alcohol. Roger Solomon said that before the grog and the breaking apart of family encampments, a sturdy discipline and respect system was maintained on the Reserve: “In those days, back on the old Reserve, no matter how much our people were moved around or interfered with by Native Welfare and police, our Elders made sure the Law was kept strong [...] That's what helped us survive through the worst years of Reserve life”.79

The contemporary disarticulation of bush governance from town governance, Woodley said, had seen alienating, materialist, monetary values eclipse those of Ngaarda respect, reciprocity and relational propriety.80 This dislocation had also served to excuse malfeasance by Indigenous people in Whitefella jobs – to dismiss their misconduct in Wajbala business to another, abstract realm. In this non-Indigenous domain the act of mishandling or appropriating money for personal gain, for example, could be dismissed as a boon at the expense of the Wajbala system, rather than an abuse of Ngaarda resources – and good luck to the beneficiary! The sanction or penalty of Wajbala laws and regulations could be just as abstract and bear scant correlation to the verdict of the community – and could be shrugged off as just another manifestation of Wajbala oppression.81 Woodley suggested that such behaviour would not be tolerated in the Law.82 So then, a judicious interpretation of Ngaarda Law, and more specifically Yindjibarndi tradition, possessed immense potential for improving organisational governance in the dominant Wajbala domain.83
We should recall that Law and tradition also provided a model for change and creativity in the exercise of leadership. Exponents with individual flair in ceremonial singing or adornment, or in the ‘dreaming’ of the extra-ceremonial jawi and jalurra songs, were memorialised as giants in Yindjibarndi cultural history. And, as posited in Template of the Law, the individual ‘style’ that Law carriers brought to the Birdarra ceremony demonstrated an enduring and collective openness to individuation within ‘the traditional’. Apprehension of this certainly encouraged Juluwarlu's willingness to innovate. Contemporary echoes of such receptivity to change included advocacy of youth leadership; passing the Law ‘up’; and employing CDs as an aide for learning ceremonial song. Yet another instance of such ‘reinterpretation of convention’ was the Ngurra Warndurala Buluygayi publication which disclosed sites of significance in the Millstream-Chichester National Park with photographs and maps, and which was
announced as “an essential guide for any visitor, tourist or anyone who seeks a deeper understanding of our beautiful country”.\textsuperscript{85} As I have suggested, this was a generous and liberal act of cultural affirmation that challenged customary reserve in regard to revealing sites of cultural significance, and signalled Juluwarlu’s readiness to adapt tradition to survival.

Indeed, Fox and Starn, in \textit{Between Resistance & Revolution}, have declared that culture tends to be moulded into usually temporary and short-lived structures as people adapt to historical events, and thus the idea of culture as a ‘deeply anchored and long-standing tradition’ should be questioned. Furthermore, the necessity for continual negotiation of intersecting cultural, political and social conditions – for resilience and responsiveness – was underscored in Fox and Starn’s observation that dissent and action “grow from dangerous thinking and painstaking labor,” and variously required improvisation, inclusion (and exclusion), and persistence.\textsuperscript{86} Riggins, citing Smolicz, concurred: “in a society with a long established civilization, resilience depends on new developments being incorporated into traditional values. At the same time, a tradition can only survive the vicissitudes of time and continue to flourish if it accommodates itself to the present”.\textsuperscript{87} Again, this resonated with Juluwarlu’s approach.

The enormous credence that Woodley and Coppin, and their elders before them, gave to culture as a key to wellbeing is supported by ‘mind science’ that has considered the link between learning and culture. Following on the work of Richard Dawkins and Lumsden and Wilson, educationalist, Don Tinkler, has stressed the essential role of cultural ‘memes’ or culturgens’ – i.e. cultural signatures that are imitated and reproduced by followers – in the process of learning and the development of culture.\textsuperscript{88} “According to Dawkins”, Tinkler said, “most of what is unusual about humankind can be summed up in one word, ‘culture’.” He quoted Dawkins: “Cultural transmission is analogous to genetic transmission in that it can give rise to a form of evolution”.\textsuperscript{89} I suggest that Juluwarlu’s project worked to sustain and augment practices of cultural transmission in the Yindjibarndi community through the generation of cultural ‘memes’ or culturgens’, and that this work of cultural reproduction underpinned modes of learning, and indeed, the evolution of Yindjibarndi culture.
Positive Psychological Impetus

Woodley said that before he and Coppin started the Juluwarlu project – with dire prediction of his elders about the plight of Law and culture ringing in his ears – he felt hopeless: “I felt sick about it. You know, I felt really no good”. The turning point came, he said, when he understood that there was nothing he could do about what had been lost, and that all he could do was: “do the best you can with the current elders you have and the current knowledge that you have. You need to look at what you can do now because you can never go back. You can never go back”. In articulating its vision for cultural survival, Juluwarlu was determined not to bewail things lost, but to focus on an achievable cultural future. They bridled identity and possibility being fossilized in trauma and victimhood; at imaginations being curbed by complexes that issued from their community’s past. By choice they abjured pleading to the dominant social, political or media spheres for succour and dispensation; and directed energy to local stages of opportunity, action and justice. (For further exploration of the philosophy and approach of Juluwarlu’s leadership, see Carriage of Leadership in Addendum 24A.)

9.4 Identity in Action and In Struggle

The Consequence of Narrativising, and the Parable of Jirdiwi’s Soul

Time and again the specific situation or event of Juluwarlu describes or gathers to itself a medley of ‘truths’ which, while finding points of agreement with other situations, have not plainly corresponded with any orthodoxy or orderly theory. In conclusion, and in a gesture that evinces a more unifying tendency, I submit an idea that I believe comes closest to explaining the gravitation, or sense of Juluwarlu’s purpose and meaningfulness.

In my telling of the history and actions that defined Juluwarlu’s cultural project, and that comprised its most essential function – the work of generating narratives to live by, or as Woodley termed it, ‘having a big picture’, and the generative agency of narrativised conception have emerged as abiding themes. Consider Woodley’s decision to get out of mining and into community development; Coppin’s initiative to extend her personal cultural concerns to a sustained project she could share with her community; their determination to adapt media technologies to traditional/cultural functions; the insistence that meaningful enterprise was synonymous with local
community ambitions and need not be harnessed to the resources industry; the remediation of training and employment schemes to a local, human scale; the campaign to reach beyond the Native Title Act to fundamental principles of law in a bid for just terms; the 'heroic' story of unconventional leadership; and so on – all of these embody culture, memory, history and political philosophy that have emerged from and projected Juluwarlu’s sense – which have resolved as narratives that create meaning.

A commandante of the Ejército Zapatista de Liberación Nacional, (EZLN) – an Indigenous resistance group based in one of Mexico’s poorest states, Chiapas – stressed the importance of memory or history for the survival and flourishing of a people:

Ultimately, history is the root of all people, it is what gives them foundation. The individual history of each person is what defines them, what gives them projection, gives them direction. A person without history, without a past, does not exist and has no future. They are in the air, in the ether, unable to define themselves. As well, a people without a history cannot advance… cannot exist as a people. They must grab on to something, a root which holds them to the earth, which is their history, their past. Because in one way or another, the past is what makes you construct the present […] So what the Indigenous must do is fight to regain a space within society, and to plant again the concept of dignity.\textsuperscript{92}

In like vein, Fred Singleton in his A Short History of the Yugoslav Peoples, pointed out that the emergence of the Slovene people as a cogent, ethnically distinct state within the Yugoslav Federation, and later I might add, as an independent nation after the dissolution of Yugoslavia, was made possible precisely because Slovene oral tradition and literature had been kept alive, clandestinely, by peasants, poets, writers and friars during centuries of domination and persecution by imperialistic empires.\textsuperscript{93}

I would like to refocus here on Juluwarlu’s work of remembering Yindjibarndi knowledge in stories (subjectivities) that spoke to Yindjibarndi identity. Woodley understood that Juluwarlu’s work must contend with the effects of deeply seated historical trauma that had pierced his peoples’ identity:
Our self-esteem and our confidence has been broken by the early days of pastoralism and working on the station for tea leaf, clothes and sugar and all this sort of stuff. And then the mining boom really pushed us into an ‘out of mind out of sight’ type of corner, and its now become a domino effect where the [lack of] confidence from our parents, from their parents, has been flown on to our kids.⁹⁴

Woodley concluded that without ‘the Yindjibarndi story’, Yindjibarndi could not survive as a people, were doomed to a haunted wandering like the jirdiwi (echidna) who was killed and cooked without the proper rites:

We need to go back to who we are for us to move forward or to survive and to compete […] if you don’t have your culture you become like a Whitefella, you become lost, you have no identity. There’s a story the old fella told me, old Yilbi, that if you don’t prepare the jirdiwi the right way when you cook it, then every night he’ll get up from his hole where you cooked him and he’ll go around looking for your soul. He’s lost you know, he’s a lost identity. So if we don’t prepare ourself right, every time we’ll be looking for who we are.⁹⁵

So then, Juluwarlu’s “core business” of preserving and reproducing Yindjibarndi culture and history carried the deeper rationale of reaching beyond ‘maintenance’; it was motivated by a creative urge for community grounding in ideas that made Ngaarda or Yindjibarndi sense. Coppin described this in terms of her personal growth:

They say knowledge is power – and us now we have a lot of knowledge passed on by the elders doing this work, and it really gives you a sense of ownership, and gives you a good feeling. And we want this to be passed onto our kids, we want them to have this knowledge of their culture.⁹⁶

There it is – culture and the transmission (telling) of culture (in alliance with Wajbala technology and partnership) as a power in the service of wellbeing. Woodley described this storytelling as ‘remembering’:
Remembering makes you strong – when you come together and share stories.
People say when they go bush how it makes them feel good, warming their
back and their hands on the snakewood fire, learning from the old people. That
is respecting our teachers. Television – who belongs to that culture? Who
could say they belong to the TV world?97

The significance of ‘sharing of stories’ is expounded by Laurel Richardson in her *Fields
of Play, Constructing an Academic Life*, where she suggested that ‘narrativising’ enabled us
to make sense of the past through re-construction, remembering, and re-imagining;
and that this allowed us to contemplate the effects of our actions and to alter the
directions of our lives.98 Richardson believed that people lived by stories and tried to
shape their lives by the narratives available to them; and that if these were limited,
then people’s lives would also be limited, disenfranchised. Importantly, she
differentiated ‘collective stories’, which were based in the lived experiences of people,
from the ‘cultural story’, which was passed on through tradition – and said the work of
providing new ‘collective’ narratives “helps individuals to replot their lives because they
provide an alternative plot to absent or powerless texts”.99 So then, Richardson
suggests that the continuous redoubling movement between life and storytelling
engenders evolutionary possibilities that can change lives: “The story of the
transformed life, then, becomes a part of the cultural heritage affecting future stories
and future lives”.100 Indeed, the emergence from the Roebourne Village of Coppin and
Woodley as leaders is the ‘story of transformed life’, which is carried forward in the
action of Juluwarlu (and this thesis).

Enlarging on the procreative value of stories, Native American writer, Billy King,
proposed that it was not the colour of a nation that held it together, but the
imagination of that nation; and thus its identity rested in its ability to tell its stories.101
Zizek, in pointing up “the extent to which our perception of reality, including the
reality of our innermost self-experience, depends upon stories”, quoted from *Time*
magazine:

> Stories are precious, indispensable. Everyone must have his history, her
> narrative. You do not know who you are until you possess the imaginative
> version of yourself. You almost do not exist without it.102
Indeed, *Exile* demonstrated that by setting the stories of history, country and Law above the noise of daily life, youth in particular were able to appreciate the ‘imaginative’ or ‘re-presented expression’ of their elders anew.

Alberto Manguel, in his *The City of Words* – an essay in which he offered understandings of civilization through ‘story’ – proposed: “The language in which we formulate our beliefs, in order to be effective, must carry us forward to something not yet accomplished”.103 Certainly, Juluwarlu’s project constituted a process (reconstituted a heritage) that would affect future stories and future lives – just as *Exile and The Kingdom* did. And like the phenomenon of *Exile*, Juluwarlu’s work unceasingly produced effects or enacted decisive narratives, most powerfully, to recall another example, in their mobilization of dozens of community members into the Yindjibarndi hinterland for recording and mapping work. Woodley was mindful of Juluwarlu’s ultimate purpose:

> [This organisation] taught us more and more about who we are, and the stories and the songs and how we can identify ourself to certain parts of the country; how we can identify flora and fauna, hills, rivers, songs and stories. And that's very important to us as a group. And when you have them sort of things, then you are confident. You are confident about taking on other challenges.104

Were the stories Juluwarlu mobilized as ‘authentic’ or ‘traditional’ as those of previous generations? What makes the cultural subjectivity of one era more or less authentic than another? More significantly, we might ask, to what degree did Juluwarlu’s work stir a meaningful current in community life?

Importantly, Juluwarlu did not see themselves as ‘subjects’ of the dominant Wajbala world, but rather, as creative participants in the ‘becoming’ of their world.105 This represented an altogether dissimilar approach to that of the remedial agencies of the State, which more commonly (ideologically) oriented themselves to addressing ‘dysfunction’ and ‘disadvantage’ than abetting community imagination or catalysing development. Nor did Juluwarlu give undue credence to the promise of corporate
patronage, as laden as it was with self-interest, and took the evangelism of market solutions for Aboriginal uplift with a grain of scepticism. The overarching function of leadership at Juluwarlu, then, was to ‘provide an alternative plot’ to the powerless texts of mass culture, the State and the corporation; to work at constructing ‘narratives to live by’; to set anchors for memory and identity in the community. This required active consideration of what sort of cultural future local Ngaarda wanted, what sort of people they wished to become, what sort of relationships they wanted, and what kind of narratives should define Ngaarda identity. Juluwarlu answered the call of the Indigenous respondent to the Taylor/Scambary Report by working to restore the “foundations” of Aboriginal people and “put that spirit and head back into the people”.

The Added Dimension of Language

Marianne Stenbaek, in Mass Media in Greenland: The Politics of Survival, cited Prattis & Chartrand to emphasise that “language is the single most important factor that contributes to the survival of a people as a distinct entity, because it empowers them with a positive self-image, the psychological foundation for successful self-government, and a unique linguistic/cultural identity”.

Phil Davies, following on Wittgenstein’s idea that language provided “tools which operate only within social contexts or in relation to particular tasks,” suggested:

> It may be that country is incoherent without language, and vice versa; together they provide the structure for an Yindjibarndi cognitive ontology. If this were the case, the denial of the Yindjibarndi’s access to their language, and/or country to which their language relates, may cause them to suffer extreme grief.

It is significant in this context, that Juluwarlu’s recordings were almost exclusively in Yindjibarndi language and often filmed on Yindjibarndi country, and the rendering of language and country in books and videos and in extended recordings of ceremonial songs, provided some assurance that Yindjibarndi traditions were not “reduced to the level of folklore”, and the currency of Yindjibarndi language was renewed “in a manner adaptive to the requirements of modern societies”. This is a critical point highlighting that Juluwarlu’s was not a museum/mothballing exercise, but rather, one dedicated to
contemporary cultural life. Howell, in *Minority-Language Broadcasting and the Continuation of Celtic Culture in Wales and Ireland*, highlighted the significance of publication, DVD distribution and broadcast. He stressed: “a language – any language – must be spoken by people in everyday situations if it is to remain alive. In technologically complex societies, however, interpersonal usage is a necessary, but less than sufficient condition for the survival of a language, unless it is also disseminated by the prevailing channels of the institutions of mass communication [my emphasis].” He observed that carriage in prevailing forms of mass communication seemed to invest content with “status” and so bestowed legitimacy and credibility on its languages of transmission in the minds of the audiences, and in particular in the minds of children. Parenthetically, this agrees with Joseph Campbell’s proposition: “Myths are so intimately bound to culture, time and place that unless the symbols, the metaphors are kept alive by constant recreation through the arts, the life just slips away from them”.

Notwithstanding the primacy of endemic language, it should be noted that Juluwarlu’s publications, video production and broadcast projects also routinely included English language as parallel text or translation. This was a deliberate strategy by Juluwarlu to reach friends and neighbours, and also of course members of their language group who were not fluent speakers. Valaskakis bears out this strategy in her observation that to be of value, “Native cultural products need not be produced exclusively in native languages. Their importance lies in the reflection of native perspectives and the extension of community achieved in shared expression, shared information”.

Riggins, in *Ethnic Minority Media*, suggested that in the empowerment of minority groups, lay the paradox that “at the same time, the minority is likely to become more integrated into national life, because, short of reaching total political independence, a high level of assimilation seems to be prerequisite for achieving empowerment”. Why this is paradoxical is difficult to know. Juluwarlu’s example provides grounds for understanding that, certainly from an Indigenous perspective, the maintenance of cultural identity and language on the one hand, and levels of assimilation on the other do not cancel each other out, but rather, the later can be brought to the work of the former. We might conclude that a concrete function of Juluwarlu was the self-directed
adaptation of non-traditional, contemporary, digital modes of communication and cultural discourse to the promulgation and maintenance of Yindjibarndi culture.

It is important to mark that the work or ‘voice’ of Indigenous media-makers who penetrated the mainstream by amending their Indigeneity to mainstream modes of transmission, could not substitute for the mosaic of vernaculars in the bush. Disparate communities around the country do not feel represented by Indigenous voices from other places. Although they can and perhaps do serve as ‘role models’, voices from other places cannot substitute for the authenticity and exhilaration of one’s own.\textsuperscript{115}

**Ramifying Faculty**

Behind their outward accomplishment – recording elders, amassing the cultural archive, making maps of country, publication and media, advocacy in relation to heritage and land, etc. – stood the institutional resource that enabled this work, and which was embodied in the communications, political, research, management, negotiation, and administration faculties of Juluwarlu’s personnel and leadership. As described in *The Consequence of Taking Charge*, this wherewithal provided enormous support to the Yindjibarndi Aboriginal Corporation and the aims of the broader Yindjibarndi traditional owner group, particularly in negotiation with miners and provision of services bearing on heritage and land-use matters. Sheree Martin, when Coordinator Warawarni-gu (Healing) Art Centre in Roebourne, observed that Juluwarlu had always been a key instigator in local events: “It’s just an amazing strength that comes from there. But it seems that there are lots of different parts of the jigsaw that they’re involved with, its not just language and culture, its actually bigger than that, just helping the community in any way they can”.\textsuperscript{116}

Raymond Colle, writing about community development amongst the Mapuches of Chile, reported that in their belief and experience “self development of communities can only be a result of local autonomy because this facilitates the development of a critical consciousness and the appreciation of personal abilities and knowledge”.\textsuperscript{117} He concluded that it was ‘autonomy’ that freed “the creative capacity for administering community resources, making it possible to discover appropriate solutions for the problems that are encountered”.\textsuperscript{118} In similar vein (and likening lack of autonomy to powerlessness) Hartley and McKee counselled that “Australian political bodies must
learn the truth […] that [poor] social and economic outcomes are not the problem to be solved, but are symptoms of powerlessness. Powerlessness is political, and not cured by ingenious social-economic programs alone”.¹¹⁹

Undoubtedly, Juluwarlu’s consolidation of mundane institutional resources (their organisation) was critical in the support of the “development of a critical consciousness and the appreciation of personal abilities and knowledge” in the Yindjibarndi group, and conducive to the freeing of their creative capacity and autonomy. Indeed, Juluwarlu had grown to be much more than a cultural/media centre. Rather, it manifested ‘a site for social relations’ that was energized by media production, circulation, and consumption. Faye Ginsburg has identified this effect as the ‘socialization’ function of media and communications practice, an effect that emerges from the social relations of production rather than media artefacts per se:

[…] a focus on cultural activists allows one to see media as a dynamic aspect of social relations, a vehicle through which mediations take place. This is an important alternative to the paradigms in media studies that until recently have tended to focus on the film/video text, media institutions, or the technology itself rather than the social relations of production, circulation, and consumption.¹²⁰

Ultimately, Juluwarlu’s cultural recording, archiving, production and advocacy facilitated cultural and social relations – a movement – not only in contemporary Yindjibarndi life, but also as a warranty for future generations. Woodley and Coppin understood that any ambition for economic activity and enterprise that could in turn underpin health and independence must be built on a foundation of deeper Yindjibarndi meaning.

Caution
If an essential function of Juluwarlu was ‘remembering’ Yindjibarndi knowledge in narratives (subjectivities) that spoke to Yindjibarndi identity; and more, mobilising a creative capacity that encouraged a critical consciousness and movement “forward to something not yet accomplished” – invoking a future for the Yindjibarndi society – then certain dilemmas I have marked throughout this dissertation warrant review for the caution they signal, because they are dilemmas that constitute competing, forceful
narratives that may be as dangerous as they are compelling. As I have outlined in Chapter 7 and Chapter 8, from 2005 Juluwarlu and Woodley devoted increasing amounts of effort to engagement with the resources companies, for example: in negotiating better terms for NYFL with Woodside; dealing with Rio Tinto’s push for Whole of Claim Agreements through the CNC; undertaking fee-for-service-work for Pluto and Rio; and finally in managing Native Title and heritage business, and coordinating ILUA negotiations for YAC.

Notwithstanding the fact that Juluwarlu’s core cultural business of archive consolidation and cultural recording, particularly for the Ngurra Warndurala Buluyugayi project, continued apace during this period, this engagement with big business consumed inordinate amounts of time and attention. By early 2009 Lorraine Coppin would claim that Juluwarlu’s engagement with corporations, the State and legal strategists in regard to Native Title, heritage and land negotiation issues on behalf of YAC had put enormous pressure on the rest of its cultural and media operations, and that she felt disempowered by this trend.\textsuperscript{121}

Juluwarlu’s embroilment in the complex and very expensive business of contending the relentless push by resource corporations and the State for land use; the negotiation of heritage and land agreements; representation or litigation against miners and the State through the Native Title Tribunal, Mining Warden’s Court, and Supreme Court, raised serious issues about both resources and direction at Juluwarlu, and for Yindjibarndi generally.

The Juluwarlu and Yindjibarndi legitimate aspiration to attain ‘fuller rights’ for Yindjibarndi custodianship of their country outside the limitations of the NTA and State Aboriginal Heritage laws by resort to common law, the UN Declaration on the Rights of Indigenous People, the Racial Discrimination Act and provisions in The Constitution concerning religious freedom further compounded concerns about resources and future direction for Juluwarlu in particular.

In addition to assuring their custodianship of country, Juluwarlu’s rationale for committing so wholeheartedly to this course was that it might finally secure compensation dividends that would once and for all provide Juluwarlu and Yindjibarndi
with more than erratic, project-by-project or annual funding. The danger was, however, that in focussing so much on this prospect, Juluwarlu risked forgetting the lessons it had learned from its own development and the experiences of other traditional owners. As this account has shown, Juluwarlu succeeded where most other communities in the Pilbara, which were in receipt of cash dividends from ILUAs, had failed, by concentrating on its cultural imperative, forming a broad network of relationships and funding sources, and by building a track record of project-centred, palpable achievement. If Juluwarlu and the Yindjibarndi Aboriginal Corporation were counting on an ILUA golden egg in order to progress projects that would bring benefits to Yindjibarndi and Roebourne, there were no assurances of when and if this would happen – meanwhile the necessary conceptual and practical work of getting on with community development and cultural reproduction were strained and encumbered.

It is inevitable that any engagement involves a mirroring, dance-step action of lead-step and response that defines the correspondence or relationship between the dancers. The interaction between Yindjibarndi (particularly their executive) and the corporations carrying on business in their country, the various arms of the State, and the framework of laws and regulations bound up in Native Title and heritage, inevitably exposed them to the risk that in the throes of the dance they might follow the steps of their partners to places they did not necessarily foresee or want to go.¹²²

Note that while Juluwarlu received valuable subsidy from YAC for the work of heritage clearances and management services, and YAC had contributed funds to the *Ngurra Warndurala Buluyugayi* project, Juluwarlu became increasingly consumed on YAC’s behalf with mining developers, legal issues, meetings, etc. YAC did not have staff of its own, and was not engaged in (or in a position to engage in) any community development or cultural projects of its own. I would hazard that both YAC and Juluwarlu were jeopardising their political and organisational futures unless they disentangled their politically sympathetic but logistically antithetical missions; consolidated discrete organisational capabilities and strategic objectives; and mobilized creatively on development and production with whatever resources were at hand, rather than counting on large ILUA financial settlements before setting out. (Such
separation, of course, need not preclude continuing cooperation between the two standalone organisations.)

As illustration of the inauspicious outcome that an unbalanced concentration on capital and commercial method could beget, we might observe that while the promotional video Ngaarda TV Breaking New Ground had a rallying effect in raising capital for the Pilbara-wide NTV expansion plan ($200,000 in 2008), its rhetoric was not matched by result, and Juluwarlu did not realise its ambition for Ngaarda TV. In this instance Juluwarlu did not emulate the example of its early successes and indeed, that of its partner for a time, ICTV, which showed how community television practice could flourish when linked to training and cooperation committed to an ethos of low budget, grassroots community participation, and a focus on ‘production’ or making something.

The lessons of Juluwarlu’s development, and indeed, Birdarra Law, declared that cultural and religious life was not something that could be granted or bought, but needed inclusiveness, everlasting participation, practice and innovation. This model was not successfully applied to the operation of community television at Juluwarlu. Instead Juluwarlu sought to extend Ngaarda TV beyond its means and expertise, while all at once its television and video training, employment of Indigenous media practitioners and television production withered to perhaps their lowest ebb by early 2009. This experience raised doubts that Juluwarlu could sustainably provide jobs or adequate mentorship/supervision for its media trainees. The fact that Juluwarlu’s core cultural remit (cultural recording, fieldwork, archiving, publishing) persisted throughout these trials, provided prospect that Juluwarlu had the ability to abide by its community values and cultural imperatives even while it entered the officious sphere of Native Title and engaged in uncertain corporate opportunity. Whether this can be maintained, however, is uncertain.

In his briefing to directors of the CNC, Rio Tinto and PNTS, Politics and Public Policy Professor at Griffith University, Ciaran O’Faircheallaigh, warned that some nine out of ten Australian businesses failed. Indeed, establishing a successful and sustainable enterprise is a process of trial and learning from error. We should allow that Juluwarlu has endured for a decade now, is much more than just a business, and by its autonomy has won the right to own its ordeals and experiments as much as its successes.
There’s A Bigger Journey For Us

On the eve of the defeat of fascism in Europe, Albert Camus wrote that man’s greatness lay “in his decision to be stronger than his condition,” and that if his condition was unjust, to be just himself was his only recourse. Only such steadfastness and the doing of “what was necessary” offered any hope of peace, and of laying to rest ghosts of past injustice; only just action in the face of injustice assured victory. In this spirit, we should conclude that Juluwarlu wrested some purpose and order from the confusion and sorrow of their community’s history. And, as Juluwarlu’s Administration Manager Phil Davies observed, the struggle was unremitting:

Through my employment with Juluwarlu, I am involved in nurturing, protecting and continuing an Yindjibarndi Indigenous cultural heritage – I am participating in an actionary and preservatory war. Daily, we fight to locate, deliberate and construct Yindjibarndi Knowledge Systems so they can be understood and replicated by current and future generations. We cultivate allies, resist predatory, assimilationist attacks, and beg for resources to continue to build an undervalued Indigenous episteme.

The “Ngaarda TV” page of the Juluwarlu website quotes Pat Dodson as saying that “the repossession of our past is the repossession of ourselves”, and elaborated this with the proposition that “By enabling Indigenous people to own their past, and to personally express themselves, while gainfully employed within their local community, as well as working on, maintaining and re-establishing their language and cultural heritage, Aboriginal Australians can move forward into a healthier, more positive future”.

I suggest that, while this fairly expressed aspirations at one level of Juluwarlu’s operations, it fell short, for Juluwarlu contained the larger possibility of supporting a cultural life that was not merely in possession of a cultural past, but that forged a cultural future which, although charged by a cultural inheritance, in many respects did not necessarily resemble the past. Coppin and Woodley understood that they were on “one cumulative path – the continuous moving line of culture that is under construction by the ‘road builders’ of each generation”.
Doing ‘what was necessary’, then, meant beating a path through defensive or reactive impasses, resourcefully (or strategically) dodging hegemony whenever possible, and moving beyond “the battlefields of attack and counterattack”. Sociologist, Laurel Richardson, confirms that constructive, as opposed to defensive method, is decisive:

Stories written as resistance narratives […] are weak representations: reactive stories that keep alive the dominant culture in the psyches of the non-dominant, and stories that continue to materially profit the dominant because the dominant is the text and/or the subtext of the work.128

She suggested, “the kinds of stories that we can write, the kinds of lives we can thereby live, are thus most strongly linked to the kinds of communication we can create, not to the hegemonies we can resist”. It is through “association, community building, sharing, and empathy,” she says, “that we have some hope of repairing and transforming culture”.129

On balance, Juluwarlu decided against resistance-styled advocacy or entanglement with the forces it opposed, and instead showed rather than resisted. In the work of their cultural recording, archiving and media production; in their cultural mapping and constant visitation to country; in their renovation of terms of trade with corporations and other agencies; in their anchoring of land use negotiations in fundamental cultural values; and in their mediation of tradition and dialogue between generations, Juluwarlu attempted to forge a space beyond dominant disorder or habitual order, one that moderated prevailing chaotic and hostile forces.

To take another example from Roebourne’s history – in the Pilbara Aboriginal Church members of the Roebourne community discovered fellowship and support against some of the depredations of their lives (particularly through the horrific 1970s and early 1980s). Likewise, I suggest, Juluwarlu offered the Yindjibarndi both an instrument and a community of mutual assistance to uphold culture, country and Law. In the ‘church’ of Juluwarlu (and YAC), there was accommodation for tradition and technology, for Ngaarda and Wajbala. Their body of work also offered opportunity to
non-Indigenous society to experience Yindjibarndi country, not as ‘material tourists’, but as fellow travellers.

Ultimately the best prospect for Yindjibarndi and Juluwarlu’s struggle with the ‘compelling’ and ‘dangerous’ liaisons with big business; desolate Native Title dealing; the politics of community rivalry; negativity born of inter-generational psychological distress; the tall poppy syndrome; and so on, was that its work of mutual assistance (their support of Ngaarda value in the world) would encourage a deeper movement beyond the cynicism and lack of confidence devolving from those fields of vexation; and that their self-development would take these lessons of sorrow forward towards a broader union – towards an alternative that inclined to the ‘inclusiveness, everlasting participation, practice and innovation’ that characterised the best cases of governance in the domain of their Ngaarda Law.

The optimism that action brought – that is, of being an agent in the ‘becoming’ of one’s own culture or community – was eloquently expressed by Eduardo Galeano:

Our collective identity is born out of the past and is nourished by it – our feet tread where others trod before us … but this identity is not frozen into nostalgia. We are not, to be sure, going to discover our hidden countenance in the artificial perpetuation of customs, clothing and curios which tourists demand of conquered peoples. We are what we do, especially what we do to change what we are: our identity resides in action and in struggle.130

Indeed, it was Juluwarlu’s commitment to continuity and action that brought concrete gifts of experience, and the discovery of a way of working that could be believed.

**Coda**

In 2005, Lorraine Coppin noted that of the ‘old knowledgeable elders’ that Juluwarlu relied on as teachers, there were only six women and two men left.131 In 2009, two women and one man of these ‘old knowledgeable elders’ survived. The knowledge of this group was more exhaustively recorded than of all those who died before Juluwarlu’s work began. But the young also kept dying – before they reached sufficient maturity to comprehend their inheritance. On 7 February 2009, Owen Pat, an eighteen
year old Yindjibarndi, was killed when the car in which he was a passenger rolled on the Wickham-Roebourne road. His cousin suffered spinal injuries. The occupants had been drinking. When dedicating the Murru Warru Media Centre to the memory of John Peter Pat, Owen’s older cousin/brother, Juluwarlu declared that “from the tragedy that happened on that fateful night,” Juluwarlu would “do everything in its power to build and deliver positive messages of hope for all,” and endeavour to triumph over fear “in remembrance of those who have fallen”. Lorraine Coppin was under no illusion about how much remained to be done:

And today you look at Juluwarlu [its achievement] – it’s not really sinking in yet because I feel that we still got a long way to go. We still racing against time with our elders, and I don’t want it to sink in yet that we came this far. I know we come this far but there’s a bigger journey for us so we can’t really stop now, not yet, we still got a long way to go.

Coppin’s sense of uncertainty, unfulfilled destiny and urgency corresponds to the reality expressed by Walter Benjamin in 1939: “The tradition of the oppressed teaches us that the ‘emergency situation’ in which we live is the rule. We must arrive at a concept of history which corresponds to this”.

Plate 65: Owen Pat (far right) with his father Barry (2nd right) watching his mates remove gurrumanthu’s digestive tract in preparation for cooking (Ngurra Two Rivers field trip, November 2004).
For example: publication of two books, installation of digital video production facilities, completion of a massive cultural recording program in Ngurra Two Rivers, inauguration of a media training program, recruitment of an administration manager, linguist and media production coordinator, and establishment of a network of funding partnerships that had enabled its growth.

These included the Department of Education, Science and Training, Office of Indigenous Policy Coordination, Department of Employment and Workplace Relations, Conservation & Land Management, Department of Communications, Information Technology and the Arts, State and Federal Heritage and Environment organisations, Community Development and Employment Scheme, Department of Indigenous Affairs and the Indigenous Land Corporation, Woodside and Rio Tinto; Diary 9/11/05

According to the Federal Government Shared Responsibility Agreements between governments and Indigenous communities were entirely voluntary and developed where Indigenous people and communities decided that they want to address specific priorities. In return for discretionary benefits from government, communities were required to make specific commitments in order to achieve their identified goals; the community decided the issues or priorities it wanted to address, how it wanted to address them and what it would do in return for government investment. SRAs set out what families, communities, governments and other partners would contribute to address local priorities and the outcomes to be achieved. https://www.indigenous.gov.au/sra.html

Diary 28/8/06

Taylor: 2005, Interview segment 4, p76


Ironically, we might note that the ICD program sought to impose bureaucratic conception of what comprised ‘traditional’ cultural practice and, in agreement with Michaels, adjudged that forms approximating pre–contact practice were ‘traditional’ and that expression that incorporated new technologies lay outside the field of ‘traditional’ Indigenous cultural practice.

Diary 28/8/06

For example, while NYFL funding had been critical in 2005 and 2006, by late 2007 NYFL had become a less dominant, albeit abiding, contributor to the funding mix, which by then was supplemented by heritage management work for YAC. The radical decrease in dependence on government funding by mid-2007 was an achievement that Woodley credited to the essential ‘seed funding’ that came from NYFL, Woodside and others in earlier years, and which had allowed Juluwarlu breathing space to develop green fields of income, and to build capacity that in turn provided leverage for greater proportions of funding from other than governmental sources.

Michael Woodley recorded by the author, Capturing Community Stories Workshop, MDisc 10, Roebourne, August, 2007

This was achieved most especially through the employment of Alan Thompson whose wages were paid through income generated by the fee-for-service work he was engaged in. Thompson’s skills – which included videography, digital post-production, stills photography, graphic design, IT and software management – were then applied to other commercial and cultural projects. For a time the commercial media work Juluwarlu was undertaking also helped to subsidize rental for staff accommodation, which in turn was a seminal factor in regaining the services of linguist Vicki Webb in archiving and publications.

For example, while the broadcasting operations of Ngaarda Television faltered, at first due to technical difficulties, and later because of lack of managerial expertise, media production maintained and served other projects which were coincidentally flourishing, like oral history recording, cultural mapping, fee-for-service production and heritage surveys.

While there had been a compensation settlement made by Woodside Energy with the Ngarluma Yindjibarndi Foundation, this was governed by a split Ngarluma/ Yindjibarndi board whose disposition to Juluwarlu did not provide support until some four years after its incorporation. Other much smaller,
finite settlements from Rio Tinto in the Plan B Trust, and by Burrup Fertilizers were not managed to deliver community development outcomes.

16 Michael Woodley interviewed by the author MDisc 2, Roebourne September 2006
17 Tyson Mowarin interviewed by the author, MDisc 7, Roebourne, September 2006
18 Keith Lethbridge interviewed by the author, MDisc 5, Roebourne, September 2006
19 We should recall the crises that sprung up from time to time with, for example, the faltering of Roebourne CDEP in May 2004 and consequent disappearance of Juluwarlu’s overheads and consumables allocation; the dearth of operational funding in April 2006 which compelled Juluwarlu to earn commercial income; and the expiry of training funds in mid-2007 that necessitated the pegging back of trainee wages to the CDEP stipend.

20 Diary 16/1/07
21 “Even though you see all the bells and whistles and the good things that we have in terms of trying to record history, using the best technology that we can afford, we still struggle to stay afloat. In the end of the day it all comes down to funds, and money does make the world go around, and without it, it just simply kills the house. So somewhere down the track we also have to try and remain competitive – my job is to keep the balance but not lose sight of how we started and what our core business is”. Michael Woodley recorded by the author, Capturing Community Stories Workshop, MDisc 10, Roebourne, August, 2007
23 The number of people comprising the Yindjibarndi nation is conservatively extrapolated from the Ngarluma and Yindjibarndi Foundation Limited (NYFL) register of Yindjibarndi members which lists between 450 to 500 adults (Davies: 2007 p24). The 1,500 figure includes children.
24 Juluwarlu was founded as an Indigenous corporation under the Commonwealth Aboriginal Associations Act of 1976 and operated as a not-for-profit organisation. The Australian Tax Office also endorsed Juluwarlu as a Public Benevolent Institution, thereby granting them Deductible Gift Recipient status and in turn allowing tax-deductibility for financial ‘gifts’ made by individuals and corporate entities. In offering a broad brushstroke portrait of Juluwarlu, Woodley made it clear that his leadership rested on the guidance of his elders and the support of his management committee, both past and present “who advise us on what path to take, and guide us when we are out recording, making publications, making DVDs and so on”. (Michael Woodley recorded by the author, Capturing Community Stories Workshop, MDisc 10, Roebourne, August, 2007) This management committee, it should be made clear, had mobilized around the vision and leadership of Woodley and Coppin, which is to say that Juluwarlu grew up through Woodley and Coppin and their vision. It was the consequence of their original work that subsequently led to the formation of an Aboriginal Corporation with mandatory provisions such as a committee of management. The mandate for their project, as I have pointed out in Chapter 5 (Copyright & Payment), already existed within the circle of elders with whom Woodley and Coppin had embarked on their work with. Nevertheless, the Juluwarlu management committee today serves as an essential adjunct, a corps of allegiance and a constituency that supports the executive of the organisation.
25 Michael Woodley recorded by the author, Capturing Community Stories Workshop, MDisc 10, Roebourne, August, 2007
26 Coppin concurred, saying that this division of labour at Juluwarlu allowed her the time and freedom to dedicate herself to the most important cultural work, while Wajbala staff handled the ‘nuts and bolts’. Lorraine Coppin interviewed by the author, MDisc 4, Roebourne, September 2006
27 Diary 12/8/07
28 Howell, Jnr. W. J., Minority-Language Broadcasting and the Continuation of Celtic Culture in Wales and Ireland, in Riggins: 1992, p239
29 On the record with Kirstie Parker, interview with Kirstie Parker (editor of the Koori Mail), Media Report, ABC Radio National, 2 August 2007; It is interesting here to note the analysis of high-end Indigenous art by Kamilaroi/Charleville artist Richard Bell in his Theorem of Aboriginal art: it's a white thing. Bell made
Some observations about the usurpation of Indigenous arts practice that bore on dilemmas that Juluwarlu and many other such centres faced. He described the conditions by which non-Aboriginal systems had appropriated Aboriginal art and said that Aboriginal art had become “a white thing” because “they decide what is good, and they buy it.” (Interview with Richard Bell on AWAYE by Larina Allen, ABC Radio National, 30 July 2005) Aboriginal art had been condemned, Bell wrote, to non-Aboriginal systems of control: “Aboriginal Art has become a product of the times. A commodity. The result of a concerted and sustained marketing strategy, albeit, one that has been loose and uncoordinated. There is no Aboriginal Art Industry. There is, however, an industry that caters for Aboriginal Art. The key players in that industry are not Aboriginal. They are mostly White people whose areas of expertise are in the fields of anthropology and 'Western Art'. It will be shown here how key issues interrelate to produce the phenomenon called Aboriginal Art and how those issues conspire to condemn it to non-Aboriginal control”. (Bell, Richard, Bell's theorem of Aboriginal art: it's a white thing, Brisbane Institute, 11 November 2003, URL: http://www.kooriweb.org/foley/great/art/article5.html)

Indeed, some options were closed to Juluwarlu by principles that were incompatible with commercial imperatives, and which led other Indigenous broadcasters into advertising of alcohol, for example, as with the Alice Springs–based Imparja Television and Broome–based Goolarri Television. Regarding this practice, Woodley observed: “I think if any Aboriginal TV or broadcasting media that is there to help Aboriginal people is advertising alcohol as being a good beverage – then I think it’s totally wrong”. Michael Woodley interviewed by Gerd Samland, MDisc 8b, Roebourne, August 2005

It should be remarked that despite extensive mass media coverage about the value of, and the threat to Burrup rock art, this was ineffectual and expansion of industrial development on the Peninsula went ahead regardless. For references to a plethora of media reports on the issue see the National Trust (WA) Archaeology and rock art in the Dampier Archipelago website at http://www.burrup.org.au/Resources_and_Links.html, or the Save Dampier Rock Art website at http://mc2.vicnet.net.au/home/dampier/web/index.html.

Woodley expanded: “It comes down to resources; it comes down to support. Say Lyle or Glen wanted to do a story on the Burrup and he gets challenged? Those people will shut him up quick because he is one man that makes an opinion about something, and he might come off second best big time, because you need to have a front man that is willing to take on people and say it as it is, and doesn’t feel any shame at all about saying things. And that’s what we need to develop here; need to develop a front man who can speak if the going gets tough; need to develop a base that has been resourced. And if you don’t have that, Woodside or the government, they can come down easy on you because they got all that”. Michael Woodley interviewed by the author MDisc 2, Roebourne September 2006

The mass media, however, did report Wong-Goo-Tt-Oo man Wilfred Hicks’ criticism of the Federal Government for not acting more decisively on National Heritage listing for the Burrup. Hicks observed that while the government was quite sanguine about supporting a listing for Fremantle Jail they dragged their heels on the Burrup. He called it a disgrace.


Valaskakis, Gail, Communication, Culture and Technology: Satellites and Northern Native Broadcasting in Canada, (citing Bergman: 1985) – in Riggins: 1992, p75

Carol Lockyer interviewed by the author MDisc 1, Roebourne, September 2006

Ibid

Ibid

Ibid

Such as: Phil Davies (Administration Manager/Anthropologist), Frank Rijavec (Media Production & Training), Vicki Webb (Publications and Language Work), Alan Thomson (IT and Media Production), Paul Berry, Jo Pritchard (Archive Manager), Fernando Hincapie (Manager WY Training Program) and Dr. Jan Teagle Kapetas (Manager Creative Productions & Publications).
Other occasional Wajbala partners included Wangka Maya Manager Fran Haintz, anthropologist Mike Robinson, corporate operative Meath Hammond, public servants Fiona Grierson, Susan Worley, Ross Doherty, Peter Kendrick and Reece George, Indigenous media advocate Neil Turner, librarian Jo Pritchard, barrister George Irving and lawyer Simon Millman, and media consultant James Hayward – and this roll call of course continues to unfold.

Juluwarlu website 19/3/08

Michael Woodley interviewed by the author, MDisc 6, Roebourne, September 2006

Ibid

Sheree Martin interviewed by the author, Coordinator Warawarni-gu (Healing) Art Centre, MDisc 4, Roebourne, September 2006

Diary 16/8/06

Trevor Solomon, Juluwarlu Television Launch, recorded by the author, MDisc 13, Roebourne, 2 November 2005

Solomon recalled the days when his father James could go anywhere in the country, tablelands or lowlands, no questions asked, because he was universally respected as a senior man in culture and Law, no matter where his Ngurra was. He credited this ‘key-to-the-country’ status as being founded in friendship: “I suppose going right down to the deep roots of it all, old Yilbi [Warrie] and Dad and all them old people were like buddies, they knew each other station days, met up younger days”. Trevor Solomon, interviewed by the author, MDisc 12, Roebourne, August, 2007

Diary 11/11/05

Ampe Akelyernemane Meke Mekarle, “Little Children are Sacred”, Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse, 2007

Little Children are Sacred: 2007, p164

Diary 12/8/07

Phil Davies, JAC Administration Manager/Anthropologist, recorded by the author, Capturing Community Stories Workshop, MDisc 10, Roebourne, August, 2007

Michael Woodley recorded by Gerd Samland, MDisc 8, Roebourne, August 2005


Van Willigen: 1993, p69 & p68

The major Aboriginal corporations in Roebourne are: Yandina Family Centre, Mawarnkarra Health Service, Ngarliyarndu Bindirri Aboriginal Corporation (CDEP Roebourne), Ngarluma Yindjibarndi Foundation, Marnda Mia Central Negotiating Committee, Roebourne Art Group, Ngarluma Aboriginal Corporation, and Juluwarlu.

Michael Woodley interviewed by the author, MDisc 6, Roebourne, September 2006

Diary 16/1/07

Ibid

Diary 30/6/05

Van Willigen: 1993, p68

Woodley, Michael, Investing In Our Young Leaders, NYFL News, Volume 2005, Issue 11

Michael Woodley interviewed by the author, MDisc 6, Roebourne, September 2006

Ibid

Ibid

Ibid

Tootsie Daniel interviewed by the author, MDisc 3, Roebourne, September 2006

Taylor, Charles (Professor of Law & Philosophy at Northwestern University, Illinois), interviewed on ABC Radio National, 14 March 2007 (also see Philosopher’s Zone, ABC Radio National 7&14 April 2007

72 Jill Tucker interviewed by Rebecca Woodhead, MDisc 9, Roebourne, November 2 2005
73 Michael Woodley interviewed by the author MDisc 2, Roebourne September 2006
74 Michael Woodley recorded by Rebecca Woodhead, MDisc 9, Roebourne, November 2 2005
75 Michael Woodley recorded by the author, Capturing Community Stories Workshop, MDisc 10, Roebourne, August, 2007
76 Michael Woodley interviewed by the author MDisc 2, Roebourne September 2006
77 Mangel: 2007, p51
78 Michael Woodley interviewed by the author, MDisc 6, Roebourne, September 2006
79 Roger Solomon in Exile and The Kingdom, Exile: 1993; The business of the Old Reserve was mediated by men like Coppin Dale Yinbal, Bob Churnside Barrarurru, Wimiya King, Wally Bugurrman, Tumbler Warlaburu, Jacob Scroggins, Milton Lockyer Wilungungku, Whalebone Burrrurr and Friday Smith who carried through their leadership in Law to secular life – so then, more or less, leaders who held sway on the Law ground, also commanded the Reserve and town.
80 Michael Woodley interviewed by the author, MDisc 6, Roebourne, September 2006
81 Diary 28/11/06
82 Ibid
83 A contemporary example of how consideration of traditional Law could have a bearing on secular business came with the mediation of a stand-off between parties in the Central Negotiating Committee that was based on undeclared secular/factional grievances, and which had led to breakdown in straightforward business of the day. A representative not implicated in this stand-off invoked the cooperative practice of Law as something all parties at the table should bring to mind – that delegates should be attentive to their dependency on each other in the carriage of Law, for it would be the very men they were turning their backs on in business today that they would call on during the initiation of their sons and grandsons. He suggested that rather than walking out, they should at least show the respect of hearing each other, and remember that at the end of the day, it would not be the CNC and Rio Tinto who would facilitate the initiation of their boys – but rather their cooperative interdependency. Diary 2/11/06
84 One such was Tommy Wiliguru Bambardu (the blind), acknowledged as one of the greatest masters of jawi-making in the Pilbara in living memory. Know the Song, Know the Country, Juluwarlu: 2004, p19
86 Fox: 1997, p8
89 Dawkins in the Foreword to: Lumsden: 2005
90 Michael Woodley, interviewed by the author, MDisc 26, Roebourne, November 4-7, 2008
91 See for example Juluwarlu’s main web page where they announce: “Juluwarlu’s mission is to collect, record, catalogue, archive, preserve, re-produce, exhibit and broadcast the culture and history of the Yindjibarndi peoples as a resource for our own people, especially the children; to provide the resources to drive and nurture cultural and economic futures; and to share with the broader community”.
Juluwarlu web site: http://www.juluwarlu.pilbara.net/
92 Marcos, Subcomandante Insurgente, EZLN Spokesman quoted in Zapatista, documentary, Big Noise Films
93 Singleton, Fred, A Short History of the Yugoslav Peoples, Cambridge University Press, 1985, p53
Recall Woodley’s observation in Chapter 3 regarding the depiction of his elders in Exile and The Kingdom: “For the first time in our lives we saw them different. We didn’t just see them as Uncle Rog, and Mali Busdriver [Allan Jacob], and narnda Abiji [my grandfather] – we saw them become a star because that’s what television does. That’s how they came across, they came across as stars to us, and you take it more seriously”.

Illustration of this is provided by the negative response of many remote Indigenous communities to the usurpation of ICTV by NITV. They protested that NITV projected an Indigeneity that had as little to do with their lives and aspirations as the life depicted by mainstream commercial and public TV. Particularly emblematic was the dismayed response of a group of Yarnangu viewers to a program on NITV (Thursday evening, 9 October) that made cutting rejoinder to Prime Minister Kevin Rudd’s ‘Apology’. In the program an Indigenous man told the viewer that he too was ‘sorry’ that he had lost his land, ‘sorry’ that he had lost his culture, ‘sorry’ that he had lost his family; ‘sorry’ that he had lost his language, and so on. This provoked exasperation in the Yarnangu viewers, particularly because this lament came over the same channel that had once broadcast the positive expression of their own living connection to country, their Tjukurrpa and their language. See The Real Deal PART 2, Background to the Report on the state of Remote Indigenous television, in Addendum 6B for full text. (Frank Rijavec, 8th December 2008)

Sheree Martin interviewed by the author, Coordinator Warawarni-gu (Healing) Art Centre, MDisc 4, Roebourne, September 2006

Colle, Raymond, A radio for the Mapuches of Chile: From Popular Education to Political Awareness, in Riggins: 1992, p134

A radio for the Mapuches of Chile: From Popular Education to Political Awareness, Raymond Colle in Riggins: 1992, p134

Hartley: 2000 p67

Ginsburg: 1997, p124

Coppin’s loss of confidence and this redirection of Juluwarlu’s momentum was abetted by the death of most of the female elder informants she had been working with over the previous couple of years.
and a shift in the gender balance at Juluwarlu brought by the increasing involvement of Yindjibarndi men (principally Stanley Warrie, Thomas Jacob and Angus Mack) who were routinely employed in Native Title, heritage and land negotiation business (with Woodley and Davies). The departure of ‘man-of-all-trades’ Alan Thomson and linguist Vicki Webb also made Coppin’s archive-centred and cultural recording work more difficult. On the other hand, Woodley maintains that the engagement of Yindjibarndi traditional owners in the business of protecting and negotiating their heritage against the incursions of mining, has in fact contributed to their development as representatives, and provided a valuable education in Yindjibarndi heritage and in dealing with resource corporations, government and law.

122 I borrow this image from South African writer Breyten Breytenbach, who, speaking about the dearth of “strong voices speaking firm convictions and enunciating sure ethical standards” against the neo-con “right-wing coup” carried out by America’s “cracker fundamentalists” (the Bush administration) in 2001/2002, cautioned: “So, talking to America is like dealing with a very aggressive beast: One must do so softly, not make any brusque moves or run off at the mouth if you wish to survive. In dancing with the enemy one follows his steps even if counting under one’s breath”.

Breytenbach, Breyten, Letter to America, The Nation magazine, September 23, 2002
http://www.thirdworldtraveler.com/America/Let_America_Breytenbach.html

123 Camus, Albert, Combat, 25 August 1944

124 Davies: 2007, p27

125 Juluwarlu Website, 10 April 2008


127 Juluwarlu’s practice correlated with ethnographer James Clifford’s exhortation that “the human future is something to be imagined, not simply endured”, and saw their project not as one labouring to maintain an identity as ‘archaic survival’, but as an ongoing process of “reviving and inventing ways to live [as Yindjibarndi] in the twenty-first century”. (Clifford: 1988 p9)

128 Richardson: 1997, p.78

129 Richardson: 1997, p.79


131 Lorraine Coppin interviewed by Gerd Samland, MDisc 8b, Roebourne, August 2005


133 Lorraine Coppin interviewed by Gerd Samland, MDisc 8b, Roebourne, August 2005


Translation: Dennis Redmond 8/4/01
ADDENDA – A –
Original texts elaborating body of thesis

&

ADDENDA – B –
Supplementary background texts prior to thesis

for

SOVEREIGN VOICES

The consequence of leadership, custom, and partnership in the practice of an Indigenous media organisation dedicated to promulgating the Law and culture of, and invoking a future for the Yindjibarndi people – Juluwarlu Group, 2002-08.

Frank Rijavec

A thesis submitted in fulfilment of the requirements for the degree of Doctor of Philosophy in Communication Studies, Murdoch University, 2010.

Roebourne kids at the Woodbrook Law ground (December 2006).
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## ADDENDA A
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## ADDENDA B
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ADDENDUM 1A

The Author’s Motivation

To say something about the world is to say something about oneself.¹

In urging for more rigorous requirements for sociological and ethnographic practice, sociologist Laurel Richardson wrote:

The distant “participant-observer” or “interviewer” of normative ethnography objectifies both the product and the process as “other”, outside the self. Such a researcher can neither do the work of postmodernist ethnography nor understand why it is important […] Instead of ‘going into’ the field, we might embark on a ‘pilgrimage’ or imagine ourselves ‘walking with’ people. In ‘walking with’ we are embodied, self-consciously reflexive, partial knowers, conveners, ministers, – not ‘insiders’ or ‘outsiders’.²

I would like to believe that, as Richardson advocates, in my work with Juluwarlu I was and remain a self-consciously reflexive, partial knower or convener, and not the ‘outsider’ of ‘normative ethnography’. Richardson suggested that good ethnography should never appropriate and control knowledge, but share it; and that ethnographic authors should “recognise a multiplicity of selves within themselves as well as interdependence with others,” since their role was invariably “linked aesthetically, politically, emotionally with those about whom they write.”³ Certainly these conditions resonate with my own outlook and practice. I also concur with Richardson’s view that the interactions, relationships, and connections between concomitants who recognise “the sameness in [their] differences”, and who offer a ‘primary presence’ to each other in their collaborative ethnographic endeavours, constitute a privileged, ‘intentional’ space that behoves responsibility.⁴

Richardson expanded that political action was based not so much on a “single unifying thread” as on a “patchwork quilt of overlapping interests.”⁵ Just so, my inter-action with various people and groups in Roebourne was based on a plurality of practices and interests bearing on relationships, appreciation and exchange of culture and knowledge, disclosure and sharing of values and beliefs, recreational enjoyment, and so on. And it was the multifaceted character of the relationship that helped to guard against ossification, kept my participation dynamic, and enriched our relations and ‘exchange’. My ‘role’ or ‘personal experiences’ can, by the same token, be considered ‘intervention’, and indeed, my collaboration with Juluwarlu was an intentional agency – an agency that warrants some explanation or backgrounding.

My introduction to the Pilbara came with my work on the documentary about the Pilbara Aboriginal stockman’s strike of 1946, How The West Was Lost, when I spent some weeks on location in country east of Port Hedland. My knowledge of Roebourne prior to 1987 came via mass media reports following John Pat’s death in police
custody, the so-called riot and subsequent press pieces describing the town’s despair and dysfunction; and of course, like most other Australians, I knew the Pilbara as ‘the new frontier’ of development in Western Australia which had been trumpeted since the early 1960s iron ore boom. In 1987, after being apprised of efforts to broker better relations between police and the local community by a friend working for the Aboriginal Police & Community Relations Committee, and with the counsel of Paul Roberts who had initiated the *How The West Was Lost* project, I embarked for Roebourne with the Committee’s assistance to undertake preliminary research for an ‘educational’ video that would hinge on the relationships between police and the community, which had degenerated over previous years to the point of John Pat’s death in police custody. I imagined that it would be a tract about social justice. On the occasion of Juluwarlu’s community launch of the DVD version of *Exile and The Kingdom* in 2005, my Bananga brother Trevor Solomon recalled how the film was reconceived, and how we worked together:

Eighteen years ago a person by the name of Frank Rijavec came up here, and he came up here to do a media on how the community and the police were in this community, but he consulted our elders – some of them are gone now, they’re gone to be with the Lord most of them – and they told him ‘no’, that ‘we want you to do something different for us’. So they told him, ‘we want you to tell the big world out there that our culture and our way of life is still strong here in Roebourne’.6

During my first weeks in Roebourne I had tentatively asked Roebourne Village dwellers and elders what, given the choice, they would like to make a film about, and as Trevor recalled, discovered that no-one was interested in dragging their community over the same ground the mass media had been digging: the death of John Pat; relations between police and the community; violence, dysfunction and the costs of substance abuse; etc. People were sick to death of fly-through journalists looking for material to flesh out their miserable and tragic stories – they set another direction. The elders were very clear that they wanted to talk about their culture and tell the stories of the country they came from. Trevor continued:

And so began a – what year was it brother? – [1987 when I first come up] – 1987 he first come up and started putting into order the *Exile and The Kingdom* film. There were many many people involved: Yindjibarndi, Ngarluma, Banyjima people, some of them – and we see some of our elders here today still with us, which is a strong part of the film itself. And to narrate that film he had to find somebody, and that somebody was my brother, late brother Roger Solomon. Unfortunately he passed away with mesothelioma, it was a tragic thing – as some of you might know it’s asbestos related disease. Anyhow, due to that everybody started getting the ball rolling, and we went out many many times in our country – Ngarluma country, Yindjibarndi country – sharing our wisdom and our knowledge from our old people, and slowly we got around to making the film *Exile and The Kingdom* which is widely known in Australia and probably overseas. And as *Exile* was being made, all our people, our old people was very much involved in it from the start to the finish, until we lost some of them.7

Trevor’s account of my dialogue with elders, amendment of the film’s direction, my collaboration with his elder brother Roger, and many trips to country ‘sharing wisdom’ with numerous elders of various tribes – fairly expresses the maturation of my
collaboration and relationships with the community during the film production proper; however before this, a more familial local induction paved the way.

I remember we told you we want you to come out bush – we take the kids out – we invited you to the camp then […] While we had all the kids there, we worked in with Old Uncle Solomon, Rog and my husband. And we had Uncle Snip and Cheedy there, they was teaching the kids how to make a boomerang. And the girls made damper; climbing trees and getting birds; swimming; sit down listen to music; and the girls would do their hair.  

My first visit to Roebourne in July 1987 coincided with school holidays and the event of a Kid’s Cultural Camp, which was organised by a group of mothers and grandmothers – Violet Samson, Tootsie Daniel, old Elsie, Nanna Bobby, Pansy Hicks, and Anne Wally – and community workers Martin Duyker and Julie Shepherd. Community Welfare worker Bob Hart remembers the occasion of this community program as a “very morale boosting time”. I had arrived in the community, at first appearances, like so many other journalists, researchers, and bureaucrats. Although wary of my intentions, these women sensed I was not a usual suspect and saw fit to invite me on their camp, disarmed perhaps, because I did not come in pressed clothes and was obliged to sleep on the floor in the back of their resource centre. Nguirin. I borrowed a VHS portapak, lights and a television set from Bob Hart, and over the following days, with the help of Glen Toby, Davis Hicks, and Bob Hart, I was able to record events at the camp and play them back in the evening under a gum tree in the bed of the Yirramala River (Maitland). The events of the two-week camp and consequently the recordings I made were momentous – Tootsie Daniel recalls:

A lot of young people still talk about that – it was the first time they learned to dance. I think we came through – like a breakthrough you know – first time they learned how to dance properly. Old Uncle Solomon was singing – but really, all of us eh! Violet and all, we made a breakthrough with the culture – the young men dancing. It was a time of joy, people were crying – breakthrough for the old fellas seeing the kids dancing the right way. Something that was new and exciting.  

It happened that the nurnda (dance) workshops that James, Roger Solomon and others organised for the children, had rarely been seen since the heydays of their performance in the Old Reserve under the management of jalurra singer Coppin Dale. Their reprise at the Kid’s Cultural Camp in the full regalia of body paint, dancing sticks and masks, and especially as they were performed by the children, stirred powerful emotions. In the lead up to this performance we had played back daily rushes in the evening, not just for the camp, but for the visitors who came in from town after work: interviews that Glen, Davis and I had filmed with the elders, the mothers and the children; images of elders and boys making artefacts; kids hunting along the river and swimming; girls attending to the stews and dampers; and the sometimes very playful and funny nurnda rehearsals in the late afternoon with Old Solomon. These nightly replays galvanised the gathering and served to spread word of the camp’s events via visitors back to town, and so encouraged other elders and community members to attend. There were many people who missed the ultimate performance of the nurnda, and so on the remaining nights we replayed this footage over and again to those travelling in from Roebourne. In regard to the effect of these screenings on those depicted, Tootsie would later comment: “And they was proud of it too because it was
them on the video – they saw themselves performing traditional dance and going out culture camp to be part of it. And with Exile – coming up more bigger then, a bigger picture for all of us then”.

Also, after the rushes screenings I played back some tapes of documentaries I had brought with me from Fremantle – How The West Was Lost, Uluru, On Sacred Ground, State of Shock, Couldn’t Be Fairer, The Land My Mother, Munda Nyuringu, Lousy Little Sixpence, Floating, When The Snake Bites The Sun, etc. – which I hoped would serve as conversation pieces bearing on the possibilities and options in making our documentary.

These replays of their achievement had a profound effect on leaders in the camp – particularly James Solomon, Ned Cheedy, Allan Jacob, Violet Samson, Roger Solomon, David Daniel, and Tootsie Daniel. They came to understand in a very direct way the potential and the consequence of media; its power to preserve, propagate and enlarge – in this case their culture and their agency. This demonstration, perhaps more than anything I said, any of my explanations, or the other films I screened, galvanised this group, who became my closest friends and collaborators over the following six-year production period. Tootsie remembered that the idea of media all at once presented radically fresh promise to her and Violet:

Roebourne was the first black town for deaths in custody, and how they hired more cops into our town because of that thing that happened [John Pat’s death in police custody]. And I remember a lot of journalists, but I never had a talk to them because I never felt like I could talk to them. But when you come along – remember me and Violet said we wanted something good to come out of this, not always negative stuff. Like the media is always bringing in the wrong stuff – we wanted something good to come out.

When I was first introduced to James Solomon, and told him my name and where I was from – Fremantle – he said, “Oh poor boy”. He thought I had served time in Fremantle Jail – the place where many Roebourne men had been imprisoned, and where Roebourne man Peter Allan and others had died in custody – and he expressed sympathy for my misfortune. When I explained that I was not imprisoned there, but that I lived there, it was a great joke. It was Solomon who gave me the Bananga skin. His decision was based on the affinities that had emerged in my relationships with particular men and women in the community. He noticed that the women I primarily related to were Burungu, and the men primarily Bananga, and so he assigned me as Bananga, making the men my brothers and the women my nuha, or my marriageable partners. Solomon had effectively claimed or adopted me into his family, and as he and Dora became my father and mother, their sons, Roger and Trevor, were my brothers. Later, my partner Noelene necessarily became Burungu, and the women I had come to know were her sisters. And then two years after we released Exile, Dora named our son Yarndanyirranha – which translates as ‘mirror for the sun’ – for the section of the Fortescue River in her country, because she believed his spirit had ‘entered’ Noelene on our filming trips to that place. From a distance of almost two decades, and in regard to my relationship with the Solomons and the ‘different story’ they and others wanted to tell, Carol Lockyer observed:

I think it would have been that they accepted you because you stayed with them. You stayed in the surrounding where they lived. I mean Roger accepted
you into his home and he was prepared to accept you into that surrounding and he felt confident in you. The confidence was there, not only from him, but from his family. And they found you someone that they could relate to easily. And because they wanted to tell a different story – every day there was court, and every day there was a prison van taking someone’s family out to the prison – that was a story that they didn’t want to tell.  

Preparation for filming Exile and The Kingdom began with a series of unforgettable ‘research’ trips with Yindjibarndi and Ngarluma elders up into the Yindjibarndi tablelands, along the course of the Fortescue River and to the threshold of Gambulaynha – the fantastic Hamersley Ranges. One of the most profound excursions took me to Wuyumarri, a remote gorge at the end of a kidney-jarring drive from Roebourne. On the way I was told the creation myth of the Fortescue River, of Barrimirndi the great snake who travelled from the sea and cut through the hill that divided the upper and lower courses of the river. On arrival at this gorge, Yindjibarndi elder Woodley King led me to the precipice overlooking the gorge, the dark river pools far below and the rolling spinifex hills beyond. It was an incredibly beautiful and overwhelming vision. King angrily pointed out flood monitoring equipment installed by the Water Authority during their feasibility study for a dam. He regarded this as an outrageous offence to his people and the ‘holy’ status of Wuyumarri. It was a defining moment in which another brick of my commitment to the film and the people of Roebourne was cemented.

Needless to say, the sweep of our lives in the community was more compelling than the agenda we had for the film. I was given to understand, and I made decisions about, what might be considered for inclusion in the film and what could not or should not be included. We partook in Roger’s family life, in discussions, for example, about their wish to bring back to the community two girls that had been fostered in Perth, and we watched one of these girls, at the tender age of 16, come back with Roger after a life in the city and slowly become part of her family again. We shared whatever knowledge we possessed of Wajbala bureaucratic processes to help progress lease applications for camps in the homelands, and so on. It was the journeys out of town with family groups, mostly Roger’s, camping in and walking the country, that confirmed my induction, endowed energy, and fostered my commitment and feeling of responsibility to the Solomon family and their community.

Robert Hart, a long-time welfare officer in Roebourne who had over many years worked with men, women and children in the Village – most notably, in assisting Woodley King to secure his homeland lease and establish the Ngurrawaana community – became one of the first friends we made in Roebourne. On my maiden visit to Roebourne it was Bob that found me a place to stay, and who furnished pots of tea and his renowned spaghetti bolognaise.

When we set out on the journey that would become Exile, we had no idea what would come of it. The muse, the oxygen that kept the process alive was friendship. The feeling of acceptance and confidence was fundamental in opening us to the possibilities, in acculturating us. Trevor Solomon said this of the outcome:

And we come a long way you know from the Old Reserve down to the town site. We wasn’t a recognised people, but through the media of Exile and the Kingdom, we went to Sydney and we picked up that Award for Exile [Australian
Film Institute award for Best Documentary, and Best Achievement in Sound, 1993] – and that was one of the best moments of my life when I stood up there next to the Prime Minister himself, the Prime Minister of Australia – to hold that trophy and feel proud of yourself. After they showed that film there was a standing ovation for it, the biggest thing I ever seen. But now you look around there’s very few people, old people here with us – and it was their hard work and determination and commitment to show to the world what sort of people live in Roebourne.\textsuperscript{14}

It is a fact that \textit{Exile}, and consequentially my reconnection through Juluwarlu would not have come to pass without these friendships. This is not to say that we worked in a Pollyanna, relational ‘happyland’; tensions and theatres of antagonism did develop, and I have tried not to gloss this aspect of my account in the thesis-proper.

As I have indicated, without the decisive enterprise of Lorraine Coppin and Michael Woodley in initiating the Juluwarlu project, I would have had no engine to hook my carriage to. I recognised the significance of their endeavour on my visit to Roebourne in 2002 for the tenth anniversary of \textit{Exile and The Kingdom}, and was eager to lend a hand because I already harboured misgivings that my earlier work with their grandfather’s and uncle’s generation had not continued after \textit{Exile} was completed, and after I left. And then the award of my doctoral candidature beginning in 2004 afforded me subsistence enough to leave aside making documentaries for television and throw my lot in with the Juluwarlu project. The reassurance this award offered, which amounted to some \$336 per week for three and a half years, while modest considering I had a child at school, was enough to tip the scales and should be acknowledged as an important catalyst. There was another important coincidence.

When I enrolled at Murdoch University I had been working in documentary-for-television for about 20 years. My last film, \textit{A Million Acres A Year} had received recognition at the Australian Teachers of Media (ATOM) Awards, aired on SBS-TV, and was picked up for distribution by Film Australia. I could have stayed on this train. I had some phenomenal experiences making documentaries, intensities of communication and relationship with fellow travellers that sustained me, that moved me very much. But documentary making for TV is a machine fed by money and distorted by cultural politics. To endure, one needed to play the game, shape one’s ideas to what the commissioning editors and buyers were telling you they favoured. Rare was the filmmaker that won commissions without playing this game. This was hard work, very time consuming, frustrating and ultimately so uninteresting that I questioned the entire television documentary enterprise – its culture, politics, methods, institutional arrangements, customs, desires, and forms. Faced with the option of either continuing my work with Juluwarlu (with the support of my doctoral pension), or pitching for another commission from mainstream television, I considered it a privilege to go with Juluwarlu.

By the time of my visit to Roebourne for the tenth anniversary of \textit{Exile and The Kingdom}, the deeper significance of the elders’ achievement in the film to the cultural life of the community was becoming clearer to me – a thread I have elaborated in the body of my thesis. I understood that my joining with the elders in articulating their cultural message for their heirs had transcended the more prosaic functions of documentary targeted at television’s general audience – it had affected younger generations in a way we hardly expected. Now there was an opportunity to
collaborate with the current generation to advance this work. It is ironical that the success of *Exile* paved my way to the threshold of television documentary production – and my engagement with Juluwarlu rescued me from it!

I have no intention here of belabouring my biography, however I should perhaps explain some of the circumstances which bear on attitudes that may be packed into my filmmaking and writing. Before WWII a large part of Slovenia was colonised by Italy. My father volunteered for Benito Mussolini’s army and served in Italy’s African campaign, particularly in Abyssinia (Ethiopia) and Kenya as a mechanic and tank driver until he was captured and interred in an English prisoner of war camp for two years. My mother, as I have flagged in my acknowledgements, in her early twenties joined the Yugoslav partisans and worked as a courier against the fascists. Before the war was over she collected the body of her closest brother from a field in a neighbouring village – assassinated by a Slovenian White Guardist (pro-fascist) dum-dum bullet to the head. In 1953 my parents immigrated to Western Australia with my two elder brothers where I was born some four years later.

Living under Italian colonial administration that prohibited the Slovenian language; the War and occupation by Nazi’s and other fascists; underground Partisan resistance and liberation; Josip Broz Tito’s forceful Yugoslav nationalism; emigration; alienation; perseverance – these impressions of my parents’ history seasoned my Australian childhood, and perhaps seeded in me a sense of the consequences of power. Post emigration, the experience of our family as ethnic outsider labourers of little consequence on the fringes of the Anglo-Australian mainstream also bestowed some awareness of what it was like to be marked as dissimilar; to be aware of implicit censure; to be weighed down with a self-consciousness of the ‘aberration’ and ‘anomaly’ of one’s origins; and to bridle at this. My persona, then, was perhaps forged in a climate that predisposed me to a kind of kinship with elements out of the swim of dominant cultural currents. Indeed, a fellow-traveller has suggested that this kinship with, or identification with outsider minorities or ‘underdogs’ that found its way into my work and preoccupation, is a symptom of the disadvantage of my own history – and constitutes a temperament stronger than any deliberate ethical cast I impute to my endeavours. Who is to say there is not an element of truth in this?

The explanation I prefer, however, regarding the influence of my family background, their WWII and then emigration experience, is caught by Alberto Manguel and the questions he says are raised in each of us by history – questions we are compelled to reflect on:

Caught between definitions of nationality and globalisation, between endemic loyalties and a chosen or enforced exodus, the notion of identity, personal and social, has become diffuse, uncertain. Within this endless flux, what name do we assume, singly and in groups? How does interaction with others define us and define our neighbours? What are the consequences, the threats, and the responsibilities of living in society? What happens to the language we speak, supposed to allow us to communicate among us? In fact, why are we together?\(^5\)

When I travelled to Roebourne in 1987 I did not arrive as a professional. I did not represent an institution and had no institution behind me. I was unemployed. I had worked in and around film for the previous 10 years as a student, an amateur and
more lately as an editor. When I arrived in Roebourne making films was a magnificent aspiration and I had the ambition of telling a powerful story, of making a film that mattered. Flickering in my imagination were lodestars who showed me cinematic affects that I tried to emulate in Exile. The films of Peter Watkins, Andrei Tarkovsky and Chris Marker counted a great deal, as did the education in film appreciation/production given to me in friendship by Robert Weatherley, Don Meloche, Paul Roberts, David Noakes and Jon Coutts. I was also encouraged by approaches and themes in the writing of Albert Camus, William Burroughs, John Berger and Jean Baudrillard.

2 Richardson, Laurel, Fields of Play, Constructing an Academic Life, Rutgers University Press 1997 p185
3 Richardson: 1997 p166
4 Ibid, p186
5 Ibid, p55
6 Trevor Solomon, Juluwarlu Television Launch, recorded by the author, MDisc 13, Roebourne, 2 November 2005
7 Ibid
8 Tootsie Daniel interviewed by the author, MDisc 3, Roebourne, September 2006
9 Robert Hart, interviewed by the author, MDisc 16, June 2006
10 Tootsie Daniel interviewed by the author, MDisc 3, Roebourne, September 2006
11 Ibid
12 Ibid
13 Carol Lockyer interviewed by the author, MDisc 1, Roebourne, September 2006
14 Trevor Solomon, Juluwarlu Television Launch, recorded by the author, MDisc 13, Roebourne, 2 November 2005
15 Manguel, Alberto, The City of Words, University of Queensland Press, 2007 p2
ADDENDUM 2A

Failure Of Mass Media

Writing about the corruption of news media, David McKnight, journalist on the Sydney Morning Herald, Four Corners, and UTS lecturer, observed: “under increasing pressures, journalists are internalising the values of the institutions they work for and so can believe they are acting of their own free will”.

Andrew Dickson noted that modern era newspaper publishing had spawned “a new breed of newsdesk rewrite men”, or sub-editors. The filing of electronic copy had made direct control of and interference with copy from the top easier. Some pieces, Dickson wrote, “were just turned on their heads by senior editors without reference to the writer”. He concluded: “I mean, what’s the point ? You may as well be a public relations officer”.

The same principle holds with regard to so-called independent documentary producers beholden to network commissioning editors for their business viability and professional standing.

The Quandaries of Independence and Objectivity

In a paper examining the relationship between the media and public relations industry, Jim Macnamara, CEO of Global Media Analysts, CARMA International, provided insight into just how routine the orchestration of mass mediated news and information was. He said that despite trenchant evidence of the influence on modern mass media of public relations, journalists continued to “cling to an ideologically-based notion of independence and objectivity”. He derided as “the naive hyperbole of a superhero” the contention by journalists and editors that they not were uninfluenced by any forces or motives “other than dedication to truth and justice”.

Macnamara cited a number of studies that demolished this fantasy including one by Humphrey McQueen, which exposed the bias in commercial media, wrought by their ownership structure – particularly the media owned by the Murdoch, Packer and Fairfax dynasties, which suffered direct and indirect influence by the owners. In a review of evidence drawn from the Australian experience, Macnamara cited his own survey of 417 journalists and editors in Sydney, Melbourne, Brisbane and Canberra in 1992, which found that 86% reported “very frequent” contact from PR practitioners, with 74% reporting communications (news releases, phone calls, faxes, etc) from 20 or more PR operatives per week. Macnamara tracked 150 news releases from 27 different companies and organisations over a 12 months period to 2,500 related press articles and found that 768 stories (31%) were wholly or partly based on the PR-based news releases (including exact extracts or facts and figures without alternative attribution); 245 of these stories (32%) were published in national, State or capital city media; up to 70% of the content of some small trade, specialist and suburban media was PR-sourced; and only 9 news releases out of the 150 he tracked (1.2%) were not used at all by the media. These results, Macnamara said, were considered to be conservative.

Macnamara backed up his own findings with those of Clara Zawawi who conducted an analysis of 1,163 articles published by three leading metropolitan newspapers – The Courier-Mail, Sydney Morning Herald and The Age – to identify the origin of media stories. Her research was able to confirm that 47% of articles in these three major metropolitan media were the result of PR activity.
Macnamara concluded that while journalists and media organisations continued to pretend that they were “autonomous, incorruptible and immune from the human trait of subjectivity,” and while they purported that PR did not influence reporting, then journalists would “go on living in their ivory tower” and PR people would go on “eagerly applying their skills in an invisible and unregulated way”.

NB: This and the following analysis also has relevance to Chapter 2.2 (Attitudes & Representation), and Chapter 7 (Corporate Climate) for the understanding it provides about how attitudes in regard to Roebourne became entrenched in the media, and how the image of ‘good corporate citizenship’ that resource companies so diligently propagated gained purchase.

Broadcasters, along with many filmmakers, routinely argue that winning the ratings, or the value obtained by capturing and holding as bigger an audience as possible, justified the system of regulation and prescription outlined above (and in the following Addendum 3A, Constraining TV Documentary). ‘Better to moderate form and content and thereby reach the mainstream’, they say, than ‘preach to the converted’. But the size of the audience a communication captures does not guarantee its value. Neither does the ‘abundance’ of messages generated by mass media assure a better-informed or engaged citizenry. ‘Abundance’ and ‘profusion’, Jean Baudrillard warned, become barren aspirations and ends in themselves:

Profusion of goods and profusion of signs in the interests of maximal consumption and maximal information […] This idealism of messages forgets that it is the hegemony of the code that is installed behind their accelerated circulation […] The profusion of messages in a way replaces the profusion of goods (the myth of abundance) in the imaginary of the species.7

In this context, the ‘code’ is ‘consumption’ – the consumption of media goods whose very consumption unites consumers and producers/distributors/broadcasters in a culture of consumption that reproduces itself and which is essentially uninterested in pluralistic debate. Andrew Britton aptly described this tendency:

‘Middleclassing’ is the middle class perpetuating itself in its own image. On the TV screen it views objectively the objective reality of the world and exercises its liberal concern for humanity, and looks at its politicians trying to reconcile all political differences so that the country may go on to greater material prosperity, united in self-interest. The aim of the middle class is to […] unite all opposing elements in a bland and confident materialism which is, in fact, as grey and barren as the screen which celebrates it.8

Chris Masters, one of Australia’s most accomplished investigative journalists/filmmakers, has also noted this reductive complicity between media and audiences:

Working in television news and current affairs you often hear how we disappoint the public. But very little is said about how they disappoint us. The fact is bad television generally rates better than good television.9
This symbiosis in turn underpins the ideological process that has marginalised views and communities (like Roebourne) that fall outside the general audience profile or do not sit comfortably within this code of consumption. Chris Masters again:

Over time in commercial television, unsurprisingly, the only thing that mattered was profit. So news was commodified, and in time the qualities that brought respect and credibility to the industry were corroded. The mantra repeated in the corner office of the current affairs shows was 'give them information they can use'. What was not said out loud was: ‘avoid all the information that will be found to be disturbing, complicated and threatening to a perceived median of the audience's beliefs and values. Don't try to sell them anything that will make the job of selling Cornflakes and Toyotas more difficult'.

What then was at the root of this system? David McKnight declared that the key to understanding the travesty of television lay in its political economy – “that is, mass markets and advertising”. Brian Toohey offered that market forces, which demanded that shareholdes’ profits were placed before every other interest, were driving the formation of the media business ahead of any putative claims to serving a public interest: “the job of the commercial media in contemporary Australia is to make money for their owners. As a result, if the time consuming and legally difficult job of exposing corrupt police does not make money, then there is no reason for the media to do it”. He said that while many editors and executive producers continued to believe that they had a community obligation to commit resources to reports that added nothing to the bottom line, every time they did so they ran the risk of “being punished by the financial markets and ultimately replaced by someone with a stronger commitment to making money”. Hanna Shaffer concluded: “freedom of the press means the freedom to print such of the proprietor’s prejudices as the advertisers don’t object to”.

Commenting on the commercial media jungle created by Paul Keating’s unleashing of the “take-over tigers” in the mid-1980s and the effect this had in reducing diversity of newspaper ownership and concentrating ownership further into the stables of Australia’s richest men – Rupert Murdoch and Kerry Packer – David Bowman, former Editor of the Sydney Morning Herald, observed:

Any trust reposed in the institution of the press and in individual newspapers must have been destroyed by the naked greed, the grim lack of character, displayed so publicly by proprietors over the past ten years, conduct that has left behind a massive task for any editor brave enough to tackle it. It would be hard going at the best of times; these times must be nearly the worst, because the long shift towards maximising profit as the press’s main purpose has now made the choice of editorial content sensitive to business considerations as perhaps never before.

In his book, The Captive Press, Bowman, elaborated the impact of the corporatisation of Australia’s media on news:

The corporate organisation demands and eventually gets the corporate editor. If there is a significant clash between the interests of the corporation and the interests of the public, the corporation will normally win. Issues may be sidestepped, copy held over, journalists reassigned, soft pedal applied.
1 McKnight, David, *Reportage*, Magazine of the University of Technology Journalism Program and the Australian Centre for Independent Journalism, Sydney. Summer 94/95, p40
2 Dickson, Andrew, *Mould the front page*, The Listener, 28 April 1988 p34
7 Baudrillard, Jean, *For A Critique Of The Political Economy Of The Sign*, p199
11 McKnight, David, *Reportage*, Magazine of the University of Technology Journalism Program and the Australian Centre for Independent Journalism, Sydney. Summer 94/95, p40
12 Toohey, Brian, *Profit makes media tick*, The West Australian, 7 October 1996
13 Toohey, Brian, *Profit makes media tick*, The West Australian, 7 October 1996
14 Hills, Ben, *The Golden Age*, Quadrant, January February 1997 p54
15 Bowman, David, *ABC Radio 24 Hours*, December 1996, p75
ADDENDUM 3A

Constraining TV Documentary

Well before a documentary video camera rolls, the film’s ideas are tempered by the capital intensive character of production, an array of ‘legal’s’, and the adjudication of film agency development officers and panels, or network commissioning editors who are guided by their best hope of which way trends or ‘the general audience’ are tilting, and what kind of thematic slots might appeal to them. When approached to support *Exile and The Kingdom*, for example, the ABC rejected it out of hand as being too ambitious. The reviewing commissioning editor believed the film could not carry the breadth of subject matter or history outlined in my treatment. It was only after this 110-minute feature was finished, had screened at the Sydney Film Festival where it received a strong audience vote, and its concept was effectively proved that the ABC committed to purchase. (It should be noted that for a period in 1991-1992 executives at the Australian Film Commission in Sydney also declared that they had no confidence in the film because of its protracted production schedule and our proposal to double the film’s length from one to two hours, and denied further postproduction support. It was only after a year-long process of lobbying and argument, and vitally, the support of project officers in their Melbourne office that sufficient finance and time to complete the film was obtained from the AFC.)

Bureaucrats wield their influence on an array of other formal details that, in their view, impinge on the ability of a ‘broadcast slot’ to capture and hold the audience: the choice of title; use of commentary and presenters; beginnings and endings; choice of interviewees; etc. This prerogative of the commissioning agent is routinely enshrined in contracts that film producers make with the networks. Of course this regulation extends to other spheres of exhibition/distribution. Film and video festivals for example, where festival directors exercise the same power as network commissioning editors, though rarely so conservatively as in the 1993 Festival of Perth where inclusion of *Exile and The Kingdom* was denied because the Indigenous voice providing the commentary was considered ‘amateurish’. The film would benefit, a member of the Festival of Perth selection panel suggested, by professional revoicing (the film’s commentary was spoken in first person by a member of the Aboriginal community it documented).

In 1988, as I was seeking funding for *Exile*, the action of ABC Head of Documentaries Jonathon Holmes to attach a disclaimer and make a cut in John Pilger’s three-part documentary *The Last Dream*, raised a public exchange that revealed the modus of corporation executives. In a letter to the Sydney Morning Herald, Pilger quoted a conversation in which Holmes’ rationalised his intervention:

 Holmes: You’re taking on the Prime Minister and some of the most powerful people in Australia, and the ABC has got to protect itself.
 Pilger: So the disclaimer is political?
 Holmes: Yes, of course it’s political.
 Pilger: Then why don’t you say so in words on the screen and tell people the truth?
 Holmes: Come off it, you know we can’t do that.¹

While historian Ross Fitzgerald thought that Pilger’s unsanitised view of *Bicentenary Australia* was “not only thought provoking, but to my mind extremely fair and accurate”,

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¹ Holmes: You’re taking on the Prime Minister and some of the most powerful people in Australia, and the ABC has got to protect itself.
 Pilger: So the disclaimer is political?
 Holmes: Yes, of course it’s political.
 Pilger: Then why don’t you say so in words on the screen and tell people the truth?
 Holmes: Come off it, you know we can’t do that.
Holmes told Pilger: “ABC viewers will hate it. They won’t watch it. I know my ABC audience.” Pilger later reported: “Mr. Holmes has made known his views on documentary making. It is time for good news about Australia, he has told the Sydney Morning Herald. The preferred documentary should be light and impersonal”. Offering no proof, Holmes went on to defend his action in distancing the ABC from Pilger’s series by claiming that it did not meet “the ABC’s normal journalistic criteria”, and that it was not ‘sufficiently fair or accurate’.

Writing in defence of The Last Dream, Fitzgerald excoriated Jonathon Holmes for lacking the “wit to realise there is no such thing as “value-free” or “objective” reporting about the past or the present”.

Unlike commentators who falsely claim to be somehow “objective”, Pilger’s point of view has the advantage that it is clear-cut and not subject to obfuscation. Viewers are therefore free to make up their own minds about the information presented and Pilger’s interpretation of our past.

(I address the question of so-called objectivity in reference to my own practice in Chapter 1.4, Notes on Method.)

Following on the experience of The Last Dream the ABC issued an edict that pre-sale documentaries must include a contractual provision that gave the ABC “editorial control over the end product”. Pilger claimed that after canvassing colleagues in Australia, he found “clear evidence that even mildly controversial documentaries either are being rejected out of hand by Mr. Holmes or are being relegated to slots where only the smallest possible audience will watch them. This happened to Curtis Levy’s The White Monkey and Pat Fiske’s Rocking The Foundations, which went to air in the middle of the day without any publicity”.

It is problematic, then, that Australian documentary makers find themselves dependent on the prescriptive patronage of federal and state film development, financing and broadcast institutions – the ABC-TV, SBS-TV, Film Finance Corporation, Australian Film Commission, Film Australia, (the later three now all conflated into Screen Australia), occasionally a commercial broadcaster or distributor, and each state film office. (Production of film and television outside this framework is negligible in Australia – except perhaps in the media departments of tertiary institutions or short film funding programs.)

Typically, broadcasters run agendas for broadcast slots. Types of stories and styles are prescribed. Producers in competition with each other often tailor their pitches to conform to the ‘menu de jour’ or the preference declared by particular incumbent commissioning editors, in order to win a slot. Even before producers have arrived at firm concepts for a documentary or have undertaken any serious research or development, it is routine for them to rehearse preliminary sketches with commissioning editors who respond with hands-on editorial direction. A network ‘letter of interest’ to a film company may indeed spell out these directions recommending, for example, prioritisation of a ‘reality TV challenge’ treatment of a subject. Such letters are in turn used to garner support for development-funding applications submitted to state film agencies.

Commissioning editors influence the tenor of production with a rigour that surpasses the benign prescriptions that networks advertise on their websites. Up to the minute network policies and programming strategies are not advertised, they manifest in reaction to ratings
drifts, or express themselves in the recruitment of particular editors and heads of department who in turn endeavour to make their mark. Any given period may render a climate that is more or less liberal, that allows more or less initiative to filmmakers. Most documentary filmmakers who have experienced the evolution of our public broadcasting documentary departments over the last 20 years would agree that the climate has never been colder, the horizon never lower than today. Although the lights of a clutch of dedicated filmmakers burn in the jungle, I contend that their radiance is diminished under this system — there are films they will not be permitted to make, and the films they do see through to production, are circumscribed by it.

Expressions of the malady rooted in this dependency can be found in industry forums where pragmatic, commercial foci dominate agendas as filmmakers try to come to terms with the 'rules of the game'. Kerry Sunderland reported from the 2003 Australian International Documentary Conference (AIDC):

That many Australian delegates were at AIDC 2003 to finance their projects comes as no surprise. This is why sessions that gave independent producers the opportunity to gain some insight into what commissioning editors want were so popular. So popular, in fact, that after day one the 'Meet the Networks' sessions were moved into the (much larger) lunch marquee.

From the same conference Philippa Campey reported that SBSi's Glenys Rowe proposed “that the whole industry should be working toward making documentaries 'sexy' and attractive to a general audience; we should have feature stories on the cover of each weekend newspaper's arts pages”.

Western Australia’s 2005 Small Screen BIG PICTURE Conference promised that scheduled speaker David Bianculli had “seen enough television to be able to tell delegates what works and what doesn’t”. These forums provided a platform for ‘curators of the public taste’ that contested nothing; a stage for gatekeepers dispensing wisdom on how to capture a market, how to keep audiences from switching channels or switching off.

The begging ritual tying the filmmaker to the commissioning editor has been incorporated into any number of jamborees where filmmakers are invited to compete against each other to pitch their documentary ideas to conference delegates and mainstream media professionals from TV networks or established production companies who pick the winners. Brian Mackenzie described them as the “humiliating and fatuous pitching competitions we are expected to perform in”. One such – the Fast Furious Four Pitching Competition — at the Australian International Documentary Conference fringe offered emerging filmmakers a blooding in this sport. In 2005 the Film and Television Institute ran a dedicated workshop on ‘The Art Of Pitching’:

It's a well-known fact that commissioning editors, buyers, and film-financing bureaucrats have the attention span of a goldfish. So how do you break through in a few minutes and get them to notice you and your project? The Art of Pitching is a practical "hands on" workshop aimed at helping you to stand out from the crowd and help get your big idea into production. Bring your idea to the workshop, be fearless, and be prepared to pitch!

In this climate filmmakers become mendicants or contortionists, hacks and mules. As Chris Hilton explained at the 2003 Australian International Documentary Conference
(AIDC): “preparedness to do a little bit of everything, including corporate videos and even
docu-soaps – was key to financial success”. 13

Indeed, self-consciousness of this Mephistophelian predicament caused despondency
amongst many practitioners who valued notions of independence. A media release issued
after the 2003 AIDC, prompted by the ‘lies and manipulation’ channelled by mainstream
media in regard to the push for war in Iraq, expressed delegates’ dismay at the sorry state
of our media, and their own impotence. It called on mainstream media to “oppose the
distortion and manipulation of one of the first casualties of war – TRUTH”. Conference
resolutions called on the mainstream media to: resist the propaganda machinery of the US
and its allies and to accurately report the views of those who dissent; look to independent
sources to reflect the diversity of opinion; to hold freedom of information as their
greatest responsibility.14 At the same conference documentary veteran David Bradbury
lamented the fact that the public broadcasters “have the screws on them from the Federal
Government and so are dumbing down in order to chase ratings”.15

In April 2008 Brian Mackenzie – an Australian pioneer of observational documentary, a
former ABC commissioning editor and executive producer – turned the spotlight on the
compromised state of television documentary in a critique he posted on the Australian
film makers policy forum.16 A brief review of his comments is useful here as corroboration
for the landscape I have described above.

McKenzie declared that the once vibrant documentary community had been “tamed” and
“dominated by deal-driven financing” into producing banal television. He observed that
despite the public investment in documentary of more than 50 million dollars a year, the
agency of 13 separate government film support organisations, no shortage of issues and
stories, a vibrant training environment, accessible digital hardware, and “many newcomers
wanting passionately to express themselves using documentary”, Australian documentary
output had been reduced to a “mean trickle of format driven, over packaged, lightweight
programs”. While thirteen publicly funded film funding sources should have provided for
some diversity of approach, style, subjects and scope, McKenzie said these agencies were
in fact a “locked grid of copycats, duplicating each other”. Rationales emitting from the
officialdom that governed these government utilities, Mackenzie lamented, harmoniously
intoned that the sector was “market driven”. In the case of Film Australia, he said, “layers
of hierarchy” and “unwarranted and often heavy-handed overseeing”, ensured that
filmmakers lost control of how their programs were made.

Overwhelmingly, Mackenzie pointed out, production was funnelled through the two public
broadcasters, ABC and SBS, and so relied on the endorsement of the small group of
extraordinarily powerful executives who vetted commissions according to whichever fad
held sway on the day. The system favoured documentary makers who worked through
“the preferred production companies” that had “the ear” of ABC and SBS commissioners,
he said, fostering nepotism and a cynical, ruthless accommodation by corporate-styled
players to network recipes of conservative factual entertainment.

Mackenzie decried the servitude of filmmakers to “television’s narrow cast of topics, its
prescriptive styles, its pat political correctness, its sliding towards magazine format”. He
also regretted the reduction of complex Australian topics to the requirements of
international buyers who required adaptation of ‘the product’ to better suit their own
audiences.
Executives, “scared of programs that are too intelligent”, and who sought “easy to digest stuff for television schedules” intervened to press for “the insertion of phony cliffhangers and sensational claims for what you are going to see next”, and were inclined to “spoon-feeding with narration”. Emerging filmmakers, Mackenzie said, were confronted with “virtually a closed shop”, bureaucratic policing, and “straight jackets of style” that represented a “betrayal of the bold traditions of the independent documentary maker”.

Mackenzie’s evaluation was a lightning rod for other filmmakers who variously agreed on the “narrow taste of key decision makers”; the reluctance of networks to work with filmmakers who were truly independent; the deal-driven character of the industry; the propensity for a handful of larger production companies, happy to churn out “product” or “content” that is “marketable”, to win the bulk of commissions; and the crushing of creativity and political debate by “bottom line and ratings mentalities”. One respondent feared that some of the forum writers wished to “remain in the dark ages”, and referred to their concerns as “inane, unsigned rantings”; while another tried to return discussion to all the things filmmakers could be thankful for: the unprecedented volume of production (380 separate documentaries in 2007); more sustainable careers “for those of us committed to working in documentaries for the long haul”; a retinue of “distinct and inventive” films that still packed a punch; and the “rich and vibrant ecosystem that can tolerate differences in approach”.

Along with Mackenzie, Bradbury, Britton, Baudrillard, Masters, McKnight, Toohey, Bowman et al, I maintain that our mass media marketplace is governed by imperatives that characteristically produce a moderated, commodified, ‘designer media’ whose production is not autonomous but reliant on the imprimatur of a corporate hierarchy that fertilises its ideas. This hierarchy may permit questions of interest to emerge, however it commands the gateways, and ultimately its regulatory hand has the effect of diminishing vivid, reflexive interplay between the street and the broadcast. Jean Baudrillard concluded: One must surrender to the evidence; art no longer contests anything if it ever did. Revolt is isolated, the malediction ‘consumed’ [...] Everything, even artistic, intellectual, and scientific production, even innovation and transgression, is immediately claimed by the system and produced as sign and exchange value [...] needs, consumption behaviour and cultural behaviour are not only recuperated, but systematically induced and produced as productive forces.

Filmmakers have by and large been conformed to the reflexively, eternally conservative political, bureaucratic and commercial structures that stand over the handful of gateways to ‘big’ broadcast and distribution. We are constantly being ‘revised’ by commissioning agents and their institutions. Far from fulfilling the exhortation of documentary adherents for the making of strong, independent films, both in terms of form and content; that are steeped in traditions, milieus or contemporary currents ‘as eclectic and diverse as the practitioners themselves’ – filmmakers must be content to trim their sails to the wind, and more often than not to collaborate in the rendering down of their subjects into media products acceptable to the prevailing climate.

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Posted on Australian documentary film makers policy forum, in response to Brian McKenzie’s Documentaries – whither art thou? 24-Apr-08
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ADDENDUM 4A

Representation in History

We should be reminded that there is an abiding seam of intolerance and racism in Australian settler society whose genealogy reaches to the very inception of the colony, and which, through permutations, has been relayed through the popular discourses of successive generations to our doorstep. In his book Black Australians, Paul Hasluck, citing the Perth Gazette, offered insight into attitudinal currents in the raw, not yet five year old colony:

When in 1833 the native Midgegooroo [...] was executed in public, the editorial columns of the Perth Gazette severely disproved of “some instances of loud and vehement exultation” in the crowd and reminded the offenders “that the object of punishment should be example and not mere gratification of a spirit of revenge”.¹

Some thirty years later and just two years after colonial settlement at Roebourne in 1865, pastoralist Alexander McRae, writing from Roebourne reported:

The niggers are a savage determined race of people, the worst that have been met with on this side of the continent. They murdered Mr. Harding the manager here and two of the police force. A good many have been shot, but it does not seem to have had the desired effect, as they still continue to be troublesome, killing sheep and frightening shepherds. One blessing, they are very badly armed, their principal weapon being a club which they can only use at close quarters.²

In 1868 the shooting near Roebourne continued with the massacre of between 40 and 60 Yaburara men, women and children, which became known as the Flying Foam Massacre. Referring to the colonists who joined this ‘punitive expedition’ to the Burrup Peninsula another Roebourne settler, Alexander Robert Richardson, later wrote:

The settlers that were in that party were as justified in obeying orders as British soldiers when they shot at Kaffirs, Zulus, Abyssinians or any other inferior race and for which they were frequently decorated with medals. There was nothing in the nature of a massacre, nor was there any desire, wish or intention to deal anything but stern justice to savages, who are incapable of understanding any lessons, but might is right.³

This murderous disposition towards Aboriginal people was common currency especially amongst colonial frontiersmen labouring to carve out their ‘grass castles’ in far-flung outposts of the north. Commissioner Robert Fairbairn, taking evidence for an Inquiry into the treatment of Aboriginal Native Prisoners of the Crown in Western Australia in the 1880s, reported to the Government the request of pastoralist Walcott for dispensation to kill Aborigines:

I think if the government would allow the settlers to give the natives a good dressing, as was done on the DeGrey some years ago and as was done at Champion Bay some years since, it would effectually put a stop to it. In the early
days of Champion Bay natives were shot right and left for sheep and cattle stealing.4

Another pastoralist, Frank Wittenoom, who Fairbairn said was the largest employer of natives in the North West, and who had taken land on the south-eastern reaches of Yindjibarndi country at the site of the town later named for him, suggested that all the police be withdrawn and that the settlers be allowed to deal with the natives in their own way. He opined that if half-a-dozen of the worst native ringleaders were shot it would "soon put an end to the whole affair".

Hasluck’s research of attitudes described the maturation of this loathing for the Aborigine as the colonial enterprise consolidated. In 1892, G.T. Simpson, speaking in the Legislative Assembly, contributed the idea: “It will be a happy day for Western Australia and Australia at large when the natives and kangaroos disappear [...] in dealing with this matter all maudlin sentiment should be abolished. The time has come for drastic, exact and positive measures, administered not with a light hand”.5 Writing about attitudes prevalent at the beginning of the twentieth century, archaeologist Derek Mulvaney quoted an article titled The West Australian Aborigines, Concerning their Haunts and Habits, and other Characteristics:

The West Australian Aborigine stands right at the bottom of the class to which we belong. The native black has no intelligence, though his powers of imitation carry him up to the borderline. He is as a general rule, to which there are few exceptions, brutish, faithless, vicious, the animal being given the fullest loose, a natural born liar and thief, and only approached by his next-of-kin, the monkey, for mischief. The aboriginal has few, if any traditions, no power of counting time or measuring distance, small capacity for acquiring knowledge, and an absolute hatred of work of any kind.6

Western Australian Parliamentary Despatches – from the turn of the century now – reported Yalgoo Member of the Legislative Assembly, Frank Wallace, as saying: "What would be considered cruelty to a white person could not be considered cruelty to a black". Wallace compared white man to a horse and the Aboriginal to an ox, and said it was the nature of the ox to endure harsher treatment.7 Another Member offered: "When you take a child away from a native woman she forgets all about it in 24 hours, and, as a rule, is glad to get rid of it".8

In A Treatise bearing on the Habits and Customs of the Aborigines and the solution of The Native Question, written as “A guide to Out-back Travellers” (prospectors) in 1909, H. G. B. Mason expounded:

If the government wishes to do away with the seemingly never-ending trouble and expense pertaining to the existence of the Aboriginal race, why not emasculate all initiated native offenders and indenture them to the settlers and others? As eunuchs they would make good, useful, law-abiding servants. Cattle spearing, sheep stealing, hut robbing and murder would soon be offences of the past, and peace as far as the niggers are concerned would reign in the land.9

Mason concluded that the great saving in expense and trouble to the State of this measure could only be estimated by those who knew the seriousness of the "native question", and besides, he sermonised, "castration has a wonderfully soothing and
beneficial effect on all creatures with wild vicious blood - is like lancing a boil or tumour”.10

A journal, The Golden West, took to task the more humane opinion of a Goldfields clergyman who “was wont to refer to the Aborigine as God’s image cut in ebony”, editorialising that it was “doubtful if anything more offensive to White Christians could have proceeded from the lips of a blasphemous bullock-driver”. The journal continued: “The Australian Black may have a soul, but if he has, then the horse and the dog – infinitely superior in every way to the black human – cannot be denied that vital spark of heavenly flame”.11

Soul or no soul, the settlers depended on “niggers” to create their wealth and any moves by the government or its officers to proscribe settlers’ ability to harness black labour to their pastoral and pearling operations was met with hostility. William Lambden Owen, an engineer, warden and magistrate in 1880s and 1890s Western Australia, observed that for the most part natives on the pastoral stations were like feudal vassals: “That is to say a marketable chattel, as much belonging to the stock of the station as the horses and cattle”. He wrote that on the sale of a station three questions were always put by the buyer, of which the third was most vital:

How many acres? How many miles of fencing? How many niggers? The niggers always went as part of the stock. If there were no niggers, or not enough, the sale was off or the price dropped […] They are indispensable to the station owners, and if their race passes away, a great deal of the pastoral country will be shut up for good. White labour rates are too high for the pastoralist to pay.12

The colonial Government was of course largely comprised of pastoralists or their advocates, and while they made Laws that ostensibly regulated the conscription of Aboriginal labour through a contract system, these indenture agreements – contracts upon which Aboriginal people were asked to mark a cross to show their consent – effectively sanctioned a slave system. Furthermore, any overtures of sanction and moderation by the judiciary of the flagrant abuse of the indenture laws were vehemently rebuffed.

Government Resident at Roebourne in 1886, Lt Col E. F. Angelo, raised with the State’s Governor, Napier Broome, the matter of a “disguised but unquestionable system of slavery carried on under the protection of the British flag”. So brazen was it, Angelo reported, that local slave traders advertised their ability to put “niggers aboard pearling boats at half a Crown a piece”. Angelo described how in major trials when the Justices of the Peace, who also happened to be local well-to-do pastoralists and pearlers, sat on the bench with him, it was impossible to reach a decision against a pearler or pastoralist charged with offences against Aboriginal people, no matter how incriminating the evidence. In a government dispatch of 1887 Angelo suggested that the threat he posed to the power and interests of these pastoralists and pearlers was so acute, that they may be tempted to kill him: “You may expect any moment to hear of my being got rid of in some way or other. I am quite as ready to lose my life if need be in Her Majesty’s Civil employ as I was in Military service. All I stipulate for is that my family may be provided for if anything happens”.13

The Western Australian Government responded to the disturbing and unceasing flow of reports regarding settler depredations on Aboriginal society, which were attracting
international attention and causing the Government embarrassment, by instituting the Roth Royal Commission. The Western Australian Parliament in turn responded to Roth’s findings with the 1905 Aborigines Act, which intended to assuage criticism and avowed, “to make provision for the better protection and care of the Aboriginal inhabitants of Western Australia”. Sharon Delmege in A Trans-Generational Effect of The Aborigines Act 1905, spells out how, rather than improving life for Indigenous Western Australians, this Act brought them evermore rigorously under a system of laws and administration that was as punitive and racist as anything that had gone before. It provided for the removal of anyone deemed to be an “Aboriginal native” from the freedom of towns and the settled countryside to the confines of Aboriginal Reserves – effectively concentration camps; and the removal of any Aborigine under 16 to a State institution.

In 1936, under Chief Protector A. O. Neville, the 1905 Act was amended to encompass all “persons of aboriginal origin in a remote degree”, and to make the Chief Protector himself the legal guardian for all Aborigines under twenty-one, thus increasing his power over every aspect of Aboriginal life including marriage, procreation, education, health, employment, housing and property ownership. Delmege cites Peter Biskup in explaining that Neville believed this power would allow him, within the space of three generations, to end any future ‘native problem’ by engineering the absorption of Aboriginal people into white society by the “breeding out of colour” or “assimilation by organised breeding”. She suggested that there was a real fear amongst the white population at large of the “effects of racial contamination”. This fear was stoked, she suggested, by the regular public attestation by pre-war anthropologists “that Aborigines represented the most primitive form of humanity”; by psychologists that they were incapable of adapting; and by novelists who portrayed them in “childlike and/or animal terms”.

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1 Hasluck, Paul, Black Australians, Melbourne University Press, 1942 p191
2 McCrae, Alexander, (private letters) 1865 396A -14/8/65 - to father
3 Richardson, Alexander, Robert (1892), quoted in Know the Song, Know the Country, Juluwarlu Aboriginal Corporation, 2004, p8
4 Government Gazette, 5 December, 1882 p521
5 Hasluck:1942 p192
7 Western Australian Parliamentary Despatches 28 426 Frank Wallace M.L.A. Yalgoo
8 Western Australian Parliamentary Despatches 28 426 James Isdell, Travelling Protector For The North (Isdell’s sentiments are also discussed by Robert Manne @ http://hnn.us/comments/7988.html, posted February 5, 2003 (accessed 19/4/09)
10 Mason: 1980, p58
14 Delmege, Sharon, A Trans-Generational Effect of The Aborigines Act 1905 (WA): The Making of the Fringedwellers in the South-West of Western Australia, Murdoch University, E Law - Murdoch University Electronic Journal of Law, Vol 12, No #1 & #2
16 Delmege: A Trans-Generational Effect of The Aborigines Act 1905
ADDENDUM 5A

The Sanderson Incident – A Failed Attempt To Cut Through Bureaucratic Inertia

In November 2006 Michael Woodley was asked to chaperone former Western Australian Governor Lieutenant General John Sanderson, and then the special adviser for Indigenous affairs to the Western Australian Government, on a tour of the Roebourne Village. Sanderson had been appointed to assist the Carpenter government in identifying “long-term strategies to strengthen the participation of Aboriginal people in the state’s development”. He was engaged in this role for a period of two years to 31 August 2008 at $200,000 per annum. Since his appointment Sanderson had immersed himself in consultations with Indigenous people across the state and his Roebourne visit was to be one station of a fact-finding tour across the Pilbara.

I would suggest that Sanderson’s appointment was a deliberate manoeuvre by Premier Alan Carpenter to establish a point of reference outside the state’s Indigenous affairs bureaucracies that might bring new ideas to the Government about how it might transform the disheartening story of bleak Indigenous outcomes.

In late 2007, after many months researching and pondering the problems he saw and was briefed about, Sanderson generated considerable interest, if not alarm, by the recommendation he made to the State Government at a coronial inquest in Broome into the deaths of 22 Aboriginal people from alcohol or cannabis-related deaths in the Kimberley since 2000. He suggested that regional authorities should be set up in the Kimberley and Pilbara to give Aborigines a voice, an idea that was immediately interpreted as a reinstatement of an ATSIC-like structure, and was rejected out of hand by Premier Alan Carpenter on this interpretation.

The idea of re-establishing a structure that would support Indigenous people from the regions to collectively represent and articulate information and ideas directly to the Government made immediate sense to Indigenous people, many of whom voiced public support. Woodley well understood the very important role that the ATSIC forum played in the Pilbara during his tenure as one of the regional councillors from the Roebourne ward. The scandals that were destroying the organisation on a national level were far removed from the constructive function the organisation played in regularly bringing together elected representatives from across the Pilbara to collaborate and also to contend over policies, priorities and funding distribution. This political process was a strong formative influence on Woodley’s own development as a leader, and on the eve of ATSIC’s axing he expressed regret at the extinguishment of this mechanism of grass roots representation for Pilbara people.

A few months after Sanderson’s recommendation members of the Education And Health Standing Committee clarified and reiterated this idea. In a report to the Assembly, Chairman of the Committee Mr T.G. Stephens, counselled that “to dismiss ATSIC out of hand is to ignore the fact that some of the great features of the contemporary landscape in Western Australia that are succeeding are enterprises such as Ngaarda and Wunan. Those enterprises, which are providing employment and training for Indigenous people, were given birth to by the ATSIC structure. Ngaarda, and the Wunan organisation in the east Kimberley, exist only because of the programs and policies of ATSIC”.

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Sovereign Voices ADDENDA
Stephens went on to stress that since the abolition of ATSIC “some of the great flowers of that experience no longer have the opportunity to emerge through government, because government has not had the feedback from the Indigenous communities.”

Deputy chair of the Committee, Dr K.D. Hames followed Stephens by reading into Hansard Recommendation I of the Committee’s twelfth report which clearly stated that the Government should look at reintroducing a regional representative model in remote communities: “The Committee recommends that the State government, in consultation with Indigenous communities in Western Australia, give consideration to the ‘Torres Strait model’ for adaptation as a regional representative structure for Indigenous communities throughout Western Australia”.5

Hames lamented that Premier Carpenter’s dismissal of Sanderson’s recommendation mistook it as a reversion to the ATSIC model instead of recognising it for a “new and innovative type of regional representation”, which was “essential if we were to improve conditions in the Kimberley and Pilbara”.6 Hames then referred directly to Sanderson’s words in his report of 19 June 2007:

Apart from the need to reaffirm the State’s commitment to Aboriginal people in order to rebuild trust, there is a clear need to engage with Indigenous issues on a more holistic basis. This can only occur effectively at the regional level for reasons I describe in the report.7

Noel Pearson’s comment (see page 66 of the thesis) in regard to the debilitating nature of successive government interventions in the lives of Indigenous people identifies the essence of both Sanderson’s and the Education And Health Standing Committee’s recommendations in accentuating the need for a relationship between government and Indigenous people that obviated the entrenched attitudes of public servants in Indigenous affairs departments: “Yes we need the help, but we don’t need the bureaucrat and the four-wheel drive and the facsimile machine and your program”.8

In August 2008 the book was closed on Lieutenant General John Sanderson’s role as the State Government’s special adviser on Indigenous Affairs when Premier Alan Carpenter confirmed that his contract would not be renewed. On ABC Radio Sanderson lamented that the Premier had been unwilling to heed his advice that the Government was in crisis management rather than trying to fix the cause of problems in Indigenous communities, and needed to dramatically change its approach. He stressed again that the State Government needed to work in partnership with local Aboriginal communities if it was to address problems such as prison statistics that recorded 45 per cent of the state’s prison population as Indigenous – a fact that reflected the depth of their alienation, Sanderson said.9

It was tragedy indeed, that when in a moment of lucidity the Government acted to recruit an independent advisor to cut though the inertia of its bureaucracy, it then rejected the substance of his advice, and then his services, when they failed to agree with its own views.

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1 Diar y 13/11/06
3 Diary 16/4/04
4 Hansard, Western Australian Legislative Assembly - Education And Health Standing Committee, Twelfth Report – Initiatives in the Remote Indigenous Communities of the Torres Strait Region - Tuesday, 26 February 2008, p314
5 Hansard: February 2008, p314
6 Ibid
7 Ibid
8 Pearson, Noel, director of the Cape York Institute for Policy and Leadership, address to Melbourne Writer’s Festival, ABC Radio National, Bush Telegraph, broadcast on 4 September 2007
ADDENDUM 6A

The Big Sister Of Law

Birdarra Law amongst all Law in the Pilbara, has a singular significance in that in the scheme of creation, the Ngurranyujunggamu ('when the world was soft'), it is the ‘first Law’. The Yindjibarndi story of creation for the Pilbara recounts that there was a time during creation when the Maarga spirits gathered all Ngaardangarli (people) together in the heart of what is now Yindjibarndi country, at Gumunha. All the Ngaardangarli in these times spoke a common language, were of the one group and carried no responsibility for particular country or Law. The Maarga then allocated distinctive language, Law and country to various groups who were then dispersed to their various tribal nations with an obligation to care–take their inheritance – Yindjibarndi, Ngarluma, Banyjima, Gurrama, Mardudhunera, Yinhawangka, and so on. The Law carried by Yindjibarndi today, Birdarra Law, is referred to as Thudungu, as the big sister ‘sitting on top’ of all other Law. Yindjibarndi country, then, is acknowledged by all Pilbara tribes as being a ‘holy centre’, as the place of genesis for all Law.

It is significant that while Yindjibarndi Law, Birdarra, is referred to by their neighbours as the ‘first law’, the Law of their neighbours upstream on the Fortescue River, Wallijingha, is in turn referred to by Yindjibarndi as the ‘top law’. This deferral of first position between neighbours is a signature of respect for each other’s Law, a respect that preserves peace and allows for a sharing of their Laws: “It comes down to good governance of nobody holding the power, you know, and respecting the other. And I find that democracy – of everybody having a say over something that is unique – is there in the Ngaarda culture, that nothing dictates”.

The original ‘common language’ of creation, which held sway in the time before distinct languages and Law were decreed (in the ‘epoch’ called Ngurranyujunggamu), is today preserved in the language of the song cycles sung each year for Birdarra initiation ceremonies. This language also includes words from neighbouring languages and archaic words lost in time, and is altogether unlike the Yindjibarndi language of daily discourse. Woodley explained: “What I have done is I have taped the old people and I have transcribed over eighty songs word for word – what it is, the name, what it means – and this is the whole language of the singing, it’s the knowledge of all the languages.”

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1 Michael Woodley, recorded by the author, Mini Disc 26, Roebourne, 4-7 November 2008
2 Michael Woodley, recorded by the author, Mini Disc 26, Roebourne, 6 November 2008
ADDENDUM 7A

Birdarra Law – A typical ‘production’

Before setting out, I should qualify this account with the proviso that it does not intend to be definitive or authoritative, but instead hopes to offer an ‘atmospheric’ impression that gives some indication of the intricacy and drama of the procedural aspects of the ceremony.

The undertaking of Birdarra Law initiation ceremonies involved extensive responsibilities, logistical planning and chores that tested the ability of Law carriers to collectively manage and properly acquit Law each year. The instigation of the first ceremony or ‘meeting’ for the season was referred to as ‘firing the first shot’ and the campaign that ensued was a good opportunity for ‘good foreman material’ to step up and learn from the Law bosses, who would in turn be eager to take their grandsons along with them and guide them into responsibilities befitting their individual aptitudes and interests. A ceremony would always be activated within the close family of the boy. The ‘mothers’ and/or ‘fathers’ (called Garnggu) would talk amongst themselves and then take the proposal to a wider family meeting; if close family were all agreeable then the matter would be put before a broader community meeting including the principal Law carriers. At this point a master for the ceremony – someone necessarily in elder-brother or grandfather relationship to the boy (called Jirnjanggnu) – would either step forward or be entreated by the family to manage their son’s initiation. This ‘master of ceremonies’ was ideally a ‘good man’, a tried and proven Law boss who had the status and respect to do the job for the family; who was able to issue commands, delegate jobs, and win the support of fellow Lawmen in the communities where the initiates were bound to travel: “That’ll fall to the same people year after year”.

The process of negotiating the confirmation or acceptance of a Malulu (initiation candidate) was in itself a careful interaction between the boss Jirnjanggnu and members of the initiate’s family. In preparation for this ‘move’ the women of the family would first of all need to have made a belt from their hair, which was diligently rolled into yarn and redoubled in many strands. With this belt the father, or jila Garnggu (and his male Garnggu associates – his brothers and grandfathers), would then be obliged to approach the boss Jirnjanggnu in supplication, and proffer the candidate’s hair belt. The belt was effectively the boy’s passport to initiation, for the act of picking up the hair belt by the boss Jirnjanggnu was the green light, the signal that the candidate had been accepted, and this gesture would set in train all the subsequent actions that put the ceremony into play – the ‘grabbing’ of the boy; plans for travel to other communities; mobilisation of the rest of the family; preparation of the family camp; the building of the yartha (bough sheds) and burnda (earthen beds) for the initiates.

However it was not a given that the belt would be picked up – the negotiation with or ‘interrogation’ of the ‘father/s’ by the jila Garnggu that preceded acceptance was all about determining that prior protocols had been followed and proper permissions attained for the ‘firing of the shot’. To this end the boss Jirnjanggnu would quiz the supplicant/s, and if satisfied would finally pick up the belt – but may also put it down again if another question or doubt arose: ‘Has that uncle been asked? – No. – Well pick it [the belt] up again!’ And so the supplicant/s would be “shitting themselves”, praying that they had not forgotten someone in arranging permissions – or at least that the boss Jirnjanggnu would not
uncover such an omission. The fate of the candidate was in their hands – would be
decided by their diligence. The mood of these negotiations might also, at least in the minds
of the petitioners, be excited by fear – common were the legends passed across Law camp
fires about how, in times past, it was de rigueur to punish mistakes and laziness with a
beating by sticks, or spearing.4

Upon acceptance of their son the parents might suggest that he should be ‘grabbed’
(ceremonially collected) the next day, or on a particular day that was opportune – that
allowed for other family members and participants to be available and did not clash with
other commitments or appointments – and a decision would be made as to whether, as a
part of his initiation, the boy should travel to neighbouring communities for his education,
and thereby share the moment of his rite with friends, family and people of the Law
elsewhere. However, before his ‘tour’, arrangement would have to be made for the boy’s
local seclusion for a number of days (up to a week) while the Burndud was sung for him –
for it was compulsory for the boy’s Burndud cycle to be commenced on home ground.

After local Burndud singing obligations had been acquitted, the fathers and mothers would
need to put up some fuel money, organise a vehicle and buy food to give to the boss
Jimjanggnu for the journey of their son and his minders; and the boss Jimjanggnu would
make some phone calls to the destination community to consult with Lawmen there and
to settle on a workable, mutually agreeable schedule. Good communication was essential
because the timing of the visit needed to be coordinated with events in that community
and the availability of key Lawmen: “They might say, well we’ll fit it in in our time – how
does this weekend sound to you fellas because we got to be in Perth next weekend?” If
this stage was poorly organised the ‘travellers’ might be met by a half-hearted host group
and receive only an abridged instruction in their Law. Finally the initiate would be returned
to their home Law camp for the finish.5

As soon as the shot was fired and the boy was in the custody of the Law workers
(Jimjanggnu), the parents of the boy and his family, including aunts and uncles, would pack
up their bedding and stores and sundry camping accoutrements – tables, chairs, barbecues,
games, water containers, generator, lights, eskies, building materials and tools, etc.
(according to individual proclivity and industriousness) – and head out to the Law camp.
After their son had been made a man (the boy dies and is ‘reborn’ as a man) in the strictly
private, men’s section of the ceremony, and was returned to the community and his
extended family, they would camp nearby, give family companionship and tend to meals
and other needs while their initiated son recuperated.

1 Michael Woodley interviewed by the author, MDisc 6, Roebourne, September 2006
2 Ibid
3 Diary 10/9/06
4 Ibid
5 Michael Woodley interviewed by the author, MDisc 6, Roebourne, September 2006
ADDENDUM 8A

About the music in Exile and The Kingdom

You will not hear the sound of didgeridoo in *Exile and The Kingdom*. Didgeridoos were not traditionally used in the Pilbara and elders were clear that they should not be used in the film’s sound track.¹

Instead, along with the songs we hear boomerangs, tobacco tins and rocks being clapped, and the scrape of the *Mirru*, a notched spear thrower that is rhythmically stroked with a forked twig.

There are three forms of traditional song performed in the film. *Jawi* (or *Jabi* in Ngarluma) are songs ‘dreamt’ and sung by the man to whom the song was ‘given’. After the carrier of the song passed away, another man of the same language group who was commonly an understudy of the carrier, and who possessed the special talent and spirit could carry on those songs.

Warbu and Tommy Wiliguru Bambardu (‘the blind one’) are the most celebrated of the Yindjibarndi *Jawi* dreamers. Two Bambardu’s songs feature in the film — *Birlinbirlin* and *Gambulaynha*. These are sung by Yilbi Warrie and translated in the booklet *Know the Song, Know the Country*.

The elders in the community said that these songs are not simply ‘made up’ by a man, but are passed on to him in his dreams from the spirits (*Maarga*), complete in lyrics and melody. When he wakes up in the morning the man who has been visited by the spirits can pick up his boomerangs and sing the ‘given’ songs straight out, without rehearsal.

*Nurnda* or *Jalurra* are corroborees, or literally dance songs. They are also given to a man in his dreams by the spirits and passed on to willing singers.

Finally there are ritual songs that can be tracked back to the creation, to the times ‘when the world was soft – like wet cement’. There are many songs in this category of ceremonial songs that tell the story of creation: about birds, animals, plants, hills and water places, the stars and the moon, about how languages were created etc. Some of these are public (the *Burndud*) and others are secret (sometimes referred to as the *bush songs*). The *Burndud* heard in the film were recorded during the public parts of the Law Ceremony on the night before the boys initiated into manhood were returned to their families. They belong to the whole community and are carried by the men.

¹ See *Exile and The Kingdom DVD – Extras* for examples of these songs
**ADDENDUM 9A**

**Ngurra Two Rivers Field Trips**

**September Field Trip In Yindjibarndi Country**

The community planning meeting that Juluwarlu hosted with Yindjibarndi resolved that we would begin the fieldwork at the lower reaches of Yarndanijirranha (Fortescue River) at Burlumbanha and on subsequent trips work our way towards its upper reaches and the birth place of Yiirdi Whalebone in the remotest backblocks of Mulga Downs Station.¹

On the first field trip in September, then, thirty-three Ngaarda, plus a surveyor and mapping trainer, CALM zoologist, volunteer anthropologist and myself, embarked. Highlights of the recordings included an hour-long, impromptu firelight parable by Ned Cheedy about the jealousy murder of a young man by an old man – the murder of youth by age; Jinangarli (the footsteps of the creation spirits); on finding an eagle’s nest with fledgling – incidental narratives and songs about jarburrungu, the eagle; on passing a majgan (snappy gum) tree that had shed its bark and whose limbs glowed blood-red in the afternoon – the story of how bargunyi (olive rock python) lost his teeth after biting into this tree and making it bleed; Burlumbanha Yinda (permanent water), the legendary water hole marking the course of the great sea snake, Barrimirndi, from the ocean along the Fortescue River into the heart of Yindjibarndi country; women and children fishing at Burlumbanha being rewarded by the ‘lonely’ and very beautiful pool with a big catch of catfish and perch; Wuyumarri where Barrimirndi had cut through a range of hills to create permanent water and open the course of the river to the ocean; Jinvangalinha (Driller’s Hole) where Barrimirndi stuck his head up out of the ground for fresh scent of the Law breakers; Jiirda and Bilaa Thalu (increase sites for flour and seeds); testimony for deceased family in the bed of the Fortescue River; Malimaluna pool and Bragumarranha pool where Michael Woodley recalled a boyhood encounter with a diamond-shaped snake’s head as large as a canoe, and the rebuke of an elder for not being respectful of the snake’s resting place; the story for the gunarnku (black) ochre site – a black seam of ochre in the river’s bank representing the snake’s guna (excreta) – and explanation of its preparation for use as adornment; visitation to an old Law Camp, the site of a mortuary tree, burial sites and a ration camp; and the Millstream Station homestead, Miliyanha, where testimony of working for the squatter and being stolen as a child by police was given; testimony for Jirndawurrinha, the increase site for rain, and Nhanggangunha where the snake lives today.

**October Field Trip In Ngarluma Country**

In the planning meeting Juluwarlu hosted for Ngarluma people, a wealth of information, anecdote (some very funny) and biographical information for people connected to Jigurranha was retailed. Ngarluma elder Frank Smith, who ultimately assumed a directorial role for the recording in his country, led the discussion. He remarked that there were Yindjibarndi elders that also had strong connection with this part of the river through their days working on Mallina, Croydon, Sherlock and Pyramid Stations, who knew the country well and were close or married to Ngarluma who had since died, and suggested that they should also be included on the trip.

In October twenty-four Ngaarda and two Department of Environment (Waters & Rivers Commission) representatives travelled to a dozen locations along the lower Sherlock River. We recorded extensive histories for station life, resident families and the work they
did, visited Smith’s father’s boundary rider shanty, Thalu sites and permanent pools along the river which all yielded stories.

**Allowances For Law**
The October trip to the Sherlock River coincided with the annual Law meeting and men accompanying us wanted to be on hand for the return a few days hence of several Malulu (initiation candidates) to Roebourne from their journey of learning to a neighbouring community, and for the Burndud singing for these boys. There was a proposal that we not camp at Sherlock Station at all, but instead travel the 120 kilometre round trip from Roebourne to Sherlock locations for day-shoots – a dangerous contingency, especially at the end of long hard days, when people were tired. Compromise was struck by leaving a day earlier and shortening the span of shooting days. The men would miss some Burndud singing, but the whole group could stay together so allowing quality time on location for the kind of communication and fellowship that distinguished a memorable fieldtrip from an ordinary one.²

Law also intervened by ‘grabbing’ our sound/camera trainee, Tyson Mowarin, on the night of our return. He would be ‘locked up’ with his yalgu (fellow initiates) and unavailable for a month. We were also deprived of the services of GPS, mapping and photography trainee Brendon Bobby, who had learned very quickly and performed well on the first field trip. The cruel reality was that Juluwarlu could not pay him better than a CDEP wage while a local builder could offer him a better pay-packet.

**Inclusiveness**
Particularly significant was the recording of an extended dialogue between all the key participants on the trip including elderly Yindjibarndi women Bridget Warrie, Dora Solomon and Yiirdi Whalebone. Solomon and Whalebone had married Ngarluma men and all of them had spent many years on Sherlock and neighbouring stations in Ngarluma country. Frank Smith said that it was important for him to include and hear the stories of these women who were like family to him, and whose knowledge of life on Sherlock Station was a vital part of the Ngarluma story. In particular, it was important for him to hear from them a rendition of the history that confirmed his and his family’s close connection to that country – something that Smith felt had been snubbed by other Ngarluma in their political and financial dealings with the mining companies. Smith believed that the process of recording knowledge carriers for the country was important for future generations who may want to understand how dreaming sites had been despoiled. Such inclusiveness across tribal lines was increasingly rare in post-native title times, excepting, of course, in the carriage of Law and initiation.

**Recording The Law Camp**
Upon our return to Roebourne after the October Sherlock shoot, Law was in full swing and for the next three days I recorded key events in the public sphere at the Woodbrook Law camp just south of Roebourne. Although there had been plans for just two initiates, by the end of the weekend 13 boys had been inducted, so on the morning of the return to their families of the first 7 initiates, some 400 people had gathered to participate in or watch the ritual procession.

The recording of the public ceremonial aspects of Law at Woodbrook was a bonus that occurred only by the serendipity of coinciding with our production of Ngurra Two Rivers, an opportunity that could not have been seized without the ready availability of the
recording equipment and camera operator. Having mobilised these resources for Ngurra Two Rivers, Juluwarlu was able to apply them at short notice to the Law. Over the three days I recorded some three and a half hours of footage plus night-time sound recordings of lengthy tranches of the Bimdud song cycle; the process of make up and adornment of the families receiving the initiates; routine life around the camp; the late afternoon delivery of initiates by travellers from another community who were ceremonially received in the camp by ‘fathers’ and ‘mothers’; the ritual apprehension of a new initiate by a band of thirty or more Law men and their compelling march-like jog, cajoling of the initiate, and exuberant ‘growling’ of their chant.

At dusk some days after initiation I recorded the phalanx of 13 Initiates and their retinue of minders taking their exercise walk along a track threading out from the encampment of families – their bodies glistening with oil and gurnam under the setting sun, carrying their tjuna sticks, their black initiation skirts blowing in the breeze, a film of dust rising from their shuffling progress along the track. They were laughing and joking as they walked and revelled in the gaze of the camera, understanding as well as the cameraman the iconic and beautiful quality of the scene. It happened that after I recorded their coming out ceremony, the boys at the Law ground referred to the Ngurra Two Rivers shoot as Exile II, and were excited by the prospect of being in another film.

These recordings of the Birdarra and associated scenes are extraordinary and unprecedented in their coverage. They include a greater volume, variation and complexity than the filmed recordings made for the documentary Exile and The Kingdom.

**November Field Trip To Yindjibarndi Country**

Momentum was building so strongly that our second Yindjibarndi trip, this time to upper Fortescue River valley locations in Yindjibarndi country, saw an entourage of 10 four wheel drives and 60 people come together at the first camp on a claypan flat near the Hooley Station turn off.

Although careful attention to communication and courtesy had been paid to clear the way for our group to enter Hooley Station there had been a break in communication between the head manager of the group of stations that included Hooley, Mallina, Croydon, and Sherlock Stations, and the resident couple who managed Hooley, so that rather than receiving warm greeting, the first of our group to arrive, after dark it should be conceded, were ordered off the Station by the owner who just happened to be visiting. He complained that the group had entered his station ‘with no proper notice’ and had ‘scared the hell out of my staff’.

That night when we had all gathered on the claypan flat, our camp was full of the telling and re-telling of the ‘standoff’ and what it might mean. Some, one or two of the more nervous women, suggested it was a bad omen and that we should abandon the trip and return to Roebourne. The more general response was one of humour and musing. Guerrilla tactics were discussed amongst the men, ways around, ways through. There was bravura in our plans to ‘sort out’ the situation at dawn, and speculation that perhaps word had got out amongst the squatters after our Sherlock Station trip, that ‘there were blackfellas running around free on the stations, and they weren’t wearing chains’!

This mishap revealed how fresh the folklore and emotion of past relations with the squatters was, not just for the generation that directly experienced this relationship as workers, but for their children and grandchildren who had soaked up the stories in the
town reserve or Village back yards, and who at the prospect of being evicted yet again by a squatter, were charged with a discord that had roots deep into the 1930s.

Notwithstanding this catch, the next morning a delegation of men met with the owner and his managers. All guns were left in the camp, for it would not do, our delegation agreed, to arrive with the barrels of firearms bristling out of the windows of the troop carrier. On our arrival it became apparent that the owner was in more convivial humour. He had discovered the lapse in communication between Mallina and Hooley, and confirmed the arrangements for our visit. He opened to our purpose and responded warmly to information that Cheedy, who had been born a short drive beyond the homestead at an out camp called Cheedy Well, was with us. He later met with Cheedy and the senior women, and sought to learn something about the history of the station.

An extraordinary week of recording ensued both on Hooley and neighbouring Mulga Downs, and included: Cheedy’s Well where the pool was deep and clear enough of cattle dung for the kids to swim, and where interviews spoke of births, and Yindjibarndi social and work history on the Station; the birth place of Yiirdi Whalebone, which lay outside the far boundary of Mulga Downs at the top of a remote gorge running with water; a copse of trees around a windmill where Cheedy paused to recount his and his brother’s eviction from Hooley to Buminyjinha ration Camp in the 1930s; the birth place of deceased elder Kenny Jerrold at Pigeon Camp on Coolawanyah Station; stories for Yirrayinha (Mount Florance Station), the home station of the Malcolms, Pats, Sandys, Tumblers, Longs, amongst others.

**December Field Trip To Yindjibarndi Country**

With a special focus on recording the seemingly limitless knowledge of our most senior elder Ned Cheedy, a party of 25 returned to Hooley Station for this final field trip, and followed up with Tambrey Station, Coolawanyah Station, and Buminyjinha Ration Camp. At Coolawanyah the names of the workers were catalogued and the birthplaces of children were enumerated; lengthy accounts of life and work on the station were recorded; at the abandoned Tambrey homestead the history of the Gilbey family and 1936 suicide of station owner Thomas Donald Cussack were recounted.

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1 Diary 12/8/04
2 Diary 12/10/04
ADDENDUM 10A

ADMINISTRATIVE AND MANAGERIAL TASKS 2004

During 2004, over and above the work of cultural production (Know the Song, Know the Country and Ngurra Two Rivers) Juluwarlu all at once continued work on:

- mentoring/management of CDEP workers;
- negotiation with Woodside and CALM regarding support for trainees and a training coordinator;
- retrieval of archival cultural materials from anthropologists, an archaeologist, a lawyer and various other parties;
- research of digital archiving and cataloguing options;
- management of building refurbishment;
- attendance to the daily flow of communications; etc.

By December Juluwarlu was involved in:

- discussions with WA Museum and Lotteries Commission for archiving support;
- preparations of submissions to the Pilbara Fund, ATSIS, ILC, Burrup Fertilisers, Apprenticeships WA, Robe River Joint Venturers, Straits Resources, Pilbara Development Commission for an array of needs including funds to employ staff, provision of staff housing, vehicles, furnishings;
- resubmission to ACID (for Phase II funding);
- preparation of tender for the NYFL Cultural Centre Consultancy;
- discussions with Goolarri Media Enterprises for provision of media training;
- provision of cultural information and images for display in the new Mawarnkarra Medical Service building;
- post-production of the Family Histories/ Genealogy project;
- on-going training at Juluwarlu; etc.

Additionally Woodley attended to his board responsibilities to ATSIC, CDEP, and NYFL, and to the provision of cross-cultural training for Woodside, and Coppin and he tended to their family of 5, soon to be 6 children.
ADDENDUM IIA

Future-Building Achievements 2004

Funding For Media Production Coordinator
In mid-2004 Woodley secured an informal offer of $68,000 from the Department of Education and Training (DET) for a fulltime training coordinator.\(^1\) This funding had originally been tagged for an economic development officer in an ATSIC program that did not eventuate, and was reallocated by DET after petition by Woodley who argued the benefit that this funding could bring to Juluwarlu’s program of cultural development. This was a pivotal intervention that highlighted the important role of timely leadership. Considerable effort over the next five months was required to lock in this funding for a Media Production and Training Coordinator. This in turn led to an offer to me from Juluwarlu to join their staff in a full time position starting in 2005, which I accepted after suspending my Murdoch University candidature.

Woodside Support – 3 Full Time Workplace-Based Trainees
In early 2004 Juluwarlu applied to Woodside Energy’s Warrgamugardi Yirdiyabura Program (Pathways to Employment program or WY Program) for support to initiate a comprehensive staff development and training program that would enable the growth of Juluwarlu’s cultural recording and maintenance programs.\(^2\) After negotiations that brought extensive renovation of the terms of this Program, it would fund three full time trainees in 2005. (See Shifting The Goal Posts in Chapter 9 for explanation of the amendment of this Program.)

Woodside Support – Housing & Helicopter
October through November Juluwarlu liaised with Woodside about provision of staff housing for the Media Production and Training Coordinator due to start in January 2005. A heavily subsidised Woodside employee house was granted in November – considering the scarcity and extraordinary cost of rental housing in Karratha, this was a very important piece of the 2005 puzzle enabling my employment. More good news from Woodside came in November with their approval of sponsorship for a helicopter to allow Juluwarlu to undertake aerial photography of both the Yarndanyirranha and Jigurranka waterways, and $6000 towards refurbishment of Juluwarlu Media Centre.

Changing Political Landscape At NYFL
Significant changes also occurred in the community’s political landscape. On the 16\(^{th}\) October 2004 elections were held to replace two Ngarluma and two Yindjibarndi members of the NYFL board – potentially the institution that was most relevant and best able to assist Roebourne organisations in their development. This time rather than a telephone poll, which had previously elected several delegates who lived outside the community, a more conventional election was held in the Roebourne Fifty Cent Hall, an easy walk from the Village for local members. This event produced a competitive array of candidates and included many fresh local faces that possessed a more acute understanding of the Roebourne community and affable disposition to Juluwarlu. The election results changed the make up of the board dramatically. This was to be a turning point for the fortunes of Juluwarlu in relation to NYFL support for their projects.
Fee For Service Work

Juluwarlu’s partnerships with NYFL and ACID were most significant in later 2004. These were the first steps away from grant funding for Juluwarlu, and would build great momentum eighteen months down the track. In July 2004 Juluwarlu reached an arrangement with NYFL whereby Juluwarlu would act as a service provider for NYFL on a project-by-project basis. This proposal was outlined in a Draft Memorandum Regarding Cultural Recording & Media Production Services. Juluwarlu made it clear that whatever arrangements were made for provision of media and cultural recording services to NYFL, the integrity of the primary relationships it had developed with informants and their families were of the highest importance to Juluwarlu: “Honouring and being answerable to these relationships is paramount to our way of working and is essential in ensuring the sustainability of our enterprise – it guarantees the quality of our work and our ability to keep doing it”. To this end Juluwarlu made clear that the primary recordings themselves (tapes etc.) remain the property of Juluwarlu under usage agreements made with informants so that they could be archived appropriately. Juluwarlu’s role as a fee-for-service provider to NYFL’s cultural centre in turn encouraged NYFL, in its own interest, to seriously consider Juluwarlu’s application for funding to employ an administration manager.

NYFL Support For Administration Manager

In August 2004 Juluwarlu drafted a submission to NYFL for funding for an employment package for a full time Administration Manager budgeted at $205,000. Only half of this amount was approved by the NYFL board since it could not approve amounts larger than $100,000 without recourse to membership at a general meeting. So then, Juluwarlu had the option of accepting $100,000 or appealing to membership at the next AGM, not scheduled until February 2005, for the full amount. Juluwarlu chose to go with ‘the bird in the hand’ ($100,000) and set in train a process for recruitment of an Administration Manager so that Juluwarlu could look forward to 2005 with the support of this essential staff member. This option was made all the more attractive with the knowledge that Phil Davies, a friend and supporter of Juluwarlu, currently employed with the CDEP, was interested in the position. In November 2004 Davies accepted Juluwarlu’s offer to join their staff. It was an historic day.

NYFL Cultural Centre Consultancy Tender

In August 2004 Juluwarlu drafted a submission responding to NYFL’s call for tenders to undertake a community consultancy for its proposed Cultural Centre. This tender process was then taken forward by Administration Manager-elect, Phil Davies, and Woodley in November with a successful result. The fees from this consultancy would prove vital in cross-subsidising Juluwarlu’s core cultural recording business in 2005.

ACID Encore

Following on the successful association with ACID and Murdoch University on the Ngurra Two Rivers project in 2004, Juluwarlu took up ACID’s invitation to extend the project into its second phase. This was complicated by a proposal to include five other academic partners who sought participation and influence in the ‘cooperative cluster’ forming around Phase II of the ACID Digital Songlines project. After fruitless mediation this cluster concept was abandoned and ultimately confirmation of Phase II funding from ACID focussed on the extension of the Ngurra Two Rivers project and was contracted directly between Juluwarlu and ACID.
Wangka Maya – Cutting The Apron Strings
While the auspice arrangement with Wangka Maya Pilbara Aboriginal Language Centre had served Juluwarlu well, and indeed, had helped Juluwarlu through an important stage of its development, Juluwarlu's dissatisfaction with the clumsiness of financial management at a distance, and its need for in-house, transparent and real time accounting, accelerated their determination to establish their own business administration capacity, and led to the resumption of this function from Wangka Maya in 2005.7

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1 Diary 2/6/04
2 Diary 25/3/04, conversation with Lorraine Coppin
3 Draft Memorandum Regarding Cultural Recording & Media Production Services, forwarded to NYFL by Juluwarlu on 29 July 2004
4 Draft Memorandum: 2004
5 Ibid
6 Diary 4/11/04
7 Diary 28/10/04
ADDENDUM 12A

Donations to Archive 2005

Examples of particularly significant materials acquired by Juluwarlu in 2005 included:

- Aboriginal Sites Department records, which contained hundreds of transparencies and files germane to Yindjibarndi. Unhappily many of these document files were incomplete due to subtractions made for Native Title research by other parties.
- In October 2005 Pastor David Stevens and his wife Margaret, founders (with local Indigenous leaders) of the Pilbara Aboriginal Church, donated slides and prints of over 400 images that they had taken in the community since their arrival in 1960. These covered many aspects of the community’s life including Law, church activities and the life of the school hostel. This donation was a tremendous vote of confidence in the work of Juluwarlu, and coming from such a well loved and respected member of the community, set a strong precedent.
- In November 2005 Llyrus Weightman delivered 16 Video-8 tapes recorded primarily with Kenny Jerrold for Juluwarlu to make copies. She had made some of these recordings with Jerrold on heritage surveys on the Burrup Peninsula at his invitation.1
- Providence continued with anthropologist Jenny Gibson’s return of 17 reel-to-reel audio tapes she had recorded in the late 60s and early 70s, coinciding with the period linguist Carl von Brandenstein was working in the community.2 Gibson had previously donated a very valuable collection of photographs.
- Louie Warren returned recordings he made with James Solomon, Yilbi Warrie, Karri Monadee, Yiirdi Whalebone, Bridget Warrie and Dolly Boongas. These focussed particularly on thalu sites and their operation. The version he delivered was edited and overlaid with his interpretive commentary. Hopes that the much more valuable original recordings will be returned, remain.
- Valuable donations also came from former teacher Jocelyn Elphick and welfare officer Bob Hart, policeman and teacher Bill Motherway, filmmakers Frank Rijavec & Noelene Harrison, linguist Carl Georg von Brandenstein, anthropologist Jan Turner and numerous others.
- Many photographs were also donated by the local community, who after experiencing the archive for themselves decided to donate or have their photos digitised at Juluwarlu.
- And negotiations are continuing with the Aboriginal Legal Service, who had agreed to return to the community all cultural materials they collected in the course of prosecuting the Ngarluma Yindjibarndi Native Title claim.3

As Juluwarlu’s good reputation for archiving grew, information about other material was continually volunteered and noted for future action.

1 Diary 2/11/05
2 Diary 3/11/05
3 Diary 25/6/04; Diary 28/7/05
ADDENDUM 13A

Issues Concerning Ara Irititja Software

The factors that ultimately swung Juluwarlu to Ara Irititja (AI) were its relatively simple, though adequate array of data entry fields, a friendlier user interface with fewer layers, and a simpler system of user permissions. Also AI was native to Macintosh, and so would better conform to the Macintosh environment at Juluwarlu. Another user of the system, the Northern Territory Library, listed as some of the strengths of AI (despite its age) the ease with which it could be used and the fact that it was “an off-the-shelf product that is relatively simple to install; inexpensive to maintain; easy for NTL to support; user-friendly (particularly for Indigenous users) and it supports a wide range of media formats, documents and objects”.¹

There were, however, some doubts regarding the AI system, most particularly that it was built upon a software structure that was exclusive (FileMaker), and held some risk of falling off the ‘digital cliff’ — a phenomenon whereby one’s data might be locked up in a system made obsolete by advances in technology, and that was difficult to migrate to other systems. The ‘digital cliff’ issue was of widespread concern amongst knowledge-management professionals who agonised over the hotchpotch of systems that resisted meeting in a ‘national standard’, and threatened to maroon their work in software ghettos.

The Northern Territory Library went to some effort to avoid the digital cliff by modifying Ara Irititja with “the addition of Import/Export functions, so as to permit the manipulation and backup of metadata, and an increase in the number of file formats that might be used within the database system”.² This was necessary to ensure that communities would be able to take full advantage of other electronic archiving products as they developed.³ In April 2008, keen to remedy the remaining shortfalls in the system, the Northern Territory Library took the initiative to set out a proposal for comprehensive renovation of Ara Irititja that they dubbed Our Story.⁴ The Ara Irititja Project itself signalled that it was committed to changing the software’s current platform to a browser-based system, giving as its primary reasons “the need for a much more flexible and plastic user interface” and “greater flexibility in the way the user interface can be customised for the other communities using it”. They elaborated:

The current platform, specifically FileMaker Pro, does not easily allow for this flexibility partly because of inherent limitations and also the basic structure of the software, unlike other database engines, embeds the user interface into the same file with the database and logic elements. This makes any change to the user interface more complex to achieve than in systems where these elements are split. There are also other problems with FileMaker Pro. It is not based on a standard database language like Structured Query Language (SQL). Aside from the issues that come with relying on a proprietary system this also makes it slower than other database engines.⁵

This renovation of Ara Irititja is under way and there is indication that it will become available in mid-2010 for an upgrade fee of between $4000-6000.
3 Richmond: 2004
4 Our Story: 2008
5 Ibid
ADDENDUM 14A

Juluwarlu Financial Summary

Extract from Three Year Strategic Business Plan 2009-10 through to 2011-12, Juluwarlu Group Aboriginal Corporation, February 2009.

7.1.1 Key Government Partners

7.1.1.1 The Department of Environment, Water, Heritage and the Arts (DEWHA) has provided significant foundational government funding support for major projects undertaken by Juluwarlu in previous years. In 2007/2008 they paid $55,563 for the Indigenous Cultural Support program and $80,718 for the production of the Yindjibarndi Cultural Mapping Book – Ngurra Warndurala Buluyugayi Wuyumarri (Exploring Yindjibarndi Country – Gregory Gorge) (2008); In 2008/2009 DEWHA have directly funded Juluwarlu for three major projects: Indigenous Cultural Support ($56,396), Juluwarlu Harding River Mapping Project ($90,310) and the Yindjibarndi Language Program ($70,000) totalling $216,706 for the year.

7.1.1.2 The Pilbara Development Commission (PDC) paid Juluwarlu $150,000 for the delivery of Indigenous projects and services in 2007/2008

7.1.1.3 The Department of Water funded Juluwarlu for $60,000 in 2007/2008 to assist in the publication of Ngurra Warndurala Buluyugayi Wuyumarri (Exploring Yindjibarndi Country – Gregory Gorge) (2008).

7.1.1.4 In 2007/2008 the Department of Families, Housing, Communities and Indigenous Affairs paid $21,000 to Juluwarlu to participate, organise, film, edit and produce a DVD of the 2008 NAIDOC celebrations held in and around the Shire of Roebourne.

7.1.1.5 In 2008/2009 Lotterywest committed to pay Juluwarlu a total of $127,820 for organising and implementing best practice in the management of the Juluwarlu archives.

7.1.2 Key Indigenous Partners

7.1.2.1 The Ngarluma and Yindjibarndi Foundation Limited (NYFL) paid Juluwarlu $36,364 in each of the 2007/2008 and 2008/2009 financial years to continue researching, documenting and archiving the histories and contemporary lives of the Yindjibarndi people. They also paid $100,000 to Juluwarlu to kick start Ngarda Community Television and Radio in 2008, becoming one of two foundational partners in the project.

7.1.2.2 In 2008 the I.B.N Corporation Pty Ltd paid $100,000 to Juluwarlu to kick start Ngarda Community Television and Radio becoming one of two foundational partners in the project.

7.1.2.3 The Yindjibarndi Aboriginal Corporation (YAC) nominated Juluwarlu in 2006 to be their preferred Yindjibarndi cultural heritage contractor. In August 2008 the YAC
contracted Juluwarlu to run and organise the financial and administrative affairs of their organisation.

7.1.3 **Key Industry Partners**
7.1.3.1 In 2004 Woodside Australian Energy Pty Ltd and their Joint Venture partners committed $175,000 over four years to Juluwarlu to assist with the digitisation of the Juluwarlu archive. Via NYFL in 2006, the joint venture partners agreed for Juluwarlu to operate the Warrgamugardi Yirdiyabura (WY) Pathways to Employment program contributing $429,612 in 2007/2008 and $151,000 in 2008/2009.

(See Juluwarlu Strategic Plan 2009 in Addendum 8C for the entire Plan.)
ADDENDUM 15A

Chronology of Income (2003-2008)

2003/2004 – Grants:
- Community Development & Employment Program
- Pilbara Iron, (KSKC) $15,000
- Woodside Energy, (KSKC) $15,000
- Mawarnkarra, (Ngurra Two Rivers) $35,000
- ACID, (Ngurra Two Rivers) $45,000
- Waters & Rivers Commission, (Ngurra Two Rivers) $15,000
- Woodside, (media centre roof repairs) $6000

2005 – Grants:
- Ngarluma Yindjibarndi Foundation, (administrator wage package) $100,000
- Department of Education & Training, (media trainer/producer wage package) $68,000
- Woodside Energy, $70,000 + $30,000 over 3 years
- Woodside, WY Training Program
- Community Development & Employment Program
- Shire of Roebourne, (towards JTV installation) $5000
- Broome ICC, (archive storage equipment) $50,000
- ARTSWA’s Cultural & Ethnic Media program, (archive storage equipment) $25,000
- ACID (Phase 2), 28,000
- NYFL, (linguist package) $100,000
- Department of Indigenous Affairs, (for the second plants book) $25,000
- Pilbara Fund, (for business plan development) $15,000
- Pilbara Development Commission, $75,000
- DCITA, (for Administration Manager 2005/6 for 6 months) $90,000

2005 – Fees-For-Service:
- Community Consultancy for the proposed NYFL Cultural Centre project

2006 – Grants:
Business Administrator Phil Davies reported that in the 2005-2006 financial year just 19.2% of Juluwarlu’s funding derived from government programs. These included:
- Community Development & Employment Program
- Department of Environment and Heritage (for the Yindjibarndi Mapping Project, Ngarra Warnudurala Buluyugayi) $90,000
- DCITA Indigenous Cultural Support Program (for administrative support) $50,000

2006 – Fees-For-Service:
The remainder of Juluwarlu’s funding (about 80%), Davies explained, came from:
- corporate DVD production for Ngaarda Civil, $20,000
- cross cultural awareness training for government and private sector including: Woodside, Victoria Hotel/Motel, Department of Conservation and Land Management and Pilbara Native Title Service
• Pilbara Iron Safety Promotion
• video recording of the Rio Tinto funded CNC meetings
• radio advertisement for the Ngarluma Yindjibarndi Foundation
• Drill & Blast (for Rio Tinto)
• Pluto Heritage Video
• selling books and videos
• heritage management for the Yindjibarndi traditional owner group

2007 – Grants:
• Community Development & Employment Program
  NYFL. (cultural maintenance) $36,364
  Pilbara Fund, (publications – the mapping project) $150,000
  Department of Water, (Cultural Mapping project Gregory’s Gorge) $60,000
  Pilbara Development Commission, (Indigenous projects and services) $150,000
  Department of Families, Housing, Communities and Indigenous Affairs, (DVD production of the 2008 NAIDOC celebrations) $21,000
  DEWHA, (Indigenous Cultural Support Program) $55,563
  DEWHA, (Cultural Mapping project Gregory’s Gorge) $80,718

2007 – Fees-For-Service:
• production of Yandina Family Care Centre newsletter
• production of a series of large hard-backed posters for the Roebourne Hospital
• management of Warrgamugardi Yirdiyabura – Pathways to Employment Program for NYFL, $429,612
• heritage management for the Yindjibarndi traditional owner group

2008 – Grants:
• Community Development & Employment Program
• Department of Water, (Cultural Mapping project)
• DEWHA, (Cultural Mapping project) $90,310
• DEWHA, (Indigenous Cultural Support Program) $56,396
• DEWHA, (Yindjibarndi Language Program) $70,000
• Lotterywest, (development of the archives) $127,820
• NYFL, (Cultural Mapping project)
• NYFL. (cultural maintenance) $36,364
• YAC, (Cultural Mapping project)
• IBN, (for NTV development), $100,000
• NYFL, (for NTV development), $100,000

2008 – Fees-For-Service:
• heritage management for the Yindjibarndi traditional owner group
• Cossack Art Awards video DVD for the Shire of Roebourne
• River Care documentary, (for Department of Water) $23,000
• management of Warrgamugardi Yirdiyabura – Pathways to Employment Program for NYFL, $151,000

1 Phil Davies, JAC Administration Manager/Antropologist, recorded by the author, Capturing Community Stories Workshop, MDisc 10, Roebourne, August, 2007
ADDENDUM 16A

DIGEST OF PRODUCTION (TO 2009)

Completed (Edited) Community Video Works

- *Juluwarlu Promo* (featured elements of the cultural recordings made for the second volume of *Wanggalili* and *Ngurra Two Rivers*, together with interview material that explained the nature of Juluwarlu’s core cultural mission), 2005
- *Exile and The Kingdom* re-versioned as DVD, 2005
- *Banyijima Reburial* (by Keith Lethbridge – a personal project for his Banyijima clan that documented the reburial of an infant in country), 2005
- *Domestic Violence*, 2005
- *Drive Sober* (a driver safety commercial by Katherine Glass that achieved its effect through sophisticated montage), 2006
- *Roebourne Tour* (produced by Glen Toby and Lyle Wally – a film that gave a Ngaarda perspective of history in Roebourne and which drew on *Know the Song, Know the Country and Exile* as its sources), 2006
- *Save Our Hospital*, 2006
- *Lockyer Memorial*, 2006
- *Kicking The Can* (produced in collaboration with their lecturer by Glen Lee, Glen Toby and Lyle Wally – a tidy town commercial), 2006
- *Cooking Goanna*, 2006
- *Majgan Tree* (by Linda James – the story for the snappy gum and the olive python), 2006
- *Log Fishing at Western Creek* (produced by Katherine Glass, Wendy Hubert and Glen Lee), 2006
- *Normie Alone*, (by Keith Lethbridge) 2006
- *Littering*, 2006
- *Cossack Heritage Trail* (produced by Linda James, Amorette Lockyer and Tenellia Lockyer, with Linda acting as the on-screen presenter), 2006
- *WAMIA Workshop* (by Tyson Mowarin – a DVD for the Western Australia Music Industry Association of their Pilbara workshop), 2006
- *Visit to Wirrimanu and Lake Gregory*, 2006
- *Eulogy for Edwin Alec Toby*, 2006
- *Wanggargarra… Family Histories and Respect*, 2005-06
- *Pilbara Youth Leadership* promotional documentary, 2006
- *Pilbara Youth Leadership* fact finding tour, 2006
- *Ngaarda TV Breaking New Ground*, (documentary promoting investment in Pilbara-wide networking of NTV), 2007

Coverage (Unedited) Community Video/Media

- Routine recording of cultural, historical and social information with community members (both at Juluwarlu and in the field), 2004-09
- opening of the remote state school at Ngurrawaana, 2005
- ratification by the Federal Court of the Ngarluma Yindjibarndi Native Title determination, 2005
- community workshop on planning for the Millstream Chichester National Park between CALM and the Yindjibarndi community at Ngurrawaana, 2005
- launch of the Joint Venture between the global mining provisioning company, Eurest Support Services, and NYFL, 2005
• Roebourne Primary School awards assembly and sports carnival, 2005
• Roebourne Primary School excursions to Cossack and Marrie Pool, 2005
• Roebourne Primary School science week and numeracy day, 2005
• Roebourne Primary School Croc Fest divertissement, 2005
• Torres Strait Islander ‘coming of the light ceremony’ and ritual tomb stone ceremony, 2005
• performance of nurnda (dances) at Miliyanha (Millstream) for a gathering of community, the Indigenous National Park council and CALM staff, 2005
• basketball finals, 2005
• aerial photography of the Fortescue and Sherlock Rivers, 2005
• opening of the new Mawarnkarra Medical Service premises including speeches and cultural performances, 2005
• Roebourne Magpies Football Team end of season celebration and awards, 2006
• handover of freehold title of a 40 hectare parcel of land to the Ngurrawaana Community, 2006
• Police Visit at Roebourne Primary School, 2006
• cross-cultural training for state schoolteachers at Millstream, 2006
• art practice at Bujee-Nhoor-Pu Art centre focussing on the work of Simon Hubert and Clifton Mack, 2005
• events at the Roebourne Primary School celebrating NAIDOC week, 2006
• performance of a modern dance piece at the Roebourne Primary School that emerged from workshop held by Michael Leslie, 2006
• production of Juluwarlu Newsletter and web site, 2005-06
• Law Ceremony at Woodbrook, 2005, 2006
• production of large format exhibition display boards extrapolated from the Exile DVD biographies, 2006
• Woodside and its ‘A Team’ tour of sympathy through the Village, 2006
• Ngurra Warndurala Buluyugayi mapping project video recording, 2007-09

Publications
• Wanggalili Yindjibarndi and Ngarluma Plants, 2003
• Juluwarlu Newsletters, September 2005, June 2006
• Know the Song, Know the Country, Juluwarlu Aboriginal Corporation, 2004
• Garruragan, Yindjibarndi Fauna, 2005
• Ngurra Warndurala Buluyugayi Yawajunha, Exploring Yindjibarndi Country – country surrounding the Harding Dam, publication due in mid 2010
• Ngurra Warndurala Buluyugayi Wuyuwarranha, Exploring Yindjibarndi Country – Hooley, publication due in 2010

Fee-For-Service Work
• 30-second commercial (for screening on GWN and WIN) and corporate profile DVD for Ngaarda Civil & Mining to promote their Indigenous employment initiatives (in collaboration with Lasso Productions), 2006
• design of Ngaarda Civil’s website and production of its newsletter, 2006
• video recording/minuting for Gumala Enterprises, 2006
• radio advertisement for the Ngarluma Yindjibarndi Foundation,
• occasional stringing for mainstream television news services
• major commission over 18 months to manage, document and video record community consultation for the proposed Ngarluma Yindjibarndi Foundation Cultural Centre, 2005-06
• cross cultural awareness training for government and private sector including: Woodside, Victoria Hotel/Motel, Department of Conservation and Land Management and Pilbara Native Title Service.
• Pilbara Iron Safety Promotion, 2006
• Central Negotiating Committee recordings 2006-07
• Pluto Heritage Video, 2006 (Woodside Energy)
• Drill & Blast, 2006 (Rio Tinto)
• management of Warrgamugardi Yirdiyabura – Pathways to Employment Program for NYFL, 2006-09
• heritage recording for Banyjima Traditional owners on the Hope Downs mining development, 2007
• production of a series of large hard-backed posters for the Roebourne Hospital, 2007
• production of Yandina Family Care Centre newsletter, 2007
• Cossack Art Awards video DVD for the Shire of Roebourne, 2008
• Parkinsonia (river care documentary), 2008 (Water Corporation)

Production For Yindjibarndi Aboriginal Corporation
• Yindjibarndi Aboriginal Corporation meetings, 2006-09
• Video minuting of heritage clearance surveys, 2007-09
• Yindjibarndi One NT Claim (presentation for the NTT), 2008
• FMG Heritage Clearance Issues (presentation for the NTT), 2008
• FMG Expedited Hearing Case (presentation for the NTT), 2008
• Bridge Eleven (video evidence of disturbance at Gurrwaying Yinda), 2009
ADDENDUM 17A

The Example of ICTV

Indigenous Community Television (ICTV) pooled programming from Pitjantjatjara Yankunytjatjara Media, Warlpiri Media, Ngaanyatjarra Media and PAKAM (Pilbara and Kimberley Aboriginal Media), amongst others, and had been broadcasting – courtesy of Imparja’s Optus Aurora Channel 31 satellite carrier – a regular schedule of Indigenous programming to remote Indigenous communities since 2001.\(^1\) ICTV was the first dedicated Indigenous television service in Australia, and two of its primary contributors, Pitjantjatjara Yankunytjatjara Media and Warlpiri Media, had been in the business of video production for almost twenty years and had effectively pioneered Indigenous television. ICTV maintained a steady growth in the reach, sophistication and volume of its play-out schedule, so that by 2005 it was broadcasting up to 300 hours of original, community-initiated, community-produced television each year, and constituted a genuine open-access, Community Television Service that boasted a widely recognised ‘brand’ identified by the “ICTV, Showing Our Way” logo. This entrepreneurial effort was a collaboration both within and between remote community media organisations, driven by community elders, television workers and media managers. TEABBA Manager Annie Lui remarked: “Today ICTV is watched more than any other TV channel in remote communities. It is the pride of remote communities. They are watching real life, local culture and issues communicated by their own people in their own language and this local control of remote community TV is essential”.\(^2\)

In a ‘best practice’ example of community development, ICTV was not formed in response to a ministerial direction, a consultant’s report or a government program, but rather was built on local initiative and participation. It embraced local sensibilities to deliver effective and culturally appropriate programming within local/regional contexts and in the languages of its members, contributors and viewers. This flexibility, local responsiveness and accessibility provided an equality between contributors to the consortium, since ICTV functioned not as a controlling authority but a facilitating agency; decisions regarding what was broadcast on ICTV were not centralised, but rather, made by each contributing RIMO so that local autonomy of production, programming and content ownership was preserved. Access to ICTV for motivated Indigenous videographers was assured since all submitted programming was broadcast, with exceptions made only in deference to cultural sensitivities attending the deceased.

In summary, the qualities that distinguished ICTV were: open access to the distribution platform – free of overdetermination or prescription from programers or commissioning agents; authentic community self-representation through ownership and control of the production process; direct responsiveness to Indigenous cultural protocols; community determination of production values or ‘quality’; a program duration and flow that was not chopped up to fit into mainstream notions of programming; community decision-making about what programs were of interest; decentralised, consortium-style institutional structure and governance; and predominantly traditional and remote/regional audience or constituency.

Originally consisting of some 70 BRACS sites that had been installed in the mid-1980s to service ‘the distinctive needs of remote Indigenous communities’ [my emphasis],
this network of local transmitters and satellite decoders was doubled in 2005 with the roll out of 80 additional television transmitters across remote Australia – an initiative motivated by the lobbying of the remote television sector represented by the Indigenous Remote Communications Association (IRCA), the ICTV membership and Remote Indigenous Media Organisation (RIMO) managers – who pressed for the roll out with the specific purpose of extending the reach of ICTV. In a groundbreaking Griffith University study of the Australian community broadcasting sector, Dr Michael Meadows et al acknowledged the singular achievement of ICTV:

ICTV represents the most significant advance for remote Indigenous communities in the past 20 years in terms of its potential to contribute to the maintenance of languages and cultures, boosting self-esteem and making a significant contribution to reinforcing a sense of identity amongst its diverse audiences. It has already begun to achieve this, according to the audience feedback we have included in our study.

(See also Open Letter to Coonan in Addendum 5B, and The Real Deal Parts 1 & 2 in Addendum 6B for two papers by the author that discuss the policy action of DCITA and Minister Helen Coonan’s office to terminate ICTV’s broadcast and replace it with ‘corporatised’ Indigenous television – NITV.)

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2 Annie Lui, Manager Top End Aboriginal Broadcasting Association (TEABBA), Presentation To NITV & DCITA at the ICTV/IRCA Summit, Alice Springs, recorded by the author, MDisc Summit, March 21 2007

3 This summary is extruded from – Rijavec, Frank - Careless, Crude and Unnecessary: The launch of NITV over the body of ICTV - An open letter To Senator the Hon Helen Coonan, Minister for Communications, Information Technology and the Arts, July 12 2007 (See Open Letter to Coonan in Addendum 8B for full text)

4 Meadows, Michael, and Susan Forde, Jacqui Ewart, Kerrie Foxwell, Community Media matters, An audience study of the Australian community broadcasting sector, Griffiths University, March 2007
The promise of Juluwarlu Television

Community Development
Michael Woodley held great expectations for the wherewithal Juluwarlu’s media production and broadcasting capacity might bring to the broader development and well-being of his community:

The whole idea of JTV is to promote Ngaardangarli and the things that they want to do. Right now we are struggling with our health and we always been struggling with our education; we always been struggling with training and employment – so it’s about promoting all this – and that Aboriginal people can work and are willing to work and we’re not gonna sit around all our life waiting for the dole to pay our ways.¹

Coppin wished that JTV would spur levels of participation in community building: “Just make people aware what’s happening in Roebourne – you know, the more awareness the more involvement we’ll have from the community in inputting in Roebourne, because at the moment I don’t think they know”.² She was also looking forward to harnessing the power of its penetration into the community for Juluwarlu’s work of cultural transmission: “The beauty of this TV station is whatever we learn we can pass on through our TV. If we’re talking about language or country or transcribing a song, etcetera – we can broadcast whatever we want”.³

Community Health
The chronic state of health in the Roebourne, in all its personal and social dimensions, was a continual and overriding preoccupation for Juluwarlu and a host of other organisations that dealt with the fallout. It was useful, then, that television could enter private spaces in Village homes – living rooms and bedrooms – and speak one-on-one (albeit indirectly) about issues that could not be broached so effectively in public gatherings – matters such as family and child protection; parenting and responsibility; alcoholism; violence; depression; and so on – to people who needed to hear some of these messages the most, and who were loath or shy in dealing with them in direct, person-to-person situations.

Violet Samson was concerned to get out a message about “perpetrators hurting kids”. She expressed the difficulty of dealing with such issues:

It could be any one in your family hurting the kids, and what you gonna do with it? You gonna let him go? Or you gonna protect the kids? You know Aboriginal families, they don’t want to put anyone in – but whose side you going to take as a parent? I feel something of a struggle when I think about it […] It might be your husband doing it. What this woman going to do? You love that man, but what’s important, your grandchildren getting hurt or your husband?⁴

Samson said that she talked about child abuse sometimes, but felt that people did not like her talking about it: “But the truth gotta come out. It’s happening in Wickham, it’s happening in Roebourne, kids are getting hurt. The truth being hidden all the time in this community”.⁵
Media trainee Linda James said that one of her priorities for production was a documentary about diabetes and kidney disease that explained how kidneys were damaged and how to look after them. Tootsie Daniel wanted the TV to address the young men directly about their violence towards women and provide encouragement to women to deal with, rather than absorb this violence: “They might hear about it, but they just need to sit down in front of the box and see the message – hit them right here then [indicating her heart]”.

The routine work of reminding people about the health services available through the Mawarnkarra Aboriginal Medical Service could also be made more direct, timely and insistent through television community announcements:

There’s a lot of things we can teach ‘em about what other groups in Roebourne are doing and what is happening in the AMS – they might have some special events happening like health programs, we can broadcast that […] we can broadcast which doctor is in town and monthly visits from specialists like the eye specialist, ear specialist, we can make people aware of them dates; immunisation needle day for the babies. We don’t have to be going around putting notices in the shops and going around and dropping off letters in people’s houses. We can broadcast it!

The value of such facility was stressed in the Maari Ma Health Aboriginal Corporation submission to The Indigenous Television Review in which they noted that one of the most significant challenges they faced in delivering effective health care to their communities in far west New South Wales was lack of access to mass communication. They pointed out that Maari Ma found it “difficult to communicate important health and community development messages to a large number of people quickly and effectively; leading to delays in projects and initiatives designed to help Indigenous people”.

Maari Ma argued that “negative stereotyping of Indigenous people in mainstream media affects the social and emotional wellbeing of Indigenous young people, and that this can in some cases lead to self-destructive behaviours of various kinds, including drug abuse”. By celebrating culture and history that affirmed the contemporary lives of community members, re-producing and maintaining culture and, crucially, by giving the community a voice, Indigenous media could counteract the harmful internalisation of negative representation of Aboriginal people, and serve to promote psychological health in a holistic and longer-term framework precisely because health was correlated to self-esteem and confidence.

**Breaking Down Stereotypes**
For JTV Manager Keith Lethbridge the function of putting before the community an alternative to the corrosive mainstream representation of his people was fundamental:

In the past we have only had the mass media come into Roebourne and portrayed Roebourne as they wanted to portray Roebourne. I mean we’re here to tell the real stories and tell the success stories as well. You don’t hear about the kids getting greater education and the adults achieving things and working hard, because I suppose there’s a lot of myths with Indigenous people
– lazy black fellas and all this sort of stuff. We got to break that down and show the truth.¹¹

Tootsie Daniel said that if “we had our own media, then we know, at least that’s our own people running the show and we know we can trust them because that’s the people that belong to this place, to this community, we know we can put our confidence in them”.¹² Media trainee Rebecca Cheedy offered that JTV would “have a good impact because they’re going to see their role models like Michael doing good things for the community”.¹³

Cross Cultural Awareness

To a large extent, then, opinion regarding the function of JTV inclined to making television that was focussed on the needs of the local Indigenous community. There was also discussion about how Juluwarlu TV might reach across the social/racial divide to the broader Wajbala community. Coppin saw this tele-mediated process of conciliation as a factor of Ngaarda survival:

Racism is in Australia because they don’t know us, that’s why they be aggressive and act really different towards us. The reason I think they do that, and I think we are similar to that too – we show a bit of racism because we don’t know them too, and they don’t know us. And I think by broadcasting more of our culture on our TV, they’ll have awareness too and they’ll respect us and approach us differently. So I think the media, the TV station would really work for our people, for our culture and our survival.¹⁴

Ventilating Community Issues

A condition that sustained vexatious elements of community politics was a comparative want for mechanisms of constructive oversight, or formal checks and balances in regard to the conduct of meetings and boards. Opportunity or capacity for membership to gain understanding and voice in community organisations hinged on the competency of any incumbent board or CEO, and lack of transparency easily devolved to dispute.¹⁵ Ostensibly, then, there was a need for media in Roebourne that could bring transparency and service to pan-community affairs; provide some warranty for responsible governance and representation. Such tools of accountability, as partial and lacking as they were in Australian society, nonetheless served a vital role in protecting the interests of wider citizenry in the conduct of public affairs. The press, ‘fourth estate of parliament’, both in its explicit capacity of advocacy and in its implicit ability to frame political issues, provided some insurance for proper functioning of public institutions. How could an Indigenous community keep its own systems of governance efficient and honest if it lacked information, in a collective, shared sense, to challenge malfeasance?

There was no lack of current affairs topics bearing on deeper cultural and social issues that could have gained carriage on Ngaarda TV – be it the fate of Aboriginal heritage on the Burrup Peninsula, the character of heritage and land access dealings with miners, the conduct of Indigenous boards responsible for managing millions of dollars of community funds, or the business and news of a host of local Indigenous corporations dealing with everything from art, to employment, health and aged care. Ngarluma elder Violet Samson suggested that community issues in the Village, at Cheeditha, Five Mile and Ngurrawaana needed to be more broadly discussed and better understood, and that each community could be given spots on Ngaarda
Television where they could “tell the whole community about what is happening, what sort of help they need, so that everyone in the community knows”. 16

Woodley theorised on the good effect that the ‘public record’ function of media could have by broadcasting to the broader Indigenous community the business of meetings such as those of the Central Negotiating Committee. He offered, “media is one of those tools that puts people on the spot. You can’t hide from image”. 17 He explained that in these meetings significant, even historic concord or concussus was sometimes reached that brought together individuals and parties that more usually, in the general run of local and regional politics, would never be seen agreeing with each other. Record and replay of such concord, Woodley thought, could play a role in loosening entrenchments and expanding moods of cooperation: “That’s what I see this media work doing as well, is getting everybody around a table talking about one common goal”. 18

1 Michael Woodley interviewed by Rebecca Woodland, MDisc 9, Roebourne, October 2005
2 Lorraine Coppin interviewed by Gerd Samland, MDisc 8b, Roebourne, August 2005
3 Ibid
4 Violet Samson interviewed by the author, MDisc 3, Roebourne, September 2006
5 Violet Samson interviewed by the author, MDisc 3, Roebourne, September 2006
6 Diary 26/10/06
7 Tootsie Daniel interviewed by the author, MDisc 3, Roebourne, September 2006
8 Lorraine Coppin interviewed by Gerd Samland, MDisc 8b, Roebourne, August 2005
10 The Indigenous Television Review Report, DCITA, August 2005, p20
11 Keith Lethbridge interviewed by Rebecca Woodland, MDisc 9, Roebourne, November 2, 2005
12 Tootsie Daniel interviewed by the author, MDisc 3, Roebourne, September 2006
13 Rebecca Cheedy interviewed by Rebecca Woodland, MDisc 9, Roebourne, November 2, 2005
14 Lorraine Coppin interviewed by Gerd Samland, MDisc 8b, Roebourne, August 2005
15 Diary 9/11/07
16 Violet Samson interviewed by the author, MDisc 3, Roebourne, September 2006
17 Michael Woodley interviewed by the author, MDisc 4, Roebourne, September 2006
18 Ibid
ADDITIONUM 19A

Flaws in the Burrup and Maitland Industrial Estates Agreement

Negotiation of this Agreement with the State of Western Australia was mediated by PNTS Lawyers and resulted in payments of $5,800,000 in exchange for the surrender and permanent extinguishment of Native Title on the Burrup and Maitland Estates; the award of freehold title to this land conditional on the land being leased back to the State for 99 years with a 99 year option; management in accordance with a State-approved Management Plan; proposal for a Visitors Centre; 5% of developed housing lots in Karratha; and provision for an Employment Service Provider in Roebourne to assist people and contractors to meet their employment needs for three years.

Five years on people in the Roebourne Village had not received any manifest benefit from this Agreement. Many questioned the benefit of freehold title to land they did not control on the verge of a remote industrial precinct most never visited, and the value of the promised $5.5 million visitor/culture centre patently oriented to enhancing the tourist experience. The Agreement included state commitment to bituminised access to the hitherto difficult-to-access extremities of the peninsular in order to facilitate coach access and cultural tourism. These plans aspired to a kind of ‘Uluru-isation’ of Murujuga with multi-million dollar tourist facilities that provided accommodation in the ‘wilderness’ tended by Indigenous guides. It was a concept redolent of consultant’s formulas that responded more obviously to appeals from tourist operators and politicians who advocated the economic potential of preserving the Peninsula for cultural tourism, than to Indigenous aspirations.¹

Curiously, as if the flaws in the Burrup Agreement dawned on the State, it took action outside the terms of this Agreement to provide more palpable benefits to Roebourne via the $3.5 million Roebourne Enhancement Scheme which aimed to provide services and facilities most communities in Australia would usually receive through local government: renovation of the main street median strip and footpaths, and burial of power lines; upgrading of a couple of parks and a Village street; bush Tucker interpretive signage along the river; tidy town and environmental program; upgrade of the old Roebourne cemetery; installation of Mt Welcome tourist facilities; removal of glass from Harding River and asbestos from contaminated sites in the town; upgrading of the oval and community hall, and the construction of the Roebourne multi-purpose courts. While locals appreciated improvements to the hall and oval and the building of new courts, this was nevertheless a cosmetic makeover for the town that did nothing to address chronic health, housing, education, employment and social problems. Almost as an afterthought the Department of Housing and Works undertook a $1 million program to upgrade public housing in Roebourne. This was the only measure following on the Burrup Agreement (but not a provision of it) that came close to addressing fundamental aspects bearing on life outcomes for Villagers. A local Yindjibarndi woman, Tootsie Daniel, suggested local Indigenous leadership should set the priorities: “It’s good government give us basketball court, but Enhancement Scheme finish now. It put that new footpath and I tell them, who is gonna live out in the footpath? You should put more housing. But that’s what we want is our own mayor. We be nyambali (leader or boss) of all this town. We be nyambali for the school”.²

¹ Diary 14/7/06
² Tootsie Daniel interviewed by the author, MDisc 4, Roebourne, September 2006
ADDENDUM 20A

Swine River

On a November evening in 2006, after a draining day in TV Perth’s post-production suite working on the Pluto Heritage Video, Woodley and I went to see a student production of Swine River by Palyku playwright David Milroy and directed by Rick Brayford at the Western Australian Academy of Performing Art. This play provided another point of reference for the deeper, broader currents of Indigenous opinion being stirred by the aggressive expansion of mining and its impact in the Pilbara.

Swine River described a State where government had been supplanted by mining interests, which effectively ran the State in the best interests of wealth-getting and of prosperity for the nation. In this ‘State Of Mining’, where ministers unilaterally served the interests of mining against any others, heritage laws were mute as the ‘State Of Mining’ and Swine River Mining Incorporated struck deals to keep the boom rolling. Tenements were literally (physically) ‘cleared’ of Aboriginal sacred sites, Indigenous history and Indigenous people ahead of mining – a procedure carried out in strict accordance with regulations set out in a manual wielded by an agent of the company whose legalistic, officious statutes were Orwellian in their brutality. It happened that the Howard Government commissioned Ms Windshuttle to review the situation of sacred sites across the nation. She recommended, for the sake of vastly improved efficiencies, that their number be reduced to just two, both off shore: one at Gallipoli and the other at Kokoda, although Kokoda was apparently already being mined!

The play rehearsed various options for deciding whether an Aboriginal person was a genuine traditional owner, then applied Howard’s citizenship test to a putative traditional owner, which neatly disqualified them on every single count - language, beliefs, notions of mateship, etc. It was then decreed that this traditional owner be deported to their country of origin. This proved to be a conundrum since the adjudicator had earlier pronounced that there was no such thing as ‘country’ – no ‘our country’, ‘his country’ or ‘their country’. The concept of ‘country’ was anachronous and obsolete in the Australia of today.

Milroy’s satire described a gorged resources industry in league with a State intent on stuffing its coffers with mining taxes and royalties; a State in the thrall of mammon’s freight, hauled by serpentine ore trains. It also struck at the agents, non-Indigenous and Indigenous, who served the corporations and the State, who volunteered to their ranks as public officers and fixers to do their dirty work in the field, and who evaded responsibility and sought absolution in alcohol. It was an open attack on the Pollyanna rhetoric that declared mining and the riches it brought as a win-win bonanza for all right-thinking citizens.

A review of the play stated that it took shape as a venting of Milroy’s “frustration about the destruction of rock art on the Burrup and the decision by Arts and Aboriginal Affairs Minister Sheila McHale to allow a railway line through the Abydos Woodstock Reserve”.1 The Director’s notes of Swine River indicated the depth of Aboriginal history on the Burrup Peninsula, the hundreds of generations of first Australians who occupied it and their countless testaments – grinding stones, engravings including the extinct thylacine and the oldest maps of the country – and
referred to deals that opened the way for further industrial development that crushed the Peninsula's Aboriginal heritage into road base, blasted it to rubble, erased it from the page. The play made allusion to country that was no more, country and sacred places whose names could no longer be invoked because they had been levelled in the process of building roads, railways and open-cut mines, and so were called by the ‘substitution name’ for the dead – nabaru. An allusion, incidentally, that corresponds to a response by Gurrama elder Gordon Lockyer to the mining of hills along the course of the Robe River (Jajiyrurra) near Pannawonica. He said the names he learned as a child for these hills could no longer be spoken, were now meaningless.

Woodley found this satire refreshing. Indeed it provided release from the equivocal, snail’s pace round of negotiations with the resource corporations that he was involved in, and more immediately, from the tawdry outcome of the Pluto Cultural Heritage Video.\(^2\) While the Australia Council agreed to match state funding to take the play to a broader audience, ARTSWA declined to provide funding and the play has not been performed since.

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2. *Diary* 20/11/06
ADDENDUM 21A

The Blighted Promise of Native Title

The Ngarluma Yindjibarndi Native Title determination was ratified by the Federal Court at Roebourne on 2 May 2005 and amended by appeal in June 2007.¹ The determination recognises that the Ngarluma and Yindjibarndi people hold non-exclusive Native Title rights over parts of the claim area which allowed Ngarluma and Yindjibarndi to access, engage in ritual and ceremony, camp and build shelters, fish, forage, take ochre and water, cook, and protect and care for sites of significance. The Ngarluma right to camp, build shelters and light fires was limited however to the proximity of river courses. For Yindjibarndi the right to camp, build shelters, take ochre, fish, and light fires was limited to the Millstream-Fortescue area, and the right to hunt and forage was limited to the Millstream-Fortescue area and the upper reaches of the Sherlock River.²

Crucially, in some 80% of the Yindjibarndi claim area, Native Title was altogether extinguished by the character of the pastoral and other leases on that country; and further, any residual Native Title rights were over-ridden by common law, so native title holders could not claim any propriety over the medicinal properties of plants in their country for example.

If one excluded the right to “protect and care for sites of significance” (a right already protected to some extent under the State Heritage Act), these native title rights would grant little more than the rights of the average happy camper, regardless of indigeneity. The right to “protect and care for sites of significance”, however, gave native title holders the right to negotiate with anyone whose work was likely to destroy or impair their ability to enjoy and protect their rights in those areas where native title was not “wholly extinguished”. Marcus Priest summed the “problems” this situation gave rise to this way:

The Native Title Act establishes a piecemeal approach to land management, requiring miners to negotiate every lease, of which there may be hundreds for any project. One of the key problems is that state and federal governments have privatised what is a government responsibility: land management. They have left to miners and aboriginal groups the responsibility to negotiate conditions of the issue tenure.³

Priest went on to say: “Never before have Indigenous Australians had a better chance to develop a sound economic base, thanks to the resources boom and the legislation that might have provided their fair share of it, the 1993 Native Title Act (NTA)”⁴ BHP Billiton Iron Ore vice-president external affairs, Stedman Ellis, explained it this way: “For the first three decades we were in the Pilbara, Aboriginal people were treated largely as bystanders and did not enjoy any benefits. The Native Title Act helped change that, and business – mainly the mining companies – are pursuing constructive engagements”.⁵

In the years before the current (2009) downturn (the period most germane to this account), the resources boom was in an expansion phase on the back of peaking prices for ore and gas. Woodley observed: “It is ridiculous what they are making now
compared to what they were making before. What they made before was a lot of money, what they’re making now is a ridiculous amount of money, and its all from access to Ngaarda land”. The prosaic indications of this boom around Roebourne manifested as clouds of red dust billowing up in the hills behind Cheeditha Community, just outside Roebourne, kicked up by dozers accessing a deposit left dormant until now; in the news that Yindjibarndi traditional owners were too late to peg ground in their own country because it was already blanketed by leases; in booked out flights ferrying fly-in-fly-out miners to and from Karratha; chronic labour and accommodation shortages; sprouting donger-villages and impromptu camps for mining workers; spiralling wages and house prices. Yet standards of living and health in local Indigenous communities remained as depressed as they had been in the first four decades of resources extraction. Woodley commented: “Here we are in the third phase of the resources boom and still our people in the village are living in third-world conditions […] This is the next generation that has not seen anything from the mining boom.” He accounted for this by the years of “devaluing us like we don’t mean anything in their society”.

Agreements between miners and traditional owners there were, but the millions of dollars bound up in these were not reaching the ground for reasons of their structure, corporate parsimony or inept Indigenous management. Keith Lethbridge, speaking about his Banyjima traditional owner group, commented: “We are probably the richest people in the Pilbara but what does that mean? We can’t even subsidise proper wages, we are on CDEP, and we have problems with drugs, housing and domestic violence”. A respondent to the Taylor/Scambary Report agreed:

Where is our economy going then? My people might just go bad. You hear talk of it, people sit around drinking and stuff, they are talking them sort of things. They [miners] all ripping our country up and we getting nothing back from it, just chicken feed. It’s the metropolitan areas and even the Pilbara are getting bigger, and what’s happening to our community here? All the mining company, what are they giving back to the people? We are missing out on what is coming from our land, and other people are enjoying it.

This failure by Indigenous Australians to “develop a sound economic base” from the fruits of Native Title was accounted for by some, as a failure of the Native Title Act itself. The “bucket-loads of extinguishment” dumped on Native Title by the Howard Government’s ‘10-Point Plan’ in 1998 prompted Noel Pearson to offer that the "10-Point Plan […] ripped the heart out” of the Keating Government’s 1993 Native Title legislation. The Human Rights and Equal Opportunity Commission’s Aboriginal and Torres Strait Islander Social Justice Commissioner, in his Native Title Report, said that the 10-Point Plan represented “a concentrated drive towards the permanent extinguishment of Native Title. Whichever way you look at these proposals it is impossible to find a just and fair framework which seeks to balance Australian property rights. You see bias. You see gross infringements of the human rights of Aboriginal and Torres Strait Islander peoples. You see “bucket-loads of extinguishment”. David Ritter and Frances Flanagan, former solicitors for the Yamaṉi Land and Sea Council and Pilbara Native Title Service respectively pointed out that Native-Title rights were far from a negotiation between equals but “limited, contingent and vulnerable”, and essayed that the purpose of the Native Title process was not to determine what was fair or to distribute social justice. In his judgement rejecting the Yorta Yorta claim for
native title, Justice Olney was ruthless in stating that "the law of native title [existed] in a present absolved from any responsibility for that which has been washed away."

In his Castan Centre for Human Rights Law Lecture in 2002, Senator Aden Ridgeway found that “the hopes of many Indigenous people were dashed when it became evident that the potential of native title to provide equal respect for their cultural heritage could not be realised”. He adjudged that the Native Title Act as amended by the 1996 Wik decision had rendered it “non-beneficial in its effect on Indigenous peoples by licensing governments to racially discriminate against the interests of Indigenous peoples", and that it had “been a spectacular failure in delivering on its promise.” Ridgeway condemned the Australian legislature for dismissing the option of 'co-existence' with Aboriginal people and Torres Strait Islanders, and for elevating the property rights of non-Indigenous Australians (above that of Indigenous people) on the pretext that this best served the interests of economic development and provided 'certainty' – while at once giving no certainty to Indigenous people. Ridgeway concluded that when the Australian Parliament enshrined the 10-Point Plan in law, it “compromised the basic legal principle of equality before the law”, and “reminded us just how vulnerable Indigenous rights are and how erroneous the assumption of an equal playing field is”.

Maureen Tehan, in an article reflecting on the Native Title Act ten years on, pointed out that agreement-making between traditional owners and miners or the State “were not always negotiated in environments of equal bargaining power and resources”, and that serious issues had been identified in regard to “the disparate bargaining power of parties, the unwillingness of some parties and governments to enter into good faith negotiations and the significant failure of some agreements to deliver benefits”. Tehan concluded: “Ten years of the NTA has seen the common law of native title emerge, blossom, change and wilt. The promise engendered by Mabo has failed to materialise in the form of a robust and enforceable native title. To that extent, the sun may have set, with native title fatally wounded by the NTA and the High Court”.

To be clear – here Tehan judges that the native title established in the Mabo judgement of the High Court was fatally wounded by the parliamentary process that inaugurated Keating's Native Title Act and the subsequent amendments ratified by the High Court.

The intrinsic insufficiency of Native Title was further eroded, as I have described in Notes on Corporate Environment (Chapter 8), by the interventions of resources companies trying to progress their operations. The observations of Marcus Priest, a lawyer who worked as an adviser to the WA Select Committee on Native Title in 1998, are useful for their candour. He reported that former Federal Labour attorney-general Michael Lavarch, who became a solicitor advising companies on how to navigate the Act after losing his seat in 1996, sympathised with companies trying to navigate between this “lawyer’s feast” and the “fractured Aboriginal communities”, and that Native Title Representative Bodies and traditional owners complained of the buying off for “thousands of dollars”, of key individuals or factions for their signature on mining or heritage clearance agreements. Priest reported one case in which “an Aboriginal elder in the Pilbara was paid 12 mango trees in return for the necessary heritage clearance”. Pilbara Native Title Service chairman Neil Finlay contended: “Some companies have said they will not deal with a group if the land council is
involved. Other companies say that they don’t want rep bodies involved because Aboriginal people should make decisions for themselves." 18

The whole field of Native Title dealing was viewed so cynically by some senior mining executives, said Priest, that they referred to Agreements struck for land access or heritage clearance as “fuck-off agreements”.19

The plying of cash by companies found response within splinter groups and individuals of traditional owner groups, who, believing they could do better for themselves outside of their broader traditional owner group (or were politically marginalised within it), launched opportunistic claims of their own or did deals on the side. The groups that did the best in this environment, were those that established an operational base, often with the assistance of free-ranging lawyers and anthropologists, or Indigenous cohorts who brought administrative and communications skills. The simple act of establishing an organisational front and accessing professional consultants gave such groups a place at the table with companies seeking to deal on land access and heritage.

Traditional owner groups or the Aboriginal Corporations that strove for consolidation of their commonweal, to improve governance, consensus, transparency, accountability and fair dealing, faced considerable challenges in this fraught environment. This, then, was the context, the horizon under which Juluwarlu attempted to engage with Native on behalf of the Yindjibarndi traditional owner group.

2 Office of Native Title: 2003-05
4 Priest: 2006, p40
5 Quoted in Priest: 2006, p40
6 Michael Woodley interviewed by the author, MDisc 2, Roebourne September 2006
7 Diary 26/10/04; Michael Woodley interviewed by the author, MDisc 5, Roebourne, September 2006
8 Michael Woodley interviewed by the author, MDisc 2, Roebourne September 2006
9 Priest: 2006, p40
11 Ritter, David and Frances Flanagan in Toussaint, Sandy (Editor), Crossing Boundaries: Cultural, Legal, Historical And Practice Issues In Native Title, Melbourne University Press, 2004
13 Ridgeway: 2002
14 Ibid
16 Tehan: 2003
17 Priest: 2006, p42
18 Ibid, p42
19 Ibid, p42
ADDENDUM 22A

The Difficulties of Being PNTS

PNTS is one of 17 Native Title Representative Bodies (NTRBs) in Australia recognised under the Native Title Act 1993, and is empowered and resourced by the Australian Government to perform its statutory functions, which include the support of ‘claimants’ in their bid for Native Title and also Native Title ‘holders’ in negotiations bearing on proposed development within their country.¹ The PNTS became the sole NTRB for the Pilbara region in 2000 and subsequently assumed management of Native Title business for Yindjibarndi. The PNTS, it should be noted, is a division, along with the Yamatji Land and Sea Council, of the Yamatji Marlapa Barna Baba Maaja Aboriginal Corporation and acts for a total of 13 traditional owner groups in the Pilbara area of Western Australia.² The role of the PNTS, then, was pivotal to the negotiation of land access matters between developers and traditional owners – a function important not only to traditional owner’s, but also to developers who relied on the PNTS to expedite such business in a timely fashion.

The volume of Native Title matters needing to be negotiated and resolved, together with the number of groups it sought to represent, placed enormous stress on the PNTS. This constriction at the PNTS ‘funnel-neck’ frustrated mining and exploration companies eager to progress their operations and capitalise on strong commodity markets. Certainly the pressure issuing from government, particularly the state government, which shared the interests of corporations in seeing resource development proceed without delay, and from corporations themselves who sought to lock down mining projects and contracts with buyers ahead of competitors, weighed heavily on the PNTS. It was, then, in miner’s interests to respond to PNTS appeals for extra subsidy to assist in processing land access agreements and heritage surveys. 48% of the PNTS’s revenue in 2004-05 – around $5.6 million – came from mining companies.³

In his insider’s account of the functioning of the native title, Contesting Native Title, David Ritter confirmed that minerals companies were forced to provide “process funding” to chronically under resourced NTRBs so that they could progress negotiations and mining expansion more quickly.⁴ He warned:

The inevitable effect was NTRBs began to program their work in order to discharge the functions that industry was paying for. At a systematic level, while the NTRB system had been established to provide representation to claimants, it was now being subtly re-tooled to meet the needs of the minerals industry […] NTRBs had their operational priorities dictated by the availability of funding and when the money came from industry to progress negotiations, that is where effort would be directed.⁵

This reliance on government and corporate funding by a representative body ostensibly representing the interests of traditional owners against government and business, clearly posed a conflict of interest. As a matter of course, questions arose amongst traditional owner groups about the ability of the PNTS to represent their interests aggressively and without fear or favour.
Significantly, Rio Tinto and the Minerals Council of Australia, who considered NTRBs a “fundamental component of the native title system”, also raised questions about the ability of NTRBs to undertake services they were legislatively required to provide, stating that “these bodies were unable to attract staff properly qualified to conduct commercial negotiations”.\(^6\) This observation was corroborated by a comprehensive study – *A report into the professional development needs of Native Title Representative Body lawyers* – which highlighted the devastating difficulties faced by NTRBs “in the recruitment of in-house lawyers and in the retention of those lawyers”.\(^7\) The report said that the consequences of lawyer churning could not be overstated with over 70% of NTRB lawyers believing that the high frequency of staff turn-over inhibited the effective representation of clients; and 75% believing that lack of experience in the system was an impediment to the effective representation of clients. The Report further specified the deleterious effect of lawyer churning as resulting in: less than optimum outcomes for all parties and undue stress for individual lawyers; loss of corporate knowledge and history; employment of inexperienced lawyers; premature promotion of junior lawyers, often exacerbating stress levels of those promoted as well as those working with them; delays in progressing matters; and impaired relationships with clients and other parties. The report said that this had left many NTRB lawyers “feeling overwhelmed and dissatisfied” and quoted one as saying: “workloads are unmanageable – it is literally not possible for us, even with the most highly experienced and capable staff, to do more than scratch the surface”. Another said, “I think there is enough work for twice the number of lawyers than we have. We only do the high priority stuff. It’s a shame because disputes fester and languish, internal group disputes go on for years, making them worse”.\(^8\)

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\(^1\) NTRB.net – official website for Native Title Representative Bodies (NTRBs), http://www.ntrb.net/?p=3 (accessed 17/4/09)  
\(^5\) Ritter: 2009, p111  
\(^6\) Priest: 2006, p44  
\(^7\) Potok, Richard, with the Castan Centre for Human Rights Law Monash University, *A report into the professional development needs of Native Title Representative Body lawyers*, 7 April 2005, p45  
\(^8\) Potok: 2005, p65
ADDENDUM 23A

Andrew Forrest’s Personal Touch

The strategic importance that miners placed on their personal relations with traditional owners whose land they sought to mine was well demonstrated by the style Fortescue Metals Group CEO Andrew Forrest brought to business.

Marcus Priest writing for The Australian Financial Review interviewed Nyiyaparli man David Stock who had taught Andrew Forrest and his brothers to ride a horse when they were growing up on Mindaroo Station in the Pilbara. Stock said: “They [the Forrest family] are good people. They liked to see Aboriginal people come into the country [station]. They would come down and have a yarn with us: have a cup of tea with us and bring some cake”. Forrest himself offered that he was “a Pilbara boy whose family still lives and works up there and feels very passionately about it. We love Indigenous people”.¹

David Stock’s view of Forrest, however, was not simply that of a family friend, for he was involved in brokering land access deals to Nyiyaparli country with Forrest. In August 2005 Stock and a splinter faction of the Nyiyaparli people had unilaterally signed off on an agreement covering 40,000 square kilometres of the Chichester Ranges with FMG that provided a meagre royalty, a payment of $400,000 cash, a commitment to “maximise vocational, educational, training and employment opportunities”, and for preferred contractor status for Aborigines.² This deal, it later emerged, had been sealed by an immediate payment of $80,000 to Stock and fellow negotiator Gordon Yuline – monies that their community administrator Ross Norling said was used to buy Land Cruisers: “These fellas needed a car to get around in. It was in recognition for all the work they do”. Of greater concern was that the deal was “signed without legal representation and without prior consultation with the broader Nyiyaparli claimant group”, and so was duly disavowed by a meeting of Nyiyaparli two weeks later. Stock and the other signatories of this deal later told their PNTS legal representatives that they “did not understand critical terms and had signed the August agreement under duress”. A press report the day after the signing quoted Stock: “I didn’t know what was going on. I feel like they made me sign; they kept calling me ‘uncle’ … I’ve done a silly thing”.³

Other reports going further back in Forrest’s career once again revealed his ‘personal touch’ in his dealings with Indigenous people in the Goldfields, which ended in a court dispute over allegedly unpaid royalties. Denouncing Forrest’s modus, a spokesman for the mining company that had inherited the legacy of Forrest’s dealings said: “There was an awful lot of cash passed around to have groups sign off. We have got no way of being able to prove it but we do know that it caused significant disruption in the Goldfields and made reaching agreements with groups all the more difficult”. Plaintiffs were equally critical of Forrest’s modus, claiming he “went out of his way to woo individual claim groups, including attending their church, learning their hymns and visiting people at home and in hospital”.

Indeed, the reputation of Forrest’s personal ‘credibility’ with Indigenous people reached across the continent and was promoted by Noel Pearson as a reason why his Australian Employment Covenant was such a good proposal:
You know, Forrest's difference with all of the other players in the big end of town with whom he interacts, Forrest's difference is that he hangs out with black fellas and he's hung out with black fellas in the Pilbara for all of his life. He has a generational relationship with Aboriginal people in that part of the world. I only met him for the first time 3 days ago, but he's like any other white fella from a cattle property in Cape York Peninsula. He's the kind of character that Aboriginal people from out in the sticks well know. Now, to have somebody with that kind of familiarity and good disposition to Aboriginal people batting for you in Sydney and Melbourne and in the heart of commerce in Australia, that's a big thing.  

Closer to home, in a meeting with Yindjibarndi traditional owners on 8 February 2008 in which FMG hoped to progress its plans for exploration and development in Yindjibarndi country, Forrest had regaled the Yindjibarndi delegation with tales of how he grew up with blackfellas, and of his ‘connection to country’. Woodley reported that Forrest then proceeded to advise the Yindjibarndi representatives that their tactic of withholding participation in heritage surveys and playing hardball in business negotiations was “not the blackfella way” – an assessment informed, presumably, by the more congenial way he did business with David Stock and Gordon Yuline. When the personal touch failed, however, Forrest and FMG were quick to deploy threats of legal action (see The Orientation Of Consultancy in Chapter 7 for further exposition regarding Forrest’s negotiating modus).

2 Priest: 2006, p43
3 Ibid, p43
4 Ibid, p44
5 Noel Pearson talks with Tony Jones, Lateline, Australian Broadcasting Corporation, Broadcast: 4/08/2008
ADDENDUM 24A

Carriage of Leadership

Following are some further instances the carriage of leadership at Juluwarlu that broaden understanding of their philosophy and approach.

Maintaining Focus

In describing the root purposes of Juluwarlu’s work and the fundamental preoccupations of his leadership, Woodley delineated two principal strands: “One side of it is doing all the oral history and heritage work, also with media – and the other side of it is doing the small community development things, you know, people development, community consultations that help develop Roebourne as a community as well. And that’s where I am trying to take it, those two tracks”.

As Juluwarlu’s administrative infrastructure and business management abilities developed, diverse opportunities and offers came through the door: a contract to undertake a skills audit of unemployed people in Roebourne; numerous prospects for trucking and plant operation with mining developers; an opportunity to undertake community video production and deliver training in Wiluna; a housing maintenance contract for employee housing in Karratha; and so on. Occasionally some of these prospects appeared quite interesting and/or lucrative, but Woodley had developed a degree of restraint. In regard to the last item he commented: “Look, it’s not our core business. The money is there to do it but you could also get lost in that thing – before you know it you’re forgetting about oral history and core business, and you’re turning Juluwarlu into a housing refurbishment organisation. So I said no we are not interested, give it to CDEP, that’s what they do”.

Woodley was also conscious of not derailing the focus, application and development of Juluwarlu’s staff: “You don’t want them coming out of a Majgan project and putting them in painting houses. We should stick to one thing and that is oral history and developing our history and data and information, and do it to the best of our knowledge”. He did, however, leave the door open:

The only time I would get into industry development is if it was something simple, and if it was something that made money to put into community development, that’s the only time that I would do it. Trucking and all that sort of stuff is a risky business. You want to get into a business that is low risk and would give you high returns so that you can use that for community development, to fund education programs and whatever.

Juluwarlu’s proposal to purchase and develop the Victoria Hotel on one hand as a resource worker accommodation project (in the motel section of the precinct), and on the other as a regional media training, production and broadcasting centre (in the heritage section of the complex), illustrated this cross-subsidy concept. In fact all of Juluwarlu’s commercially oriented commissions had this dual-purpose character – if it was a corporate documentary, then it served the purpose of media skills development; if it was a community consultancy, it incorporated media production; if it was heritage management, it simultaneously incorporated oral history recording, and so on.
So then, in Woodley’s view, a primary responsibility of his leadership lay in “knowing your limits and having a big picture about your organisation, what the objectives are, that’s what keeps us who we are”. He also appreciated, he said, the circumspect and arm’s length view that confidantes and collaborators brought to Juluwarlu to “remind us of that as well, so you’re not going down a path that is going to wreck your core business […] because you can easily get lost”.

**Pragmatism**

While the successes and difficulties of particular institutional partnerships – be they with Woodside, Rio Tinto, the Indigenous Coordination Centre, CALM, Wangka Maya, NYFL, Fortescue Metals Group, etc. – temporarily galvanised (or clarified) attitudes at Juluwarlu in regard to their assistance or hindrance, Woodley understood all these institutions as being mutable or interchangeable, and his own judgement of them evolved as the institutions themselves did. Ultimately he was not inclined to fix such institutions in a political landscape, to fix judgement of any particular person or institution by their rights or wrongs on any given issue or day. This flexibility was self-consciousness and pragmatic – no matter what the disposition of any exotic institution, Juluwarlu always retained the choice to engage or move on.

**Precluding Racialism**

Woodley and Coppin asserted that their accomplishment could not have been realised without partnerships – primarily with their elders and community supporters – but also from an array of Wajbala collaborators and fellow travellers. While Woodley and Coppin were alert to the opportunities that Juluwarlu might offer local Indigenous trainees and employees, their judgement in regard to what was best for their objective of recording and re-producing Ngaarda culture, was never confused by the colour of anyone’s skin. They were well prepared to include anyone in the Juluwarlu project who showed commitment, and they frowned on the proposition that this was prejudicing opportunities for their own people. Indeed, Woodley and Coppin both participated in and genuinely admired aspects of Wajbala mainstream culture such as Hollywood film, documentary, country music, sport, etc. – at the same time as they enjoyed the deeper threads of their own language and culture. This breadth of mind assisted a great deal in not only attracting enduring collaborators, but in facilitating up-take of all manner of technologies and systems in the prosecution of Juluwarlu’s core business.

**Glass Half Full**

At the conclusion of 2005 there was despondency about where Juluwarlu’s operational funds for 2006 would come from. I offered that if the pressures of various projects became overwhelming, there was no reason why Juluwarlu could not scale back and consolidate rather than continually push the limits – by drawing back from the community television broadcasting commitment for example. This strategy of adapting or shaping their operations to the providence of the season, I suggested, could be an opportunity to sure-up extant programs. Woodley responded that he would see out the challenge in this case with his glass half full, not half empty; that bemoaning the pressures of Juluwarlu’s success was counterproductive.

**Patience**

Addressing media workers gathered at Juluwarlu for the Capturing Community Stories Workshop, Woodley acknowledged that there were days when he was overwhelmed by nay-sayers and tall poppy cutters intent on sling mud at Coppin and himself, and that at low ebbs he entertained fantasies about holding down a well paid, hassle-free
job with a corporation. He categorically concluded however that it was well worth being patient and facing down such doubt. He maintained that in the long term it paid to be humble and to negotiate rather than take too much umbrage in such headwinds because the personal rewards of self-governed, community-based, cultural work far surpassed the nuisance of community politics or exasperation of dealing with the corporations.

**Conserving Energy**

Caution about organisational focus applied equally to the organisation of Woodley's individual commitments. We might recall that midway through 2004 as we were preparing for the *Ngurra Two Rivers* field trips Woodley was caught up in onerous ATSIC meetings, one in particular that kept him away for a week. Later he would turn down invitation to provide convening services to the PNTS, and also withstood a lobby urging him to run as Chairperson of the CNC. By 2006 he had also withdrawn from the boards of NYFL and the CDEP. For a time Woodley put considerable effort into lobbying the CEOs and managers at Woodside and Rio Tinto, but this effort also ebbed when it became apparent that discussions were becoming increasingly mired in a theatre that showed little sign of commitment let alone action. After the demise of ATSIC and the termination of his regional councillor role there, Woodley's interest in functions of pan-aboriginal leadership abated — that is, his leadership in spheres that bridged disparate traditional owner groups and broader community scope — and retracted to the more concrete realm of Juluwarlu. This resolve to limit his participation in broader spheres of community governance, to forego the fees and trips away, also strengthened as Juluwarlu grew its business. Woodley also perceived his roles of leadership in other organisations as simply widening the target he presented for community antagonism. We might conclude that he sought to shield himself and Juluwarlu's enterprise from the complexity and nuisance of community and corporate politics, and pulled his head down a little below the parapet. He also remarked that he was loath to devote precious time and energy to endeavour that did not promise timely and beneficial outcome for the community.

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1. Michael Woodley interviewed by the author, MDisc 2, Roebourne September 2006
2. Ibid
3. Ibid
4. Ibid
5. Ibid
6. Ibid
7. Diary 18/8/06
8. Diary 28/2/07
10. Diary 15/8/07
11. Diary 29/10/04
12. Diary 13/11/06
**ADDENDUM 25A**

**Glossing History**

**Monumental Acts Of Forgetting**

There was of course a contrary theme that competed with the grim picture of Aboriginal dysfunction in the Pilbara during the 1970s and 1980s – this time not only carried by the electronic or print news media, but advocated through state and local government-sponsored promotions and tourist information. The *Area Guide - Roebourne & Districts* produced by The Western Australian Tourism Commission in the 1980s cheerfully declared that Roebourne retained its “old world charm amidst a modern mineral boom” and described it as the “Cinderella town of the North West”. It said that Roebourne offered visitors “many interesting things to see and do”.

You can take a walk around the old section of the town and inspect the old stone buildings of the past. The 1887 hospital, 1887 post office, the courthouse, gaol and police station, the Holy Trinity Church, the 1888 Union Bank, and the Victoria Hotel - the last of five original pubs still operating.

The Area Guide described the “mysterious beauty and primordial landscapes” offered by the Pilbara, and the “more recent achievements of old and new settlers to the region” such as the “world’s largest mining ventures”. The only mention of an Aboriginal presence came in the phrase: “Whatever your interests are, the Roebourne district is rich in history and tourist attractions, offering many exciting, memorable adventures. Everything from world-class game fishing to discovering aboriginal cave drawings”.¹ No mention, either, was made of Aboriginal prior-occupation or local identity in the historical summary of this Guide, which instead lavished attention on the first British settlers, the boom of the pearl-shell fishery, the establishment of the pastoral industry and the riches of wool production, copper mining and a local goldrush.²

A tourist pamphlet describing the Emma Withnell Heritage trail placed great emphasis on the gaol, police and courthouse complex, which it claimed “played an important role in the history of law enforcement in the North West” and was “unique in the way the various elements of law enforcement have been brought together into one precinct”. The old Roebourne gaol was, until 1984, the main prison for all medium and long-term Aboriginal offenders in the region, and in fact its primary reason for being since colonial times was to lock up Aboriginal people who fell under the wheels of colonisation. Sightseers on the Emma Withnell Heritage Trail were not apprised of the less salient information about this “law enforcement precinct”, such as the fact that Aboriginal people were arrested for felonies like absconding from their enforced indenture to pastoralists, and for sheep or cattle stealing; or that policemen regularly patrolled the hinterland squatter-runs picking up Aboriginal people who were accused by their white bosses; that as well as alleged felons, guiltless ‘witnesses’ were also collected and chained together for the long forced marches back to Roebourne – as Police Constable Payne reported in 1887:

> Tuesday 16th, arrived J. Best’s home station at noon and arrested four natives on warrant for sheep stealing, and also took two native women as witnesses.
Continued station trek arresting natives and putting them on the chain. Arrived Roebourne and handed over ten prisoners and 6 witnesses to gaoler Barnaby.  

In testimony to the Roth Royal Commission in 1905, Gaoler John James Pond reported that of his 72 Aboriginal prisoners in Roebourne, “nearly all cases are cattle-killing or stealing”. Some of these prisoners were “fifteen, sixteen, seventeen years old”, he said, and he supposed that only about a third of those in the gaol understood the reason for their imprisonment.  

Employing blatant euphemism the Emma Withnell Heritage Trail pamphlet suggested that the stone for the prison was quarried “with the assistance of Aboriginal labour”. Not mentioned was the fact that this Aboriginal labour was in the form of chain gangs that, as one witness claimed in a letter to The West Australian, were “chained to wheelbarrows with bullock chains”, and had chains rolled around their necks and naked bodies”. The effect of these chains, Samuel McLeod wrote, “can be imagined in a climate where the stones get so hot that they cannot be handled. The sight was too painful for most of us from a free land”.  

The 1992-93 Shire of Roebourne Information Directory did not bother to mention the existence of the Indigenous people of the region, except incidentally. The first instance informed the reader that the name Karratha “means ‘good country’ in Aboriginal”. The second referred to the pearling industry: “During a bad season, the pastoralists took to beachcombing, inspired by native use of mother-of-pearl. From such humble beginning was the start of the romantic and colourful pearling industry of the North West, locally centred at Cossack”. To truly comprehend the understatement of this gloss it is necessary to refer to colonial records and other documents from the archives, which, while confirming that the pearl fishery was a bonanza for white pearlers, also disclosed that this wealth was achieved through their enslavement, which occasioned cruel acts of abuse and torture of Aboriginal people.  

The McCrae brothers had come to Roebourne from Victoria and had a stake both in the pastoral and pearling industries. Writing home to their father they provided glimpses of what was required to secure divers for their pearling operations. In 1873 Farquhar McCrae wrote: “native labour is very much sought after here as they are by far the best divers for pearl shell and do not cost so much to keep as Malays or any other divers that can be got”. In 1881 his brother Duncan offered as reason for having missed writing in the last mail, that he “was very busy getting [his] darkies together for pearling”. He continued: “I have got a very good crowd this season, nearly forty and would have done a good thing if it hadn’t been for those new regulations which will throw us back a good bit. Jack has been out after darkies and is expected daily now”. In the same year brother Alexander reported: “I have had a good deal of company in the way of fellows hunting up their niggers for pearling but it is all over for this year and things will be quiet here now. The niggers have been a good deal of trouble this year. They are getting tired of pearling and with new regulations that have been passed pearling will hardly pay”.  

After local stocks of slaves were exhausted, slave traders were compelled to travel further up and down the coast, making sorties up rivers in their hunt for Aboriginal men and women. In 1883 Police Constable Payne reported: “Armed and mounted, groups of pearlers and pastoralists often travelled overland along the Fitzroy river, capturing and chaining Aborigines as they went”. The rest point for the kidnappers was
the old Brockman homestead, which was reported as “a general resort for whites out getting natives”. A few years later Police Constable Troy confirmed Payne’s evidence in a report that identified slave catchers Tuckey and McLarty. He wrote that they had travelled “70 or 80 miles up the Fitzroy River and got nineteen natives in the neighbourhood of Mt. Abbot, six of these made their escape and the remaining thirteen (who are said to be boys 10 to 18 years old) were brought into McLarty’s station and are to be put aboard the Argo next Monday”. Roebourne Resident Magistrate Angelo reported seeing natives brought in from the interior “who have never seen a sheet of water bigger than a river or pool”, taken on board a pearling schooner and immediately compelled to dive in three or four fathoms. Referring to various reports from the North Western frontier, Governor William Robinson wrote: "Making every allowance for exaggeration it must be confessed that some of these papers disclose a state of things little short of slavery".

Writing in 1948, Chief Protector of Aborigines in Western Australia, Auber Octavius Neville, offered: “Bad though it was, the actual employment of the Aborigines was not so dreadful as the manner of their recruitment. Armed parties scoured the adjacent mainland coastal areas in order to secure native labour. They rounded up the blacks at the point of the gun and seized all they thought suitable to the trade, and the tribal or family affiliations were ignored. The victims were chained and led away to what was to them little less than slavery”.

There were also accounts of the brutality applied in forcing Aboriginal people to dive. The Inquirer of 1869 reported that women, because they were said to make better divers than men, were engaged even in the later stages of pregnancy. In their efforts to maximise their harvest of shells, pearlers commonly ignored the need for rest periods for divers, “sometimes even resorting to hitting the natives fingers with heavy objects as they clung to the gunwales of the boats regaining their breath”. Reporting on the death of a particular diver, Government Resident Laurence wrote that despite formal statements claiming the deceased had struck his head against the dingy, other witnesses said he was “beaten in the water” and killed. Laurence believed the native had in fact been beaten. Colonial Secretary’s Office files recorded that in 1882 a Mr. Clarkson admitted to tying natives to the rigging and repeatedly beating them because they would not dive for shell. In 1886 Magistrate Angelo relayed to the Colonial Secretary evidence from divers themselves who testified against a Captain Mayne, who they said, had punished divers who did not collect enough shell by compelling them to hang in the boat’s rigging without food. Angelo also reported that a native named Charlie died on board Duncan McRae’s schooner Dawn after being savagely beaten by Jack Wells.

Such stark reality of colonial times did not sit comfortably beside and was excluded from the revised and packaged history that the Tourism Commission, the Shire of Roebourne and other authorities proposed in the 1960s, 70s and 80s.* Steve Mickler

* In May 1993, after the release of Exile and The Kingdom, the Shire of Roebourne approached me to write a local ‘Aboriginal History’ for their updated Information Directory. While my version was not deemed “appropriate”, the Shire did eventually revise their Directory to admit local Indigenous identity and history.
also considered these popular distortions in a paper titled *Something is Mything*, and concluded:

> It is against the reality of Roebourne that the *Area Guide - Roebourne & Districts* attempts to construct an sentimental, nostalgic Roebourne, a Roebourne that embodies national myths of origin - sturdy, courageous and hard working pioneers, enterprising pastoralists and pearlers, adventurous gold miners, in short, a ‘colonial countryside of the mind’.

Mickler demonstrated that “the historic sites, heritage trails and architectural restoration projects” that formed the framework of the Pilbara’s tourist itineraries were “not in fact monuments by which to remember, but constitute monumental acts of forgetting”. What was forgotten, Mickler pointed out, was “the brutal displacement of the original occupants of the land and their subsequent repression and exploitation”.

**Where Men Move Mountains**

The tourism narrative of marvellous pioneers and outback splendour was augmented by another, altogether more muscular and dynamic narrative which sold the region’s minerals boom to the world with slogans like, “Pilbara mining - where men move mountains”. These were most often in the form of 16mm documentaries or television travelogues, and employed a rhetoric typical of this genre:

> Today the historic pattern is repeated as the discovery of tremendous iron ore deposits in the far North West opens up the land, brings industries, towns, roads and railways to once empty areas – Mines once again stabilising and developing the nation’s economy.

And:

> As with the Gold Rushes a century earlier, minerals bring an influx of people and wealth to thinly populated places. Many nationalities come to the new mining towns, where people enjoy good living conditions and a pleasant and prosperous way of life.

A documentary film, *The Hills Of Iron*, declared: “Since its discovery in the year 1616 and a little more than ten years ago this north west part of Australia was virtually uninhabited”. Now, its commentary informed, almost five thousand people lived and worked at Dampier and nearby Karratha.

In 1985 *The Power Connection* allowed a token Aboriginal presence when it declared: “Until comparatively recent times the only people who valued this inhospitable land were its original inhabitants and later the cattle barons with their enormous kingdoms and roving herds”. The film moved on to its real purpose: “Then the age of iron ore began. Iron ore was discovered in such mammoth quantities the world sat up and took notice”.

Such were the fantasies projected by spin-doctors, while all at once news media described and inscribed Aboriginal misery and dysfunction. We might conclude that the news about Roebourne was written before reporters left Perth, Sydney or Melbourne, and that those ‘reporters’ who came to forage in Roebourne were
required to do little more than harvest fresh images to go with a ‘product brand’ that news editors and producers had fixed in advance.

1 Roebourne & Districts Area Guide, (undated) circa 1988
2 Ibid
3 Payne, Police Constable, Battye Library ACC 430 5/1 1555/1887
4 Roth Royal Commission, WA Votes & Proceedings of Parliament, 1905
7 McCrae, Farquahar, (private letters), Battye Library ACC 289A 1873
8 McCrae, Duncan, (private letters), Battye Library ACC 1881 287A 1881
9 McCrae, Alexander, (private letters), Battye Library ACC 287A 1881
10 Hunt, Susan Jane, Spinifex And Hessian, University Of Western Australia Press, Perth, 1986 – citing: W.A.P.P. NO 13 DES 45 p37 (App4 Payne) CSO 1582/43 19-10-83
12 Angelo, Lt Col E.F., (Magistrate Roebourne), Kimberley and North West Goldfields Vol. 10, Colonial Secretary Office Volumes, Government Resident, northern districts, 1860-1900
13 Correspondence no. 13 1881 Government Gazette - Governor to Secretary Of State
14 Neville, A. O., Contributory Causes of Aboriginal Depopulation in Western Australia, Mankind 4(1), September 1948 p7
15 The Inquirer, 31 March 1869
16 Shepherd, B., A history of the Pearling Industry of the North West Coast of Australia, MA, University of Western Australia, Circa 1872 1975, p34
17 Laurence, E.H. (Government Resident, Roebourne 1884), Pearl Fisheries Act 1883-4 Season Minute
18 Battye Library ACC: CSO 18 Sept 1882 1314/11 no 71
19 Battye Library ACC: C 42/86 CCRS Magistrate Lt Col E.F. Angelo to Colonial Secretary, Colonial Secretary Office Volumes, Government Resident, northern districts, 1860-1900
20 Mickler, S., Something is Mything, unpublished paper, Centre for Research in Culture and Communication, Murdoch University. 1992, p22
21 Mickler: 1992, p3
22 The Power connection [videorecording]: Karratha to Port Hedland, Published by Corporate Television Productions for State Energy Commission of W.A., 1985
ADDENDUM 1B

Exile and The Kingdom, Awards & Screening History

Awards
• Major Media Peace Award (United Nations Association of Australia with the Council for Aboriginal Reconciliation, 1993)
• Best Documentary (Australian Film Institute, 1993)
• Best Achievement in Sound in a Non Feature Film (Australian Film Institute, 1993)
• Voted 3rd Most Popular Documentary (Sydney Film Festival)
• Best Documentary (Louis St. John Johnson Media Awards WA, 1994. ‘For excellence in the reporting of Aboriginal affairs in WA’)
• Best Documentary (Australian Human Rights Award, 1994)

Theatrical Release
Five week theatrical release at the Lumiere Cinemas in Perth 1993 (achieved box office record for a documentary in to that date at the Lumiere).

Television Screening
First screened on ABC TV as the special Wednesday TV feature (7 July 1993) commemorating the International Year for the World's Indigenous Peoples, with subsequent screening on GWN and various cable and free-to-air channels in Europe, Asia and the Americas.

Distribution
Film Australia (now Screen Australia)

Festivals
• Aboriginality – Aratjara, GDR
• Vancouver
• Singapore
• Pacific Arts Symposium
• Earth Peace, Burlington, USA
• Sydney
• Melbourne
• Wellington
• Auckland
• Brisbane
• Australian Film Institute
ADDENDUM 2B

Frank Rijavec – Curriculum Vitae

• Overview
• Published Work
• Papers, Seminars and Conferences
• Film Production, Employment & Awards Chronology

Birth
Manjimup, Western Australia, January 13th 1957

Secondary Education
Albany Senior High School (First Year Dux)
John Curtin Senior High School (Year 12 Prefect)

Tertiary Education
Curtin University 1977-79, Bachelor of Arts English (incomplete), Major in Film (complete)
Murdoch University 2004-2008, Currently enrolled Ph.D. Communication Studies

Summary
A highly awarded media practitioner with a background spanning two decades in research, writing, direction and production for documentaries in the context of community-based participatory media, and broadcast television.

Overview
After winning several awards for student films at Curtin University (1977-79) Frank Rijavec worked as a film editor in Sydney (SBS Current Affairs-SCOOP; University of Sydney; Film Australia) and in 1984 was nominated for an Australian Film Institute (AFI) award for Best Editing for the documentary How The West Was Lost.

In the mid 80s he wrote and directed the environmental documentaries The Last Stand, 1986/SBS and Skin Of The Earth, 1988/SBS; and co-directed Black Magic, 1987/ABC, a Noongar social history set in the football milieu of southwest WA.

In 1987 he embarked on a 5 year project with the Yindjibarndi and Ngarluma people of Roebourne to make Exile And The Kingdom which was awarded the Major Media Peace Award by the United Nations Association of Australia with the Council For Aboriginal Reconciliation in 1994. Other awards for Exile included: AFI Best Documentary and Best Achievement in Sound (1993); Best Documentary Louis St John Johnson Media Awards (1994); Australian Human Rights Award for Best Documentary (1994). Exile was featured on ABC-TV as its 2 hour special commemorating the 1993 International Year for the World's Indigenous Peoples.

Other writing/directing credits for broadcast documentary include: Requiem For A Generation Of Lost Souls, ABC /1996 – co-winner Best Documentary, West
In 1998 Frank’s career achievements were recognised by the Australian Film Commission with the award of one of four national Documentary Fellowships.

In 2003 Frank directed, co-produced, co-wrote and edited A Million Acres A Year. This film about farming, politics and ecology was awarded Outstanding Achievement Award for Editing, West Australian Screen Awards 2003 and Best General Documentary Science, Technology & Environment, Australian Teachers Of Media (ATOM) Awards 2003.

In 2003-2004 Frank worked with Juluwarlu Aboriginal Corporation to secure corporate sponsorship from Woodside Energy and Pilbara Iron to revise and reprint Know The Song, Know The Country, the booklet accompanying Exile and The Kingdom.

In 2004 Frank joined the postgraduate program at Murdoch University as a Research Fellow (PhD) in the School of Media, Communications & Culture. As a part of his program of study, and in collaboration with Juluwarlu Aboriginal Corporation, Frank designed a major cultural recording project in Ngarluma and Yindjibarndi country (Ngurra Two Rivers) which successfully bid for Australasian CRC for Interaction Design (ACID) funding.

In 2005 Frank suspended his PhD candidature at Murdoch for 12 months to take up fulltime employment with Juluwarlu Aboriginal Corporation as Media Production and Training Coordinator. (See www.juluwarlu.pilbara.net)

During his tenure with Juluwarlu he worked with local Aboriginal people to: negotiate partnerships with, and manage funding submissions to government, the private sector and NGOs; develop an in-house media training program; recruit Indigenous media trainees; install a digital archiving system (Mirnuwarni Ganyjaga – based on Ara Irititja); install digital video production facilities and create a video production unit; successfully bid for a town-based Open Narrow Cast television licence, Ngaarda TV (one of only four in Australia); oversee installation of television transmission equipment and coordinate production of programming for broadcast on ICTV; and negotiate with TAFEWA for workplace-based training for 13 media trainees (for 2006).

In 2006 Juluwarlu was rewarded for its achievements in training with a Federal Award for Excellence for Employers of Australian Apprentices for the Northern Western Australia Region (ahead of Rio Tinto and Goolarrri Media).

From February to May 2007 Frank served in Alice Springs as the interim manager of the Indigenous Remote Communications Association and acting manager of Indigenous Community Television, which was auspiced by IRCA. In this capacity he worked to establish IRCA’s first permanent office in Alice Springs; coordinated the IRCA/ICTV Summit regarding policy for remote sector indigenous video producers; inaugurated negotiations to form an Aggregation Agreement governing television content provision by ICTV to NITV; and managed submission to the Australian Screen Awards 1996; The Habits Of New Norcia, 1999/SBS; and Gnow or Never (researcher/writer), 2009/ABC.
Backing Indigenous Ability Fund for *indigiTUBE* (on line delivery of Indigenous television and radio).

Over 2006-2007 Frank continued various consultancies including work with Screen West to establish a cultural recording program for Indigenous people in the State.

Throughout his career Frank has contributed to WA’s film/television industry as a board member of the Film & Television Institute (1991-92) and Screen West (1997-98); casual teacher/lecturer at Curtin, Murdoch and Edith Cowan Universities and the Film & Television Institute; a project assessor for the Australian Film Commission and Screen West.

**Published Work**

“Know the Song, Know the Country”
Extrusion of the key cultural and historical narratives of the documentary *Exile and The Kingdom*, Frank Rijavec (Editor), Juluwarlu Aboriginal Corporation, 2004

“Sovereign Voices”
IM e-Journal, Interactive Media, E-Journal of the National Academy of Screen and Sound, Issue No. 1 September 2005, 12,202 Words

“Careless, crude and unnecessary: The launch of NITV over the body of ICTV”
4755 Words (Full Version)
Open letter to Senator Helen Coonan, Minister for Communications, Information Technology and the Arts, 12 July 2007

“Careless, crude and unnecessary: The launch of NITV over the body of ICTV”

“Careless, crude and unnecessary: The launch of NITV over the body of ICTV”

“Sovereign Voices, Rupture and grace in the Yindjibarndi fight for a dignified life amid the Pilbara resources boom”, University of Western Australia Press, (under contract).

“Malleefowl Believers, Stories of the Malleefowl and its Champions”;
Accounts of nature conservation work centred on the Malleefowl in Western Australia, with a focus on the motivations of conservation volunteers. Malleefowl Preservation Group (forthcoming: July, 2010)

**Papers, Seminars and Conferences:**

4 June 2004: Presentation to the National Academy of Screen & Sound Seminar, Fremantle Maritime Museum. A critique of the institutionalised, regulated and exclusive terms of the film and TV industry.
20 & 21 June 2006: Selected for participation in the ‘Writing Out’: the academy in dialogue with a broader culture seminar co-presented by the Humanities Writing Project (an Australian Research Council funded Linkage-Learned Academies Special Project), and the Institute of Advanced Studies, UWA.


26 July 2006: Presentation to Masterclass with Professor Georgina Born, University of Cambridge: ‘Methodologies for Studying Cultural Production’ at the University of Queensland (presented by the ARC Cultural Research Network)

Participation in the 8th Remote Indigenous Media Festival, Balgo, October 2006.

20-21 March 2007: Address to and Coordination of the joint Indigenous Remote Communications Association and Indigenous Community Television policy summit, which included participation of the National Indigenous Television and DCITA.

19 & 20 June 2007: Presentation to the Indigenous Remote Communications Association and Indigenous Community Television Boards regarding the implications and options in the face of immanent termination of ICTV networked broadcast.

7-9 August 2007: Presentation to and coordination of Capturing Community Stories Workshop for Screen West and Juluwarlu Aboriginal Corporation. A workshop about community-based video production for Indigenous filmmakers from across the State.


Film Production, Employment & Awards Chronology

2009  GNOW OR NEVER
Documentary, 27 MINS
Researcher, Writer
Broadcast ABC TV (pending 2009)

2006/08 Various consultancies and full time PhD candidacy, Murdoch University, School of Media, Communication & Culture

2006 Interim Manager Indigenous Remote Communications Association and Acting Manager of Indigenous Community Television

2005 Media Production & Training Coordinator, Juluwarlu Aboriginal Corporation
2004
Research Fellow, Master of Philosophy, Murdoch University
School of Media, Communication & Culture

Consultant/Collaborator
With Juluwarlu Aboriginal Corporation Roebourne:
Revision/Republication *Know the Song, Know the Country*;
Digital Archiving & Multi-Media Production

2003/04
SINS OF THE FATHER
(Documentary treatment in collaboration with Dr. Mick Broderick – writer/researcher & Paul Roberts - Producer)
Documentary, 55 mins
Co-Writer/Co-Researcher/ Script Editor
ABC-TV

A MILLION ACRES A YEAR
(Adaptation of "The Stars of Noon" - A study of social evolution in the face of agricultural devolution.)
Documentary, 52 mins
Co-Producer, Director, Co-Writer/Researcher, Editor
Broadcast SBS TV
AWARDS:
Outstanding Achievement Award - Editing (WA Screen Awards)
Best General Documentary Science, Technology & Environment
ATOM Awards (Australian Teachers Of Media)
Selected for competition ECOCINEMA Festival, Rhodes

2002
WINDS OF CHANGE
(Orientation video for new inmates made with prisoners of the Albany Regional Prison)
Documentary/Drama, 40 mins
Director, Videographer, Editor

WUNUMBAL SALTWATER COUNTRY
(Ethnographic record of ocean going journey of Wunumbal people of the Mitchell Plateau to island camps and sites off the Kimberley coast)
Cinema Verite, 4 Hours
Director, Videographer, Editor

2001
DON’T LOOK BACK
(Noongar teenagers take respite from urban trauma, talk about their greatest hopes and worst fears, and philosophise about their futures.)
Documentary, 25 mins
Script Editor, Co-Producer
Broadcast SBS TV

IRREPRESSIBLE
(Collaboration with Noongar school children – impressions of their town and stories of life from mentors and parents)  
Documentary/Montage, 35 mins  
Director, Editor  
AWARD:  
Ben Drayton Award for Initiative: A State Award For Outstanding District Initiative In Aboriginal Education from the Education Department of WA

1999-2000  
THE HABITS OF NEW NORCIA  
(About God, the Devil and life as a Noongar child removed to a Benedictine 'orphanage')  
Documentary, 53 mins  
Director, Co-Writer/Researcher, Editor  
Broadcast SBS TV  
Selected for exhibition Vingt et Unieme Bilan Du Film Ethnographique, Paris, 2002

1998  
KANDIIVAL ABORIGINAL CORPORATION  
Video Ethnography with the Wunumbal traditional owners of the Mitchell Plateau

ABORIGINAL LEGAL SERVICE  
Video Production Native Title Testimonies

CEREBRAL PALSY ASSOCIATION  
Camera/Editing consultant Various Training Videos

The AUSTRALIAN FILM COMMISSION  
Documentary Script Assessor

SCREEN WEST  
Principal Documentary Script Assessor  
Board and Committee work

NOONGAR RISING (a.k.a. TREE OF SOULS)  
Documentary Treatment  
Writer, Researcher  
Funded by Screen West

EDITH COWAN/CURTIN & MURDOCH UNIVERSITIES  
Casual Lecturer in Film Production

1997  
Awarded one of 4 national DOCUMENTARY FELLOWSHIPS by the Australian Film Commission.  
THE STARS OF NOON – Documentary Script  
(A study of social evolution in the face of agricultural devolution)  
Documentary Feature Treatment  
Writer, Researcher  
Funded by the Australian Film Commission as a Documentary Fellowship.
SPIN DOCTORS
Documentary Script, 55mins
Co-Writer/Researcher

1995/96 REQUIEM FOR A GENERATION OF LOST SOULS
aka SHADOWS IN THE SUN
(Japanese perspective of involvement in WWII New Guinea)
Documentary, 55mins
Writer, Director
Broadcast ABC TV
AWARDS:
Best Documentary (WA Film & Video Festival)
Certificate of Merit, Social History (Chicago Film Festival)

1994 KNOW THE SONG, KNOW THE COUNTRY - Booklet
Companion booklet to EXILE AND THE KINGDOM
Editor, Writer, Producer
Distributed by Screen Australia & Juluwarlu Aboriginal Corporation

1988 - 93 EXILE AND THE KINGDOM
Feature Documentary, 111 mins (16mm)
Writer, Director, Producer, Principal Cinematographer
Distributed by FILM AUSTRALIA
Broadcast ABC TV Wednesday Special feature commemorating the 1993 International Year for the World’s Indigenous Peoples.
AWARDS:
Major Media Peace Award - (United Nations Association of Australia with the Council for Aboriginal Reconciliation, 1993)
Best Documentary (Australian Film Institute, 1993)
Best Sound in a Non Feature Film - (Australian Film Institute, 1993)
Voted 3rd Most Popular Documentary (Sydney Film Festival)
Best Documentary (Louis St. John Johnson Media Awards WA, 1994. ‘For excellence in the reporting of Aboriginal affairs in WA’)
Best Documentary (Australian Human Rights Award, 1994)

1988 BLACK MAGIC
Documentary, 50 mins
Co-Director, Co-Writer
Distributed by RONIN FILMS
Broadcast ABC-TV, Golden West Network

1988 Initiated the Film & Television Institute's association with the SBS-TV documentary series AUSTRALIAN MOSAIC

SKIN OF THE EARTH
Documentary, 30 mins
Writer, Director, Producer
Broadcast SBS-TV (Australian Mosaic Series)

1987  THE LAST STAND  
Documentary, 40 mins  
Writer, Director, Producer  
Distributed by Australian Film Institute  
Broadcast SBS-TV

1985/86  HOW THE WEST WAS LOST  
Documentary, 72 mins (16mm)  
Editor  
Broadcast ABC-TV  
AWARDS:  
Nominated for 'Best Editing' (Australian Film Institute)  
Best Documentary (Australian Human Rights Award)

1984  TAKING A LOOK  
Drama, 20 mins  
Editor (16mm)

1982 - 84  Co-founder FOREIGN FILMS GROUP (Sydney)  
Producer, Director, Writer, Cinematographer, Editor  

1984-85  Editor Documentaries (16mm) - Film Australia.

1982-83  Editor Documentaries - University of Sydney  
LIVING WITH CANCER Documentary, 2 x 50 mins  
AWARD:  
Honourable Mention (American Film Festival, New York)

1981  S*C*O*O*P* Current affairs – SBS TV  
Editor (16mm)

1980  THE TEACHER'S A MARSHMALLOw  
Drama, 7 mins (16mm)  
Director  
AWARDS: Best Film (Western Australian Filmmaker's Festival)  
Best Filmmaker of the Year (Western Australian Filmmaker's Festival)

IDENTITY CRISIS, WHAT'S THAT?  
Drama, 7 mins (16mm)  
Director, Writer, Researcher

1979  SLEEPERS  
Documentary, 40 mins (16mm)
Editor
AWARD:
Most Professional Film (Western Australian Filmmaker's Festival)

COPING WITH LIFE
Drama, 6 mins (16mm)
Editor
AWARD:
Best Film (Western Australian Filmmaker's Festival)

1977
IRANIAN WILLY
Drama, 20 mins (Super 8)
Writer, Co-Director, Actor
AWARD:
Best Script (Western Australian Filmmaker's Festival)

TOO MUCH IN THE SKIES
Drama, 25 mins (16mm)
Co-Director, Editor, Sound Recordist
ADDENDUM 3B

Archive Statement Of Significance

Juluwarlu Aboriginal Corporation

The Juluwarlu Aboriginal Corporation Archive is a collection of great significance to local Indigenous and non-Indigenous people, and has state significance as one of few such archives in Western Australia and similar national importance, again as one of few such archives in Australia.

The Roebourne based Juluwarlu Aboriginal Corporation has embarked on a major project to record the history of the Yindjibarndi people whose traditional lands encompass a vast tract of the western Pilbara, including Millstream National Park and the Chichester Ranges.

This unique Archive includes information already on record, and draws on the vast cultural knowledge and experience of today’s generation of Yindjibarndi people. It preserves the intimate and special knowledge held by Yindjibarndi people by meeting, interviewing, filming, talking and listening to their Elders and their stories and making them available to the public. The collection contains audio and video tape interviews, digital and print photographs, short films and documentaries. The continued collection of such material is invaluable so that an authentic history of Yindjibarndi traditional and current lifestyle and culture is preserved and used.

The integration and inputting of documents, photographs, sound and video cultural information into the electronic archive Mirnuwarni Ganyjagayi) [based on the South Australian Ara Irititja Project] is ongoing and has already seen an increase in use of the Archive. An additional effect is that users then give extra information and donate or loan material for copying. The most effective and appropriate contemporary methods and media technology are used and Yindjibarndi people are trained in the special skills required. Development of partnerships with the broader community are ongoing.

From the material collected several books have been published (Wanggalili: Yindjibarndi and Ngarluma Plants (2003); Know the Song Know the Country (2004); Garruragan: Yindjibarndi Fauna (2005) and several documentaries and short films produced (including Wanganganara: Family Relationships & Respect in partnership with Mawarnkarra Aboriginal Medical Service; Ngurra: 2 Rivers). The material will also be used in the development of content for local community education, for the state school system, for corporate and government institutions, tourism and cross cultural training programs.

Jennifer Ford
Archivist
B Applied Science (Records Management)
November 2006
ADDENDUM 4B

**Wanggangarra... that which gives life...**

A 25 minute film about Family Histories, Relationships and Respect.

**Preamble**

Shots of country, hills, trees, sun, birds, animals, flowers, moon.

Smoky dreamy music... mixed with natural bush atmospheres
(wind in trees, insects, bird calls, running water)

**VO – MALE ALTERNATING WITH FEMALE:**

In the beginning during creation times
the world was soft,
we call this time Ngurranyujunggamu
spirits walked over the land making the world
these spirits were the Maarga,
the creation spirits …

all over our tribal lands today
you can see the picture the Maarga left of himself
carved in the rocks

show some Maarga carvings
feet walking over Jinangarli/ full moon/

during these times of creation laws were given to the Maarga
by mingkala, the sky god
And one of the main laws for living
Was the law about galharra

Galharra is a system of relationship
That divides all things in the world into four groups
Bananga, Burungu, Garimarra, Balyirri
Particular animals, plants and permanent water places,
the sun, moon, fire, water
They all belong to one of these groups

The plain kangaroo, bayuwanarra - is Balyirri
Pelican, jirunha - is a Balyirri
Wedge tail eagle, jarburrungu - is garimarra
Goanna, gurumarnthu - is Bananga
Perente goanna, Bandawayi – is Burungu
Catfish, ganggurrja – is Burungu
Spangled perch, milinyja – is Burungu
Mangrove jack, yirrarla – is Bananga
Turtle, thatharruga – is garimarra
Northern bluebell, wirdawanggan – is Bananga/ Burungu
Purple mulla mulla, murlumurlu, – is garimarra/Balyirri

This galharra Law is the same law that was passed to us, Ngaardangarli
The Yindjibarndi and Ngarluma people

Shots of people on the Birdarra
shot of baby (from Woodbrook tapes, Nuju looking at baby)
then other shots around Woodbrook yarthangali

And so each and every child that is born into the world
Also belongs to one of these galharra groups
Along with all the life in the world
This is how we are related to, and have a special place
In the creation
this is how we are tied back to the times
when the world was soft

sundown shots around Woodbrook Law ground

Ngurrara – Ancestral Home Country

People walking on country (jinangari? Hooley?)
Dissolve through Shots of family groups (at Thamathama)

Before we get deeper into Galharra and how it works
We have to talk about Ngurrara
The country that all countrymen and countrywomen go back to
Ngurra-ah means home country,
the country you belong to through your mother and father
and all the generations before

Every Ngaarda child is connected back to Ngurra-ah
Most families in Roebourne have family lines that tie them back to country
in the Yindjibarndi tableland or the Ngarluma lowlands …

I
show Cheedy going to his birthplace… CHEEDY POOL
show on map where Cheedy pool is relative to Roebourne
Cheedy family at Cheedy pool on Hooley station
show shots of Cheedy Pool

For example all the Cheedy clan are tied back to Cheedy pool on Hooley station, Winyjuwarranha… (shot of the table-top hill near Hooley station)
In Ngaarda Law this means his family owns all that country

Cheedy talking about birthplace

II
Shots travelling into YIIRDIMANARAH…
show on map where Yiirdimanarah is relative to Roebourne

Yiirdi at Yiirdimanarah

Yiirdi whalebone is connected to the Cheedy family
Because her father is older brother for Ned
And their country extends over to Yiirdimanarah
right on the edge of Yindjibarndi country
on the boarder with Nyamal (or Gariyarra)

Yiirdi talking about her birth place

THAMATHAMA - FAMILY GROUP SHOTS

Your Ngurrara connects you to everyone else
who is tied back to that country
and also it connects you back to the ground, the rocks, the hills, the creeks, the trees
Of your country

For example, here are some more Ngurrara for the main Yindjibarndi families

show on map where all these places are relative to Roebourne

III
Shots of PIGEON CAMP
The Jerrold family are connected back to Manarn, pigeon camp on Mt Florance Station

IV
TAMBREY/TUNGKAWANHA
The Macks, Jacobs, Gilbeys and Malcolms go back to Tambrey Station, Buminyjinha Ration Camp and the Tungkawanha Creek

V
MOUNT FLORANCE
Elsie showing where one of the sandy brothers was born
The Adams, Pats and Sandys go back to Yirrayinha or Mount Florance Station

VI
MILLSTREAM
The Kings, Huberts, Monadees, Finlays, Wallys, Barmbadus, Horaces, Jingaloos are tied back to Jirndawurrinha and Tungkawanha
Interview Wendy talking about the big foot mob… the King clan
Dot Moses in millstream house talking about birth and growing up there
interview Sally Injie, Sylvie Allan, Berri, Joyce…

VII
BURLUMBANHA
The Moses family is connected to Burlumbanha

X
YARNTHUNA

XI
COOYAPOOYA

NGARLUMA NGURRARA

Shots of the Smith family travelling along Sherlock River…

The Smith family have a strong connection to Jigurranha, Sherlock Station and the Sherlock River

Frank Smith talking about family connection to Sherlock

And here are Ngurrara for some of the other main Ngarluma families: (use map to show where these places are if we have no location shots)

Solomon - Yagurrunha, Old Woodbrook
Whalebone
Churnside - Murrumbari Ngurra
Walker
Mowarin
Symonds
Carey
Wedge
Togo
Toby
Sambo
Bierung
Moses
Daniel
Connors
Barker
Hicks

How Galharra Works

Now, to get back to the deep meaning of Galharra
Even before a child is born their Galharra is known because Galharra comes from the mother and the father and has been passed down from generation to generation from the beginning of time

with the galharra wheel, explain how each marriage combination determines the galharra of each child

shoot galharra wheel on the Birlinbirlin… Ngaarda sitting around Burndud ring (white sand on red ground)... A woman and a man sitting on each galharra place
Explain in real life action how partners on galharra circle match up as nyuba
explain who is marriageable partner
And what galharra each child

(could use photos of parents and children to demonstrate each of these combinations)

Interviews
Cheedy; Cherry; Dora; Bridget
- Where did galharra come from?
- What were you taught about galharra?
- At what stage in your life did you start learning about galharra?
- What are the galharra for some animals and plants?
- What are galharra for moon, sun?
- What is galharra important for Ngaarda?
- In what parts of community life does galharra really count?
- Why is galharra important?

Birdarra

Galharra and getting galharra straight
is important in many parts of every man and woman’s life…
one of the most important places is during initiation time
the most important ceremony in the community
this is where galharra helps everything falls into place…

Here in this ceremony we show what sort of roles and responsibilities
each galharra group plays
We always go back to the skin groups: Burungu, Bananga, Balyirri, garimarra

Early morning, people making Birdarra… walking slowly, working quietly

Here is a law ceremony in play
It is a ceremony for Burungu and Bananga initiates…
In every ceremony there are Garnggu and Jirnjanggnu

GARNGGGU are the mothers, fathers, uncles aunties … here they are garimarra and Balyirri
During the day before the Nuju are brought back
Garnggu have got to rest and fast

JIRNJANGGGNU are the brothers, sisters, cousins and grandparents –
here they are Burungu and Bananga –
these are the workers for the ceremony.
They have to make the yartha… make the Birdarra early in the morning
to prepare the bed in the ground,
organise the mothers and fathers in the right place to sit on the Birdarra,
sing and dance

See flour and food (gamari) placed on Birdarra by Jirnjanggnu
Show elders Discussing how things should be done… where the food goes…
who is going to be the Birdarra mother …

There is much to be prepared
The elders have to talk about how things should be done…
where the food goes… who is going to be the Birdarra mother …

and the Jirnjanggnu need to collect all the food from the mothers and fathers
of the boys going through the law

People getting ready, dressed up for Birdarra

Jirnjanggnu - who are the Burungu and Bananga here –
have to paint the Garnggu mob – who are garimarra and Balyirri…
and dress them up with the marni and jirlimirndi
so they are ready to go to the Birdarra to receive the initiated men
when they are brought back from the bush camp

People approach and take their correct place in the Birdarra

When they take their place at the Birdarra
the Garnggu have to sit in the right place
according to where the beds of their sons are

see the beds being prepared
See the initiates being brought up by Jirnjanggnu men and women dancing around

Now the Jirnjanggnu men are bringing the initiated boys back,
and the Jirnjanggnu women dance around them to celebrate the return of their
brothers, cousins, grandchildren.

The song we hear is the Wallimarra song.
It is a signal from the Jirnjanggnu at the Birdarra to tell the bush camp
Jirnjanggnu that the Garnggu are ready on the Birdarra,
waiting to receive the boys who have been initiated.
At the same time this song drives away bad spirits, spirits that might harm the
Nuju.

The Jirnjanggnu and Nuju reach the Birdarra

When they reach the Birdarra, the Initiates dip their hand in the flour –
this is to pay respect to the Garnggu mothers and fathers,
and especially to the travellers – the men who did the work of initiation.
The food is a gift for the travellers.
By dipping his hand in the flour, the initiate is telling the travellers ‘this food is
for you, thankyou for the hard work you have done’.

It is the Jirnjanggnu’s job now to tell where the bed for that Nuju is –
they need to know which side of the Birdarra to walk on
and also where the right gamari for that Nuju is…
so he knows which flour to dip his hand in.
Once that boy has dipped his hand in the bag of flour
everyone starts singing the Thurndinha song.  
This song will take them right through to when the initiated man is laid down in his burnda.

The Thurndinha song is associated with the gamari – the food and provisions.  
It is also the handover song,  
the song that announces the passing over of the Nuju  
from the workers to the mothers and father.  
When the Nuju walks down the Birdarra,  
He is received by his Garnnggu – mothers, fathers, uncles and aunties –  
who sit all the way down each side of the Birdarra.  
One of his hands is taken by an elder brother,  
and the other hand taken is taken by his garmayi – his Birdarra mother.  
They lead him to his bed where his immediate family – mother, father,  
brothers, sisters –  
wait for him.

After the Nuju is laid in his bed, the men sing the Marliyarra song.  
This says to all the Garnnggu mob that the mothers and fathers, uncles and aunties  
are free now to leave their places,  
and the women Jirnjanggnu dancers now must take the marliyarra – the  
ceremonial dress – off all the Garnnggu mob.

*Gather up crying*  

The Jirnjanggnu now tell all the Garnnggu to get up, to cry for the initiates.  
This is not a sorrowful crying.  
They are sad and happy at the same time –  
sad because they have lost their boys,  
happy because their boys are free now –  
Like when the joey is out of the pouch.  
And the boy is born again into the responsibilities of an adult,  
the responsibility of playing a role in their community.

*Families gather*  

Having delivered the Nuju safely back to the family  
It is now time for a de-briefing  
Here all the families are introduced to their marngkaji  
The men who played an important part in initiation ceremony  
And forever more they will have a special respect relationship to these men  
And a special obligation to them  

This meeting is also a chance for everyone to get problems off their chest  
To clear the air of any issues between families  
so that these are not carried away from here  
so that they do not cloud future meetings

*See marngkaji collect the food…*
And so the formalities are concluded  
The marngkaji collect their reward  
Everyone can go and have a feed and a good rest

After the Nuju are in their bed…

The Nuju stay here for several weeks getting strong  
they get pampered and looked after  
All the family will fuss over them for the next few weeks  
Until they are ready to rejoin community life in the town

And the Jirnjanggnu still keep working  
They have to collect the wood, make the fire, cook the food for the mothers and fathers  
Go shoot a kangaroo, make a damper  
And all the time the boss Jirnjanggnu is directing all the workers

when the job of all the workers is done  
it is the boss Jirnjanggnu who sets them free  
gives them permission to go back to town or to their week-day employment

Restricted menu

While the Nuju is recovering in the Law camp  
he is not allowed to eat some foods  
Plain kangaroo; female hill kangaroo; gurumarnthu,  
barnthawayi, bardurra, jarnkuna,  
warlu, fish and seafood  
because these animals belong to the Barrimirndi – the creation snake  
if they eat any of this meat  
Barrimirndi will get wild, stirred right up  
big rain, whirlwind, cyclone might come!

and they are not allowed to wash in water at all  
because the water, the yinda – fresh water places  
they all belong to Barrimirndi too  
if they wash in his water Barrimirndi will smell them  
and that means trouble  
this law goes right back to Nhanggangunha – when the world was soft  
to the pool they call Deepreach at millstream  
where the Barrimirndi caught the two law-breakers  
and drowned them

in the Law, the Nuju are only allowed to eat young male hill kangaroo and flour  
yarmbala, gurrburr, bilaa,  
fruit from the tree, ngarlawanya  
and unfortunately, in these modern times  
junk food from the supermarket!

Conclusion

Images of life on the law ground after the Birdarra
it is important to remember that this ceremony is not just about the initiation of a boy. It is a ceremony that involves the whole community and is also just as important for the young women in the community who are growing up into the responsibilities that they carry out in the ceremony and also in their families.

it is a time of learning for them just as it is for the boys learning the songs, to dance the Burndud, their duties according to their galharra.

in fact, in the Law, it is the mother that is in the most important when there are problems with galharra. When parents are wrong-married then the boy is always initiated according to the mother’s galharra that is why our elders always said that women are the law carriers. The Birdarra belongs to the mother.

Respect

Images of life on the Law ground after the Birdarra

at the bottom of everything in this ceremony is learning respect respecting each other doing things for the community that make us proud, that unite us that help us to work together in all aspects of our lives.

if everything is right with your galharra then all the preparations and relationships will come together for a successful Birdarra and good relations will be kept with all branches of the family that is why getting married straight – the right way for your galharra is so important.

Nuju walking down track

The galharra of every man, woman and child will be important for the rest of their lives. And will guide each man and woman as to what their role is at each stage of their lives. And how their role changes during Law time depending on the galharra of the boy being initiated and when you travel visiting other country galharra will give you a relationship-way to fit into communities it gives you kinship wherever you go.

In the old days parents got very serious, very frightened when kids who were not straight got together.
because this could cause fights between families

Interviews:
- What if you have no galharra?
- What if parents are wrong-married, what happens to the child’s galharra?
- In the old days, what punishments were given if you didn’t marry straight?

You can see why it is so important to understand your galharra
And why it is important to marry the partner that is straight for you
It is important for your children,
for your Birdarra
and for your respect in the community

**Explain Each Family Relationship**

Galharra sets the foundation, the basic rules that apply to people and the world
But now we want to turn to another way of looking at relationships
We want to look at the relationships inside the family,
between families and within the community
relationships important for keeping the peace, maintaining respect,
and helping the community to work together

Go back to the baby shot… shots of everyday life in the village

There are some things we learn
way before our time at Woodbrook comes around
You don’t have to go through the law to respect your elders
These are things we start learning from when we are children

An important way of respecting your family
is knowing the proper and respectful way to address them

**Big lunch Scene: proper address… the group of people at the table approached by a young man… a young woman… who have just arrived … they greet each other using the proper names of address…**

**Freeze-frame on particular relationships between people at the table… name these relationships in subtitle**

**USING CHEEDY FAMILY AS EXAMPLE**
could use photos and relationship tags …
or place photos of a particular family over a galharra diagram
Naming all relationships…

**Brothers and sisters scene (Coppins)**

- Gaya older brother
- Thurdu older sister
- Marra younger brother
- Maayi younger sister
- Mararra oldest brother/sister
- Marluda middle brother/sister
- Nyirdingu youngest brother/sister

Parents and children’s scene (Cheedys; Cherry wangka)
Ned; Cherry; Lorraine Jacob; Shane Cheedy; Dudley or Arnold; Lynne or Jane or Marion…

- Babu father
- Ngangga mother
- Manyga son
- Gurndad daughter
- Bali daughter-in-law
- Nyirdi son-in-law (behind the gas bottle)

Auntie Rose talking

- Yumini uncles on father’s side
- Mamanha father’s brothers (close)
- Yayu next mother - father’s side close auntie
- Yinaara mothers side uncles
- Nyirdi mothers side distant aunties, daughters marriageable
- Mimi first uncle – mother’s side
- Gumbarli men cousin – marriageable ones
- Bungkarli women cousins
- Thami mother’s side grandfather
- Garnayi mother’s side grandmother
- Maali father’s side grandfather
- Gawarli father’s side grandmother
- Manyga fathers side great grandfather
- Gurndad father’s side great grandmother
- Manyga mother’s side great grandfather
- Gurndad mother’s side great grandmother

Interview
Thomas/Wendy/Trevor/Allery/Rose/Violet/Aileen/Cecilia/ Doral/Cherry/Cheedy/ etc

- how do you respect your family, between families and between generations?
- What are some of the most important respect names for others?
- What were you taught about respect?
- why is it important to use the right names to call your family and elders?
- how it is insulting to call elders by their first name?

Responsibilities In All Walks Of Life

Galharra comes into many other activities in Ngaarda traditional life:

it is important in working with thalu sites
Where only a man of a particular galharra can work a particular thalu

There are places in the country where only people of a particular galharra
Are supposed to go
And where some galharra cannot go
For example there are yinda which have galharra
And should be approached by the same galharra first

Galharra relationship to particular animals
Means that some people can not eat them
because they are brother or sister for them
they might get sick if they eat their galharra
this means that not everyone can eat the same thing
this puts in place a discipline about how the resources of our land are used
it is not a free-for-all
in this way, resources are used with restraint
and so they are looked after, preserved

even when you are working with wood
or making bush medicine
the success of what you are doing comes down to galharra
wrong galharra for a particular tree
will make it difficult to work that wood
the grain will go against that man if he is wrong galharra for that wood

Where Babies Come From

Interview Yiirdi Whalebone
• What did the old people say about where a baby comes from?
• How does what a mother eats connect with the baby she gives birth to?
• How are babies connected to animals, the meat or plant a mother might eat?
• What does jayiyunhu mean?

Shots of baby thalu near Jiirda/Gumunha…
Another one near Kanjianji

• What is a Baby thalu?
• Tell us about child spirits and how they find the mother and enter her?

The godfather…GAJALU
• What is gajalu?
• What does it mean when a man shows milk in his breast?

Burial

See images of funeral at two mile (wide shots)

In the old days, when they went to funeral
the old people would always take all their wirra, mirru, mawarndu, juna…
they would be loaded up with their weapons to meet the mob
and express their sorrow, loss, compassion, anger
they talk through the wirra, or mawarndu
At the end of every man and woman’s life
Galharra once again comes into play
At the graveside it is galharra of particular kinship to the deceased
that work to bury that man or woman
and in that way they pay their final respects

and so the spirit comes full circle
travels back to ngurrara
back to the country of birth
to the homelands of the family clan…

**Closure**

This is how our old people taught us
Respect is not just given or owed to elders
and others in your family and community
respect is something each man and woman earns
by the way they live their life
just as the young respect their elders
so elders have to respect their young
in the end it all comes back
to make a strong family
a strong community
it gives you strength in your own life
it is what gives you life
Wanggangarra!

*END*
ADDENDUM 5B

An open letter to Senator the Hon Helen Coonan
Minister for Communications, Information Technology and the Arts
Deputy Leader of the Government in the Senate
Parliament House
CANBERRA ACT 2600

Careless, Crude and Unnecessary:
The launch of NITV over the body of ICTV

For general release: Thursday July 12 2007

ICTV represents the most significant advance for remote Indigenous communities in the past 20 years in terms of its potential to contribute to the maintenance of languages and cultures, boosting self-esteem and making a significant contribution to reinforcing a sense of identity amongst its diverse audiences. It has already begun to achieve this, according to the audience feedback we have included in our study.1

Dear Senator Coonan,

The Termination Of ICTV
On July 13, with the launch of the new National Indigenous Television network (NITV), ICTV will be switched off so that NITV can be given sole access to Imparja’s Channel 31 carrier.

This will effectively scrap the much loved and irreplaceable ICTV broadcast - a proven remote community television network that is already working; and Australia’s FIRST community conceived and built national Indigenous television service.

While the NITV launch is celebrated in Sydney, in the bush the remote media organisations that have worked so hard to build ICTV from the ground up, and the 147-plus communities who have enjoyed its fruits, will be mourning; with ICTV’s termination, communities that felt they were going forward with their own community television network, face the tragic prospect of going backwards – 10 years!

The proposal to install a one-size-fits-all, single National Indigenous Television service at the expense of ICTV, is looming as the biggest policy failure in Indigenous media since the invention of Aboriginal television over 20 years ago. It is a clumsy shotgun wedding between disparate Indigenous media interests that is both doomed to fail remote communities, and endanger the new NITV initiative.

People in remote communities speak ‘with passion and pride about the importance of seeing images of local, identifiable Indigenous people on TV... ‘Our voices’; ‘our images’; ‘the Anangu way’; ‘black voices, black issues’.2 What they see on this ‘really deadly’ ICTV service makes them feel proud and inspires them to make their own contributions. They are adamant that they want ICTV to stay. This has been said time and again in forums and submissions during the development of NITV, but it seems, this advice has been determinedly ignored. When they learn that the goal posts have been moved, and that ICTV is being terminated, ‘it takes the wind right out of their sails’3.
I do not argue here that the NITV vision does not have a place, but rather, that its implementation is imprudent and destructive. NITV will not, can not, replace the crucial function of ICTV. The proposed NITV model is designed to serve different ends and will effectively usurp ICTV without discharging ICTV’s most important functions.

This error can be corrected by amending policy to allow for these two services to coexist in a complimentary manner, each serving its own inimitable purpose. This would not be expensive or have any implications on the overall allocations for Indigenous media that could not be easily accommodated.

Such a policy adjustment would recognise the distinctive virtues and achievements of ICTV, give ICTV the respect and recognition it deserves, avert a scenario of winners and losers, and support remote Indigenous media practitioners in carrying forward the remarkable and hard-won gains they have made.

The Minister, then, should heed the call of remote Indigenous media practitioners for:

- The reinstatement of a satellite carrier for ICTV;

and

- The settlement of a fair agreement between ICTV and NITV that feeds selected remote community programming to NITV;
- Financial support for ICTV at a realistic level, either through a guaranteed allocation of NITV funds, or separately;
- The provision of funds to ICTV and the Indigenous Remote Communications Association (IRCA), adequate to their peak-body/resource-agency functions and responsibilities.
- Policy clarification within DCITA about how Remote Indigenous Media Organisations will be supported to maintain their distinctive cultural and communications functions.

**In The Current Context**

The magnitude of this policy error is underscored by the lessons about community development highlighted in the *Little Children Are Sacred* report. This report stresses that: locally based action, local resourcing, and local control are needed to really make changes; resources must be developed to empower Indigenous communities to lead themselves out of the malaise; the most successful programs are community-owned, adapted to the specific needs and cultural dynamics of individual Aboriginal communities, and cannot be imposed from without. The report says that there cannot be a “shrink to fit” or one-size-fits-all approach to reform in Aboriginal communities.

Further, this report declares that that relationships between Aboriginal and non-Aboriginal people are profoundly affected by the failure of successive governments to ‘communicate effectively with Aboriginal people in any sustained and focused way’. Submissions to the inquiry explained ‘that concepts need to be explained in the local Aboriginal language’. An improvement in program outcomes will only be achieved, the report states, by addressing these chronic communication failures and by bolstering communication strategies and capabilities in remote communities.
By eliminating the most significant advance for remote Indigenous communities in the past 20 years, by ignoring local concerns and successes, current policy impacting on ICTV flies in the face of common sense. Now as much as ever, it is critical to maintain the functionality of communication systems in remote communities and to reward their successes. It is not a time to be dismantling such an essential, grass-roots service as ICTV:

We feel that the media and communications in those remote communities are a survival mechanism and that these tools can literally save lives. We consider media and communications to be an essential service that helps to address life and death issues, which could include suicide, child abuse and domestic violence. Each community is unique and only each community truly understands what its priority issues are and how they should be addressed using media. Outsiders cannot do this as we can do this ourselves, as you've seen, there are people here with 23 years experience.²

Lest History Be Re-Written
The minister’s statement, in the Second Reading of the Broadcasting Legislation Amendment Bill 2007, that the government provision of $48.5 million over 4 years to establish NITV would, for the first time, give Indigenous communities a dedicated Indigenous television service, was mistaken.

The honour of creating the first dedicated Indigenous television service in Australia clearly belongs to ICTV who have been free-to-air broadcasting - courtesy of Imparja’s channel 31 carrier - a regular schedule of Indigenous programming to remote Indigenous communities since 2001.

A Short History Of ICTV
The first trials of remote Indigenous community broadcast on Imparja Channel 31 were initiated in 1998, with Imparja’s invaluable technical assistance, through the team effort of the remote media hubs: Pitjantjatjara Yankunytjatjara Media, Warlpiri Media and PAKAM.

By 2001 PY Media were regularly transmitting live broadcasts of the Central Australian Football Competition from Alice Springs back to 18 communities in the Anangu-Pitjantjatjara-Yankunytjatjara Lands. After the football compilations of remote Indigenous programming from the PY Media, Ngaanyatjarra, Warlpiri and PAKAM catchments were broadcast. These broadcasts were known as "Feeding The Beam". By 2003 a regular collective daily schedule of programming was being broadcast under the banner “IRCA In Action”, and was later formalised under the network identification ICTV in 2004.

ICTV has maintained a steady growth in the reach, sophistication and volume of its play-out schedule, which broadcasts up to 300 hours of original, community-initiated, community-produced television each year.

Year by year, through their entrepreneurial effort, and with an enormous amount of passion and commitment from community elders, television workers and media
managers (often working through their representative body IRCA\(^6\)), the remote media organisations have built a genuine COMMUNITY TELEVISION SERVICE that today boasts a widely recognised 'brand' that is cherished by the loyal remote producers and viewers that sustain its operation. (The "ICTV, Showing Our Way" motto greets crews throughout the Centre and the North).

*Today ICTV is watched more than any other TV channel in remote communities. It is the pride of remote communities. They are watching real life, local culture and issues communicated by their own people in their own language and this local control of remote community TV is essential.*\(^7\)

It is important to note that before the innovation of ICTV, Imparja 31 had played no role in broadcasting Indigenous programming. It was the enormous success of the ICTV initiative that put Imparja Channel 31 on the map as an Indigenous broadcaster. Essentially, Imparja Channel 31 was ICTV.

Indeed, the ultimate success of the lobby for the $48.5 NITV funding allocation, was in large part due to the heavily cited, extraordinary example of ICTV, which was recommended as a foundation for a future NITV service, and which, to this day, maintains by far the largest volume of programming on Channel 31.

There is no question, then, that ICTV was the pioneer of networked Indigenous broadcasting in Australia, and the progenitor of a regular service that showed the way for others.

**A Genuine Community Initiative**

The genesis of ICTV is an admirable illustration of the earlier cited principles that urge for Indigenous community programs to be built on local initiative and participation, and adapted to their specific needs and cultural dynamics. It also turns on its head the lament of taxpayer dollars being thrown at Indigenous problems for no outcome.

ICTV and IRCA’s remarkable achievement has been, not only the creation of the first Aboriginal Community broadcasting network in Australian history, but the accomplishment of this *with no dedicated funding whatsoever*. ICTV was not formed in response to a ministerial direction, a consultant’s report or a government program, but through community partnerships, the ingenuity and energy drawn from remote communities themselves.

The irony is, that now, with the most generous Indigenous media budget in history, the remote communities that got the ball rolling, will be penalised.

**Original Intents & Purposes Of Remote Indigenous Media**

The BRACS/RIBS analogue TV transmitter network that serves remote communities Australia-wide, and through which ICTV/Channel 31 is rebroadcast today, was conceived and initiated in the mid-1980s to service the *distinctive needs of REMOTE Indigenous communities*.

Cities and large urban centres have not figured in the way ICTV or the remote transmitter network has developed, or in the content it produces and screens.
The further development and expansion of this network of television transmitters and satellite decoders was given a boost in 2005 with the Minister’s announcement of $2m for the roll out of up to 80 additional television transmitters at Remote Indigenous Broadcasting Services (RIBS) sites across remote Australia.

This doubling of the size of the network would not have occurred without the determined lobbying of the remote television sector represented by IRCA, the ICTV membership and RIMO managers – who pressed for the roll out with the specific purpose of extending the reach of ICTV.

This also appeared to be the Minister’s intention. On making your announcement, you noted the steady increase of culturally relevant content transmitted from ICTV, and remarked that the expansion of the network would give RIBS services the opportunity to broadcast their own community programming to a wider audience. It is disturbing to see, in recent communications, a revisionism that seeks to erase ICTV’s place in this history, and replace it with NITV. See a recent DCITA announcement stating that Indigenous communities received support under the RIBS TV Transmitter Roll out Project to receive NITV!

20 years ago, at the beginning of this journey into self-representation (the BRACS era), clear distinctions were made between the needs, modes and strategies for promoting urban-based Indigenous media on the one hand, and remote media practice on the other. Now in a regressive stroke, this lesson has been ignored and NITV has been installed as a one-stop-shop through which all networked Indigenous media will be filtered.

Plans to terminate ICTV undercuts the Minister’s declared intentions for the transmitter roll out, and shows careless policy execution that will in fact subvert the ability of RIBS services to broadcast the videos they produce.

**The Minister’s Caution**

Inconsistencies arise again in the failure of NITV to follow the sensible guidelines outlined by the Minister and expressed in a letter to AICA on August 14 2006. In this letter the Minister directed that the new service be based on Option 3 of the Indigenous Television Review report. This Report states that the new NITV service should: “Build on the Indigenous Community Television narrowcasting service [ICTV] transmitted by Imparja Television…” . This has clearly not happened.

Option 3 also states that: “Under this option, ICTV would be funded to commission or produce additional Indigenous content to strengthen its schedule.” This cannot happen since the ICTV schedule will be terminated.

Further, the Minister stated that: “one of the pillars of Option 3 is the programming developed by remote communities and currently provided on Imparja’s narrowcast service Channel 31, the Government intends that the ITV [now NITV] service would continue to carry substantial programming intended for remote area audiences and made in remote communities. … the business plan should articulate the proposed accommodation of the existing ICTV programming within NITV.” [My emphasis]
In fact, existing ICTV programming will be simply cut off at the NITV launch, and NITV has not put in place any provisions that indicate that the Minister’s directions regarding the substantial participation of remote television (ICTV) in NITV, will be met.

This should not come as a surprise, since, contrary to assurances from DCITA and NITV that remote community programming will be accommodated, it is clear that NITV, by its organisational design, cannot fulfil the community television function that ICTV has been purpose-built to perform.

It would be prudent for the Minister to examine the misguided trail of policy advice that has led to this disarray.

**Two Different Concepts**

The NITV concept with its corporate, top-down, professional structure, and aspiration to eventually reach large urban centres with programming that is deemed appropriate for a national NITV audience, is necessarily and fundamentally different to ICTV or the ‘remote community television’ concept.

In order to satisfy its charter and notions of target audience, NITV has set in place a raft of ‘professional’, exclusive prescriptions and guidelines (see their website) that delimit the kind of programming it will accept for broadcast in terms of length, technical quality, aesthetic values, legibility to English speakers, and so on.

20 pages of NITV Commissioning and Acquisition guidelines tell media makers how they may approach NITV for commissions through various stages, “to get an opinion about the inherent interest of the proposed program to NITV and therefore whether it is worth developing a full proposal”. They describe mechanisms and criteria of assessment including: proposal ‘relevance’, the skills level of proponents, their ability to deliver to NITV’s priorities and to engage with NITV viewers. Applicants must satisfy NITV standards in regard to production values, chain of title and clearances, and are required to abide by stipulations for sub-titles or re-narration in English.

NITV CEO, Pat Turner, has said that NITV is keen to purchase programming from the bush, as long as it is ‘broadcast quality’ and has all the rights cleared. “Whatever we do has to be professional”, she said, “and at a standard that we do not put Imparja’s license at risk”.

Any film producer who has worked in this mainstream/professional paradigm understands the considerable administrative resources required to negotiate the taxing and officious processes of winning commissions from, and delivering programs to, the mainstream broadcasters.

Imposing such a regime on the community television model that ICTV has developed, which is based on principles of open access and responsiveness to community initiative, is a death sentence. While the major remote media organisations have some facility to manage matters to do with rights, clearances, production values, technical conformity and so on, they do not have even a fraction of the resources required to apply such management across the broad slate of productions coming out of the dozens of communities in their orbits.
It was precisely to break through such *gate keeping* structures that community media networks evolved, giving non-professionals the opportunity to access media tools and to say the things they wanted and needed to say to their own communities without the mediation of prescriptive, 'professional' oversight, or the intervention of external authority and experts.

**ICTV – From The Roots Up**

ICTV has managed brilliantly without such misplaced regulation, indeed, its success in producing community television for targeted, niche audiences, has come precisely from the *flexibility* it commands in relation to production processes. Video programs are produced in direct response to directions from elders, cultural imperatives, information needs, personal motivations and interests, and so on, in *each* RIBS community, with whatever personnel and means are available, and *without the permission of an outside authority or commissioning editor*.

This flexibility, local responsiveness and accessibility are cultivated within a close, collaborative relationship between ICTV and the RIMOs, where all parties are equal. ICTV is not a controlling authority but a facilitating agency; decisions regarding what will be broadcast on ICTV are not centralised, but rather, made by each contributing RIMO so that local autonomy of production, programming and content ownership is preserved. Access to ICTV for motivated Indigenous videographers is assured since all the programming submitted to ICTV is broadcast, with exceptions made only in deference to cultural sensitivities attending the deceased.

Such an inclusive and non-discriminatory approach is anathema to conventional, ‘professional’ television organisations such as NITV, and something they could never hope to match. It is true to form, then, that NITV have rejected out of hand the possibility of ICTV maintaining its own programming blocks on NITV.

**Custom Fit**

ICTV was not poured out of packet like instant soup, but is the fruit of a 20 year incremental, adaptive process, shaped according to on-ground realities and direction given by remote community leaders and media makers; it was forged with the specific aim of serving and responding to the remote audiences at the end of the BRACS/RIBS transmitters.

The aesthetic values of remote media makers and audiences are not equivalent to those of a national/general audience. Community-based media makers dealing with their own local community issues and cultural materials, have a different sense of what is more or less important for the community audience they serve, than would a professional filmmaker with a brief to make something for national broadcast.

In the bush a one or two hour ‘*inma*’ in language without explanation or subtitles is welcomed as much as a first-time effort by school children, or a ‘professional’ AFC-funded drama for that matter. Cultural programs about country, ‘the creation’, or bush tucker are not edited with a general audience in mind, but for a remote community audience who want all the relevant detail and nuance.
By working sympathetically with the RIMOs, ICTV has been able to embrace local sensibilities to deliver effective and culturally appropriate programming, which promotes community well being and economic development within local/regional contexts and in local languages.

Another special attribute of ICTV is the communications web it provides between remote communities: ‘it’s creating a huge network, like someone in Warlpiri community or Yuendumu or wherever is watching something from Ernabella…’.\textsuperscript{13} This encourages dialogue between remote communities, brings people together, shares their ideas and promotes respect between them.\textsuperscript{14}

Perhaps the most urgent motivation that sustains ICTV is to provide children with an education through media - both traditional and contemporary. ‘The media we started for Anangu children. We can’t give it to anybody.’\textsuperscript{15} The loss of the Channel 31 satellite carrier that delivers remote community programming to the audiences that value it so much, defeats this dream.

So vital has media become to education and cultural maintenance, that it has become part of the fabric of traditional cultural production. Recording ceremony and narratives in language has become a routine of their performance:

The filming of inma and song and all of that is really important for future generations. Every time someone dies here we lose a library. We lose an enormous amount of information and under the pressures of the outside world that’s increasingly at risk… If you can’t record that and protect that and give it status within the community well then there is a great risk that these people will lose what makes them strong.\textsuperscript{16}

In summary, the qualities that distinguish ICTV are:

- open access to the distribution platform - free of overdetermination or prescription from programmers or commissioning agents
- authentic community self-representation through ownership and control of the production process
- direct responsiveness to Indigenous cultural protocols
- community determination of production values or ‘quality’
- a program duration and flow that is not chopped up to fit into mainstream notions of programming
- community determination of programs of interest
- decentralised consortium-style institutional structure and governance
- predominantly traditional and remote/regional audience or constituency

**Career Paths For Whom?**

In promoting NITV, Paul Remati, the NITV Director of Television, stated that, as the first ‘professional’ Indigenous television service in Australia, NITV, unlike community TV, would be able to offer professional career paths for Indigenous filmmakers, careers in which they get a full-time wage for a full-time job. He said that part of the advantage of NITV is that for the first time cash will be put into production.\textsuperscript{17}
He perceptively observes that there’s not a lot of money floating around in the Remote Indigenous Broadcasting Service scene; that there isn’t enough money in community television to make a professional career; that community media makers have to do other jobs or subsist on CDEP payments; that it’s very hard to live, thrive and survive full-time without actually getting paid.

Remote media workers who participated in planning sessions for NITV, and who have worked their hearts out for the last decade, who have built ICTV without dedicated funding, understand this acutely.

Remote communities are screaming for resources that might allow them to develop innovative, properly remunerated employment and training options for Aboriginal media workers. In fact they had hoped that with the provision of $48.5m dollars for Indigenous media, their work would finally be rewarded appropriately for the first time, and that they would be given access to resources that could make their service even better. Their legitimate hopes were misplaced. NITV has no intention of building on the Indigenous Community Television narrowcasting service as the Minister directed. In fact NITV guidelines will rule out the vast majority of their kind of community television, or strangle it with red tape.

The termination of ICTV, then, far from enhancing skills levels of remote Indigenous media makers and increasing their participation in media production, will put barriers in the way of the vast majority of remote media makers, take their channel away, reduce their incentive to practice their skills or participate in media production.

**Impasses**

ICTV and IRCA have consistently declared their willingness to share what they have learned in building ICTV, and to work with other Indigenous media organisations to create an inclusive NITV Service. This good will has been betrayed. The intention that NITV would ‘grow up’ from ICTV and that NITV would accommodate the existing ICTV programming within NITV, has come to nothing.

More recently, NITV has dragged the chain on negotiations regarding a role for ICTV as an aggregator of remote television content for NITV, so that on the eve of the NITV launch, there is no content supply arrangement in sight. The reality is, that if an agreement is ever concluded, NITV is unlikely to take but a fraction of the programming currently scheduled on ICTV.

DCITA has proposed to patch-up the anomaly of this inequity by the application of a quota that would oblige NITV to broadcast content from remote communities - 10%, increasing to 20%. Such miserable tokenism cannot hope to do anything to change the fundamentals that discriminate against the bush and the incomparable community television model it developed.

If the better established RIMOs decide to seek commissions or sell content in accordance with NITV’s published guidelines – if indeed NITV are paying a better-than-break-even price for programming and such transaction is at all viable – then these RIMOs will be faced with the unenviable decision of whether they direct resources to the production of a higher cost, smaller volume of more ‘professional’ content for
NITV, or to a larger volume of content shaped to the specific needs and desires of their own media makers and audiences.

The current scenario promises a dog-eat-dog, every-media-organisation-for-itself scenario in which the bigger and better established media organisations and urban-based (Indigenous and non-Indigenous) production companies take the lion’s share of the cake, leaving the bush operators outside the gate. This is a long way from the collective, community television approach that ICTV made so successful.

**A Fair And Rational Outcome**

It is a testament to ICTV that it has won such deep-rooted and broadly based support throughout the lands it broadcasts to. ICTV does not deserve to be punished for its success. It does not deserve to be terminated and then cannibalised. It does not deserve to have its unique nodal, collective, consortium style of operation broken.

The Minister should pause now and gather better-informed advice so that the current farrago can be worked out. A fresh approach that demonstrates understanding for the crucial and distinctive role that ICTV plays would reconsider the failed ‘one organisation’ position that is at the root of the current crisis.

The Minister should reward remote communities for their vitally important and historic achievement by reinstating a satellite carrier for ICTV.

Running in parallel, ICTV and NITV, on their own carriers, might achieve something great for Indigenous broadcasting. ICTV can work alongside NITV in a mutually beneficial, cross-fertilising, synergy if it is allowed to maintain its own unique service and honour its responsibilities. There is no reason why these two services cannot exchange material as it suits them, with a view to serving their quite different audiences in the best possible way. In fact there is no reason why ICTV could not carry NITV programming alongside its own, to the BRACS/RIBS transmitters.

Any settlement of this issue must also address the skewed DCITA funding formula that has allocated $12m per year to NITV, and a combined total of $195,000 to ICTV and IRCA - bodies that represent hundreds of remote Indigenous media practitioners and dozens of RIBS and RIMOs. (IRCA @ $120,000 and ICTV @ $75,000 for 2007-08). This is less than the salary of ONE NITV executive salary package. This funding anomaly reveals DCITA’s failure to understand the crucial function IRCA and ICTV must play, and the resources they need to effectively undertake their major facilitating and coordinating role.

Whatever the outcome, ICTV will persist because of the simple fact that ICTV is a product of, and can do media better for, the bush, because it provides an essential service that cannot be fulfilled by NITV, and because those who carry the vision for remote community media and understand how much it means to people in the bush, can not walk away from their responsibilities.

The Minister, DCITA and NITV must now decide whether they will become true partners with the bush.

_We’re looking ahead you know, we don’t want to stop in the middle; we just want to go on, continue on. Yes. That’s really important and we need you fellas to listen._  

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Sovereign Voices  ADDENDA

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PART 1

Executive Summary

Between 2002 and mid-2007 Indigenous Community Television (ICTV) – “one of Australia’s great pioneering efforts in broadcasting” – developed a television broadcasting service that pooled the output of Remote Indigenous Media Organisations (RIMOs) in Western Australia (PAKAM and NG Media), Northern Territory (PAW Media), South Australia (PY Media) and many other remote communities. These four primary RIMO hubs support 71 Indigenous communities in the production of radio and television. By the time Federal Government action terminated ICTV on July 13 2007, they were broadcasting up to 300 hours of original, community-initiated, community-produced television each year to some 150 remote and very remote Indigenous communities throughout Australia via ICTV. While National Indigenous Television (NITV) was subsequently granted exclusive use of the Imparja Channel 31 satellite transponder that had carried ICTV, NITV’s organisational structure and schedule of programming has not even marginally substituted for the essential, open access, predominantly Indigenous language/cultural service that ICTV had established. Having demonstrably given proof of its concept, ICTV (whose membership, the SW Board should note, is powerfully Western Australian) is now working to re-establish its service by other means. The following report canvasses the scope of this service and charts options emerging for the future. The conclusion indicates significant opportunities for Western Australian agencies to boost this venture.

Part 2 of this report concentrates more particularly on background issues concerning the impact of Federal Government policy intervention and provides understanding of the substance and intensity of the reaction to the termination of ICTV’s broadcasts.
Remote Indigenous Media Festival
The 10th Remote Indigenous Media Festival held at Yuendumu in October 2008 (hosted by PAW Media) marked a decade of affiliation and collaboration between remote Indigenous media makers from Hopevale in tropical north Queensland to Kiwirrkurra in the Gibson Desert, Fregon in the Pitjantjatjara lands to Beagle Bay in the Kimberley. This association was crowned by the creation of Indigenous Community Television (ICTV), which flourished between 2002 and 2007, and which, before its axing, was broadcasting monthly program wheels of new community television throughout the BRACS/RIBS television network (tuned to Imparja’s second channel). The Festival was also an occasion to celebrate the 25 year anniversaries of Pitjantjatjara Yankutjatjara (PY) Media and Pintubi, Anmatjere, Warlpiri (PAW) Media, who in 1983 pioneered, or “invented” remote Aboriginal television production and broadcasting.

The occasion of this gathering was an opportunity to reflect on the endurance and distinctive achievement of remote Indigenous television, which persists and renews itself far from the mainstream; which produces media rare in its innovation, moving in its poetic testimony, and vital for its role in cultural maintenance – a galvanising expression of communities in urgent dialogue with, and affirmation of themselves.

It was also an occasion to reflect on the effect of Government policy as it has acted to terminate the Indigenous broadcasting operations that ICTV pioneered and proved on the Imparja-operated, Optus Aurora Channel 31 – an action that obliged remote media producers to subscribe to the corporate, mainstream design of the newly minted NITV. Today NITV broadcasts a 6-hour wheel repeated four times a day via Foxtel, Austar and Imparja Channel 31. While the Government provided $48.5 million over four years to NITV and continues to fund Imparja another $2 million per year for maintenance of Channel 31 Satellite transponder, no Indigenous Broadcasting Program (IBP) funding has been allocated directly to television production in the remote communities that created ICTV. The fact that RIMOs have no dedicated funding for community-based, community-initiated video production, is now a most serious issue facing remote video producers who wish to continue reproducing their culture and language on their own terms, in their own communities. The proscription of funding, and the termination of satellite transmission for remote Indigenous television is a grave flaw in the current policy framework.

It is sobering to note that while it has been over two years since serious discussions about how the output of remote television makers might be carried on NITV, and some 15 months since NITV went to air on Imparja’s Channel 31, no agreement has yet been concluded between NITV and ICTV regarding carriage of remote content on NITV. Such an agreement may eventually emerge, but even so, the broadcast of packaged samples of remote Indigenous programs on NITV is not a core objective of ICTV or the RIMOs whose primary function is dedicated to unfettered production and distribution of video in languages, carrying the Tjukurrpa (stories for creation and country), and sharing the news and events of the Indigenous communities in remote and regional Australia.

The good news is that despite the negative impact of policy upheavals, the cooperative of remote Indigenous media organisations and producers that make up ICTV and IRCA, are nevertheless persisting in their practice, although at reduced volume, and
resolutely moving ahead to re-establish broadcast and distribution for their television consortium.

**ICTV reinventing its future**

Firstly ICTV and IRCA have launched indigiTUBE (www.indigitube.com.au) – a website funded by the Backing Indigenous Ability (BIA) Program to stream remote Indigenous radio. The BIA, in accordance with the prevailing climate proscribing funding for video to the remote communities (see Part 2 for details), unfortunately denied funding asked for in the same submission that would have allowed for the delivery of remote Indigenous video. Nevertheless, ICTV has secured private sector assistance from the ANZ Bank to develop the delivery of video on this platform in the near future. To ICTV and IRCA’s credit, it should be noted that the IndigiTUBE project was the first BIA–funded project in the nation to be finished and launched.

Following on two highly successful strategic planning workshops in 2008, ICTV has also developed a strategy dubbed ICTV on Demand which seeks to deliver remote Indigenous television free–to–air to the same Indigenous communities it had previously reached via the Optus Aurora satellite (Imparja Channel 31). This objective, it should be noted is essential since homes in remote and very remote Indigenous communities rarely have access to computers or internet/email and so cannot readily receive indigiTUBE. Free-to-air television, then, remains the most highly consumed and available form of media, and so, as a medium for health, education, cultural and other programming of special consequence to Indigenous people, community-access television arguably has the greatest potential to be effective.

Towards this objective ICTV has corresponded with the Western Australian Government – Dr Kim Hames, Deputy Premier, Minister for Health, and Indigenous Affairs; Brendon Grylls, Minister for Regional Development, etc.; and John Castrilli, Minister for Local Government, Heritage, Citizenship and Multicultural Interests – and received in–principle support for ICTV to broadcast over the State Government WestLink education satellite from 5PM Friday through to 8AM Monday – the slot previously occupied by ACCESS 31 Perth Community Television.*

Needless to say, the ability of the remote Indigenous media collective, through ICTV, to marshal a slate of wholly unique television programming on the one hand, and the strong desire of remote communities to receive this programming on the other, forms the basis of a powerful business plan. These communities are of course the locus of traditional culture, language and country in all its splendour, power and charm, but they are also some of the most disadvantaged communities in Australia. There is considerable scope to win assistance for the restoration of the functions of ICTV from elements of the public, philanthropic and private sector who recognise the value in reaching these audiences, in boosting communications services to them, and in supporting the reproduction and wider distribution of their magnificent cultural expression.

ICTV is also planning a television series of 65 one–hour episodes comprising the best remote Indigenous television production (past, present and future) titled *Tjukurrpa: from the Desert to the Sea*. This series is promoted as being “Indigenous program

* Permission for ICTV to broadcast WestLink was formally granted in June 2009.
making at its best. Rough and raw, relevant and entertaining. Programming for and by the audience it is intended for, with the type of broad appeal that is best evidenced in programs such as Bush Mechanics." While the concept is initially being pitched at NITV, there is no reason, if a deal with NITV is not reached, why this series could not be marketed to Australian public television and other platforms/territories (online or via dedicated cable networks) around the world. Tjukurrpa promises to be the most magical and remarkable series, offering poetic, humorous, profound, beautiful images and stories, meditations upon country and belonging, without compromising the bush style.

Ultimately concepts like Tjukurrpa are not primary functions of the RIMOs or ICTV, but simply one wonderful potential that arises from their routine, core business – recording culture and country and the finest expression of Indigenous community life, and re–producing and distributing it to the remote audiences who need it most.

Horizons of opportunity

The future of ICTV is in the making as I write. Its existence is assured by the commitment of its members, their determination to revive the reticulation of remote community TV into their communities, the passion and ability of remote media makers themselves, and the vitality of their stories. We should recall that the tremendous achievement of the regular ICTV broadcasts from 2002 through 2007 were made possible by the irrepressible energy and inventiveness of the four principal Remote Indigenous Media Organisations that worked together to amass the programming. I suggest that it will be this spirit of innovation that will serve the evolution of the collective in a re–formation that may prove to work in ways quite different to its original manifestation.

Remote media workers acknowledge that government funding for community–based, cultural video production or projects like ICTV can not be relied upon as a single source; they well recognise the need for innovation and are already rehearsing models offered by other organisations serving Indigenous interests which have successfully married enterprise–based principles with community service. Cited are enterprises such as: Papunya Tula Artists, which is “entirely owned and directed by traditional Aboriginal people,” and whose aim is to champion artists, economic development and maintenance of the rich cultural heritage of Western Desert communities; Big hART’s Ngapartji Ngapartji, a project which promotes “language learning, teaching and maintenance, community development, crime prevention, cross cultural collaboration, new literacy training models as well as film, art and theatre making”; the Traditional Knowledge Revival Pathways (TKRP) project, which aims to preserve and strengthen traditional knowledge to benefit environment and community well–being; and Ara Irititja Archival Project, a project of the Pitjantjatjara and Yankunytjatjara people that works to return materials of cultural and historical significance to Anangu.

These are models whose successes are predicated on their ability to deliver good service or cultural experience and thereby win both providers and subscribers to their enterprises. ICTV aspires to move away from being a broadcaster as such, and to hosting a forum for networking information and culture, for promoting economic development and social connectivity by establishing communications platforms that maximise reach to the remote audiences that most matter. ICTV, then, through its unique provenance and domain has the opportunity to renew itself on terms that are more eminently sustainable than they have ever been, within an Information and
Communication Technology paradigm that looks to the future and overcomes many of the current policy obstacles.

An important role for Government
The error of the current policy framework has been acknowledged by NITV CEO Pat Turner, who has said that it was never the intention of NITV or its Indigenous proponents to usurp ICTV’s place on Imparja Channel 31, and that this was an express directive of the Minister (Helen Coonan). More recently Paul Remati, Deputy CEO/ Director of Content for NITV, reiterated to ICTV representatives at the 10th Remote Indigenous Media Festival at Yuendumu that NITV had never wanted to displace ICTV on Channel 31, but were compelled to do so by the Government of the day; and that NITV supports ICTV aspirations for restitution of a dedicated satellite carrier.

Government and its officers should also recognise that now, more than ever, it is critical to maintain the functionality of communication systems in remote communities and reward their successes. There is a tremendous opportunity now for Government to join with remote Indigenous communities in their effort to restore and grow the essential, grass-roots service of ICTV, and support the work that RIMOs are duty bound to undertake in video training, community-focussed cultural recording and production, and broadcasting. This could be achieved with well-targeted provision of modest amounts of funding and logistical support. Certainly, the endeavour by ICTV to prosecute its initiatives is more assured of success if the Federal Government revises its approach and commits to a realistic partnership with remote communities.

Specifically, they should directly partner communities in re-establishment of a satellite transponder for broadcast of ICTV’s collectivised, remote television output.

Remote Indigenous television makers are not asking for total subsidy, they have proven they can make TV without this. What they are asking for is intelligent and focussed policy that recognises the tremendous capacity and passion that remote Indigenous communities have for producing television specifically for their own remote and regional sector; and acknowledgement from policy-makers of the real benefits Indigenous media services can bring to a host of remote community endeavours including vocational education and training, health, community development, employment, enterprise, and so on.

A role for Western Australian Government agencies
In Western Australia there are about 40 communities with television broadcasting and re-transmission licenses serviced out of the PAKAM and Ngaanyatjarra Media hubs alone, and the potential for many other communities (both Indigenous and non-Indigenous) to receive WestLink-relayed broadcasts of ICTV. If approval is granted for ICTV’s use of WestLink, then it is most likely that ICTV would establish a play-out facility in Perth where remote community programming from around Australia would be compiled, scheduled and refreshed on a monthly basis.

These contingencies provide immense potential for Western Australian Indigenous communities and filmmakers to become increasingly involved with this groundbreaking consortium.

There may also be opportunity for participants of Screen West’s Indigenous Community Stories program to collate the output of ICS in a dedicated slot for ICTV and thereby
redouble awareness of the program and reach audiences across the nation. It should be noted that via WestLink ICTV would not only be available to remote Indigenous communities who are equipped with BRACS/RIBS satellite receiver and television transmitter facilities, but to the host of educational institutions currently tuned to WestLink.

A decision by the WA Government to grant ICTV carriage on its WestLink Satellite transponder in the place of Community Television Channel 31 would represent a very important contribution to revival of the ICTV remote community service. I would urge ScreenWest to support this initiative.

**Congratulations Ngaanyatjarra Media**

In the spirit of the tremendous promise and hope that remote Indigenous media makers and their organisations proffer, it would be apposite to conclude with the good news from Ngaanyatjarra Media that their new Media and Communications Centre was opened at Irunytyu (Wingellina) on 29 October 2008. The ongoing growth of this RIMO hub, which services some fourteen communities across the Ngaanyatjarra region, six of which have fibre optic to their node, and with satellite delivered broadband planned for the rest, provides palpable evidence of the vitality and momentum in remote Indigenous media practice. The $2.5million Centre, which features two radio broadcast studios, a training room with videoconferencing, a recording studio for music and TV production, video editing and viewing suites, and an archive facility, will provide professional training and employment of Yarnangu in radio broadcasting, video production, information technology, music and archiving, and aims to “provide a safe keeping place for the audio-visual recordings and history of the Lands and help to keep Ngaanyatjarra language and culture strong for generations to come.”

Two weeks earlier at the Yuendumu Remote Indigenous Media Festival Ngaanyatjarra media worker and Minyma (female) cultural officer Belle Karirrka Davidson, who cut the ribbon for the Centre opening, told the gathering, “Never give up.” She said that she would continue to train young women and girls in her community in both video and ceremony. “You can’t take a woman out bush to learn ceremony without a camera,” she said. Belle’s fellow media worker and Wati (male) cultural officer, Noeli Mantjantja Roberts, concurred: “I am still working, still fighting to keep things going. We must keep really strong. We have to be stubborn to get what we really need, what we want.”

**PART 2**

**BACKGROUND TO THE REPORT**

*The Real Deal Part 2 provides background to Part 1 of the Report on the state of Remote Indigenous television. In particular, it addresses background issues concerning the impact of Federal Government policy and provides understanding of the substance and intensity of the reaction to the termination of ICTV’s broadcasts.*

**For the record: Responses to the termination of ICTV**
Upon the launch of NITV on July 13 2007 John Hartley, Dean and Professor Creative Industries, Queensland University of Technology, criticised NITV's implementation as a "business as usual" manoeuvre that failed to acknowledge the potential of "one of Australia's great pioneering efforts in broadcasting". He expressed concern that by "supplanting bottom-up with top-down solutions" quite different Indigenous enterprises would be set against each other. Ventures such as ICTV, he said, were essentially self-made media for self-representation by Aboriginal and Islander groups, and he argued that these media groups could be among the strongest performers in an Indigenous economy – "something that needs serious attention if welfare dependency and family insecurity are to be tackled". Hartley concluded:

It is a pity that NITV – a fantastic idea – needs to be launched over the dead body of its existing 'proof-of-concept' pilot. More importantly, it is a pity that no one in government seems to be 'joining the dots' in relation to Aboriginal creativity.

Dr. Inge Kral, a Postdoctoral Fellow on the ARC Research Project, *Lifespan Learning and Literacy for Young Adults in Remote Indigenous Communities*, whose doctoral thesis considered literacy and social practice in the Ngaanyatjarra lands (on the WA side of the tri-state border), expressed astonishment that "at a time when we need to be encouraging a diverse range of strategies to support literacy in remote Australia [...] the government would shut down one of the most significant vehicles for literacy development and maintenance (both in English and local Aboriginal vernaculars) for school-age and post-school age remote Indigenous youth". Kral stressed that media training in remote communities represented one of the most successful models of Vocational Education and Training (VET) in remote areas, and that in addition to being an important vehicle for language and literacy maintenance and development, cultural pride had been strengthened. She was concerned that with the closure of ICTV, a strategy for purposeful literacy (and IT skills) acquisition for Aboriginal youth had been eliminated, and contended, “this decision must be reassessed”.

Commentary from within the communities where ICTV was produced and viewed, and which now received NITV in its stead, was especially poignant. 'Harry the Breaker', a correspondent to the On Line Opinion forum addressed his “countrymen and women” saying that he spoke for people in the bush (the Kimberley region) and believed that ICTV was the “real deal”. He said that people wanted to see real Aboriginal shows that were made by Aboriginal people that actually walked and talked and lived Aboriginal way, “not cutting things to suit certain audiences”. Harry rejoiced in the pride & confidence that old people felt when they saw their own people on ICTV and in their change of attitude towards young people who worked in the community television crews:

Even the frail and elderly benefit. In one of many aged care facilities in our region the staff were not allowed to change the channel. ICTV ruled the whole hospital - 90 percent of patients are Indigenous but the non-Indigenous patients love ICTV as well.

Juluwarlu Aboriginal Corporation’s Operations Manager, Michael Migu Woodley (Roebourne, WA), addressed issues of ethics and morality bound up in the suppression of ICTV and cautioned against the false promise of “big ideas, glossy footage and professional castings”, which could lead to the forgetting of “our way in
life”. While acknowledging the place of such mainstream ambition, he condemned it when its pursuit led to the compromise of ideals and the loss of “the core part of ourselves and our identity of flesh and blood”.  

In a letter directly to the Minister, Sophie Staughton from the Warburton Community (north–east of Kalgoorlie) pointed out that ICTV was one of the few successes in remote communities that was clearly and widely supported.  

The reason for this strong support, she elaborated, was that videos that were regularly shown on ICTV – contemporary songs and stories from young people, entertaining animations, stories based on parenting, healthy nutrition, government business, cultural events, and the teaching of elders – were made locally by Ngaanyatjarra Media, Warburton Youth Arts and other Central Desert youth groups.

Staughton laid emphasis on the fact that while the production values of ICTV were not as polished as those of the public broadcasting and commercial channels, this putative shortcoming was clearly outweighed by the benefits of local content. She said that local content was important because the communication and learning processes across remote Aboriginal communities benefited from, even depended on, the sharing of televisual output that was made for them, by them, and about them. Staughton presciently remarked that in contrast to ICTV, NITV was “a ‘generic’ Indigenous channel” which could never match the volume and consistency of Central Desert content that allowed families to routinely see themselves and their neighbours on TV. Others have also remarked on the importance of the communications web ICTV provided between remote communities, which encouraged dialogue between them, brought people together, shared their ideas and promoted respect between them: “It’s creating a huge network, like someone in Warlpiri community or Yuendumu or wherever, is watching something from Ernabella…”

Staughton feared that young people’s videos, educational and cultural programs were likely to be disqualified from a national (NITV) programming schedule, and so would wane, and concluded her letter with the admonition that the implications of ICTV’s termination for remote communities were profound and may include reduced educational opportunities for young mothers, loss of cultural knowledge that reinforced social order and stability, and reduced information and awareness about government programs.

In the groundbreaking, Griffith University study of the Australian community broadcasting sector, Dr Michael Meadows et al confirmed that the most urgent motivation of ICTV was to provide children with an education through media – both traditional and contemporary. So vital was media to education and cultural maintenance, that it had become part of the fabric of traditional cultural production. Video recording ceremony and narratives in language was a routine of their performance: “The filming of inma and song and all of that is really important for future generations. Every time someone dies here we lose a library. We lose an enormous amount of information, and under the pressures of the outside world that’s increasingly at risk… If you can’t record that and protect that and give it status within the community, well then there is a great risk that these people will lose what makes them strong.”
The Editor of The Koori Mail, Kirstie Parker, observed that a major issue was that of production values and how this restriction might limit participation in NITV by community-based producers. She said:

[...] one of the beauties of community broadcasting is that it's basically rough and ready, it's material that is shot often in real time, it's not necessarily snappily edited, but can represent just absolutely the magic of remote community life, and whether or not that is something that would necessarily, in a kind of broader audience, be something that would be attractive to people, would be another thing. 21

Indeed, the hoary old chestnut of how publicly funded Indigenous institutions should orient their operations was tackled by Parker in a related context – that of running an Aboriginal cultural centre. Parker offered that "there were always competing interests between: Are you a cultural centre that is there to present Indigenous people to tourists? Or are you a cultural centre where Aboriginal people can go and actually practice their culture? And in the end, you're trying to be all things to all people..." 22

Interpolating these questions to the role of Indigenous broadcasting, we might ask: Is Indigenous broadcasting to be shaped according to the lowest common denominator principle that might make it accessible to Indigenous and non-Indigenous people right across the country? Or should Indigenous broadcasting provide a media outlet that allows Aboriginal people to express and maintain the integrity of their various languages and cultures in a targeted way across a network of like-minded communities? NITV chairperson Larissa Behrendt has indicated that NITV “must be many things to many people” 23 and so disposed its function to the first proposition, while ICTV was certainly committed to the second.

Kirstie Parker maintained that while setting ‘production value’ yardsticks in the drive to reach a mass audience so that non-Indigenous people could gain a window into Indigenous life was “great”, it was not a good thing if this closed the door “to communities who are trying to in some cases keep their language alive… to keep their cultural practices alive, to say that remote community life is just as legitimate as anywhere else”. 24

‘Nienna’, posting on the On Line Opinion forum, pointed to the different purpose that ICTV’s programming fulfilled when compared to NITV. She drew attention to the tremendous isolation of the ICTV communities and the role ICTV played in meeting “their specific needs by supplying essential information and cultural programs that are meaningful to them”. She suggested that “having to jump through the hoops of another bureaucracy” [NITV] would not help remote video makers produce television relevant to their communities. 25

‘Regis’ described the termination of ICTV broadcasts as “retrogressive” and “yet another management driven initiative.” He feared that the “fragile network of possibility” that ICTV represented would be destroyed and questioned the sense of undermining an institution that had taken 20 years to establish itself – when Aboriginal communities were already faced with such an enormous struggle to improve their lives. 26
Ken Daveson noted the tragic irony of the pronouncement by Communications Minister, Helen Coonan, that “We need to listen to better understand” while she simultaneously rode “roughshod over the important localised achievement of central Australia’s Indigenous Community Television”. He suggested that “Mainstreaming may seem economically efficient, but it shouldn’t be grounds for undercutting current positive, community-building initiatives”.  

Dr Ellie Rennie, a Research Fellow at the Institute of Social Research at Swinburne University questioned whether the NITV model was the most effective way of advancing Indigenous broadcasting:

The big question for me is whether this model, which is the program-funding model, is going to be the most successful. I think the alternative might have been to fund existing grass roots television organisations that are working out in remote Australia and providing them with extra funding and stability to provide more training and develop the industry. As it is at the moment I expect the funding will go largely to existing producers rather than training, so I think that is a thing that will need to be addressed.

‘Considered’, who had worked in several very remote communities in the Northern Territory as a video trainer, recounted the “amazing” impact of ICTV when it was introduced to these communities with the expansion of the Remote Indigenous Broadcasting Services (RIBS) network in 2006; and its matchless qualities:

I was privileged to see groups of older women riveted to the TV watching dances from neighbouring communities. There were TV programs made by communities and broadcast in language about identifying and getting help for domestic violence. We met with and worked with young men who saw the exciting possibilities of telling stories from their experience, and assisted a respected elder to make a stunning piece about the powerful and complex basis of Warlpiri culture... I felt I was witnessing the strengthening of culture, language, personal motivation, confidence, pride, communication skills.

‘Grandmaster Blog’, also writing from the Warlpiri lands, lighted on the authenticity and unique energy of the ICTV programming:

ICTV was that rarest of beasts in Indigenous affairs - the authentic Aboriginal product. Popular with people in remote communities. Expression coming up from the grass-roots. Untidy, dirty, expressive and emotional. Energetic and vivid, funny and angry, daggy and entertaining. Hardly ever any oil slick on it, and rarely any propaganda or bullshit. Playing now in most Nyirripi [Warlpiri community 160 km south west of Yuendumu] households instead of Good Morning Australia or Sunrise or whatever. The real deal.

A few days after the NITV launch Ngaanyatjarra Media Coordinator Daniel Featherstone reported Irrunytju community reactions that revealed the inapt tenor of its programming for local audiences: “Now that the mob have seen what NITV is, I’m being asked what happened to ICTV. Early feedback is that ‘this one’s not ours’, ‘it’s only got sad stories, not happy ones’, ‘whitefellas made this one’, ‘it’s all in English’.” Similarly, Rebecca Mclean reported from Yuendumu: “Was working with a group of women artists today from Warlpiri Art Centre and they are all talking about their ICTV and
asking what has happened to it, they can’t understand what those city fellas are on about! What’s more they don’t want to - they just want their Tjukurrpa back!”  

A comment posted on an ABC On Line forum also highlighted differences in the approach of ICTV and NITV programming: “Screening on ICTV there was both cultural and contemporary entertainment with a general positive feeling of celebrating life. The two programs I watched on NITV were totally the opposite, the first a show about getting rid of all the non aboriginal people in Australia and the second opened with a slogan saying something along the lines of ’If you want to beat a white man do something better than him’.”

Noeli Mantjantja Roberts, Senior Cultural Officer and Founding member of Ngaanyatjarra Media who was instrumental in introducing media to the Ngaanyatjarra lands over 10 years ago, said this about the loss of ICTV:

We had a lot of stories on ICTV – Tjukurrpa (dreaming stories or Law) and Turlku (cultural dance and singing). All the mob in the Ngaanyatjarra and Pitjantjatjara Lands could put their stories on that ICTV. We grew that ICTV up from nothing. But now, everybody is asking me what happened to that ICTV, we were watching it all the time, the **Yarnangu** (Ngaanyatjarra people). I have to tell them, they changed the channel. I want to send a letter to Canberra, government mob, and tell them our story. **Yarnangu** liked that ICTV; we don’t want to lose it. It’s for bush mob that one. Last night I watched that NITV, there’s no Tjukurrpa, no Aboriginal people dancing, only town mob telling their stories. We want ICTV back for bush mob.

Tyson Mowarin, a media trainee at Roebourne’s Juluwarlu Aboriginal Corporation, expressed a sense of the deep pain and indignation in his response to Noeli’s comments about the loss of ICTV:

I feel sad for our elders like Noeli Roberts who I met in Balgo last year at a RIBS festival. I have been told that he has been doing his thing in his country for years and on the smell of an oily rag. Now he and the rest of the people have lost something that is so close to their hearts (ICTV). How can he sit down and watch crap like I saw last night on NITV about non Indigenous men acting all drunk and participating in a wet t-shirt competition. I loved watching old and new footage from the bush of **Nurnda** (dances) even though they were from another region to me and I could not understand the language. […] Keep smiling anyway Juju Noeli.

In a video–recorded testimony intended for Minister Helen Coonan, Belle Karirrka Davidson, a senior women’s media worker at Ngaanyatjarra Media who worked alongside Roberts in developing media on the Ngaanyatjarra Lands, said that she wished to share her story, but that now her stories and language were missing from the TV. She said that **Yarnangu** boys and girls had watched ICTV all the time, at the videos of playgroups and **Turlku** and bush trips, and that they worked hard to make programs for ICTV because they liked to see themselves on television: “But now we are looking at the other pictures on NITV. We can’t understand what they’re saying, it goes right through our ears.”
The testimony from Belle and Noeli and others was in radical contrast to the view expressed by NITV publicist Krystal Perkins, who likened the viewing preferences of Indigenous audiences with those of unspecified mainstream television audiences. She held that:

[…] the latest market research that has been done for Aboriginal and Torres Strait audiences suggest that the audiences like to view television the same way mainstream audiences do, and in regards to that there’s a various set of genres that fit in that viewing spectrum. So the range of programming that NITV are hoping to include are documentaries, to children’s programs, cultural archiving, drama series, entertainment, music programming, news and current affairs, sport and comedy. 37

This market research has not been made publicly available, so it is difficult to understand how it equated all Aboriginal and Torres Strait audiences - from the central Australian desert to the western suburbs of Sydney - to one another in the first instance, and then to the mainstream.

The opinions of many Indigenous media workers who came to the 10th Remote Indigenous Media Festival at Yuendumu in October this year had hardly cooled after a year of NITV broadcasting into their communities. Asked what people in his community of Yuelumu thought about NITV, PAW Media chairperson Noel Heeny said: “To be honest, if you ask them they’ll tell you straight out, they hate it. It’s just mainstream.” Others echoed Heeny’s report: “Can’t understand why they took away ICTV. We don’t like NITV. They never listen to the bush mob.” 38 Simon Fisher complained that while they were screening films from Maori and Canadian Indians, there was nothing from the desert: “Oh ICTV, don’t talk about it. It makes my heart no good.” 39

Delegates at the Festival also expressed concerns about how freelance television producers that were contracted to provide programming to NITV dealt with traditional owners. Pilbara & Kimberley Aboriginal Media (PAKAM) community radio broadcaster Henry Augustine was critical of such producers who bypassed the PAKAM hub and entered communities on the Dampier Peninsula to film elders and stories without clear protocols and understandings over copyright ownership, profit shares, appropriate usage, and so on. Victor Steffensen, creator of the Traditional Knowledge Revival Pathways project in Northern Queensland, commented that while his group had provided some programming to NITV, the prices being paid by NITV were “unprofessional”, and that his group would no longer provide content for such low program fees.

**Failure of policy**

Along with termination of ICTV’s access to the Aurora Optus Satellite transponder came a wave of policy upheaval in which the IBP effectively hived off responsibility for remote Indigenous television production and broadcast to NITV – an independent company limited by guarantee. In 2006 DCITA announced a review focussing on the function of its Indigenous Broadcasting Program. 40 In the accompanying discussion paper DCITA flagged its intention to discontinue funding for television production and shift its focus to radio broadcasting in the RIMOs. The new $48.5m NITV program, DCITA explained, would now provide for the Remote Indigenous Media Organisations. This direction was confirmed in the recommendations of the final IBP
Review, which said that from 2007–08 the IBP would pull back from funding of audiovisual material and devolve this responsibility to NITV in order to “facilitate the future development of Indigenous television”. 

While the IBP will remain the major source of funding for local content production by RIBS radio services, the NITV initiative will offer the most appropriate funding source for video content production in future. NITV funding will support content development for broadcast via Imparja’s satellite uplink (and possibly other outlets) including from remote Indigenous broadcasting organisations as well as Indigenous content producers around Australia.

DCITA set off on this course in the absence of an adequate policy framework or articulation of terms that would ensure it’s funding was indeed reticulated to the remote television sector via NITV. Ultimately NITV set terms for funding based on a commissioning model like that of SBS or ABC that served its broadcasting agenda, but totally missed the point of the community–based, community–initiated, community–controlled television of ICTV which reflected and was tailored to audiences across its vast network of remote community broadcasters and re-transmitters. This prescriptive commissioning model was totally at odds with the free–access, self–regulating, consortium model that ICTV had so effectively established.

In making these changes, DCITA claimed they would address historical funding disparities; establish a more equitable distribution of funding across capital cities and regional and remote areas; and increase the availability of new Indigenous broadcasting services. Paradoxically, from the perspective of remote Indigenous producers, who had pioneered Indigenous broadcasting and invented a style of television particularly suited to their ‘world’, these new arrangements would prove to be a backward step in every one of these avowed objectives. The assumption that NITV could be compelled to fund community–based television in the remote communities was naïve; it showed a lack of understanding by policy makers of the function and modus of the remote community television sector, and its essential disparity from the corporate NITV broadcast model.

So then, despite an injection of a new $48.5 million into Indigenous TV, remote communities were left in a worse position in regard to production and broadcast of their locally specific, cultural and community programs that could never be accommodated by NITV; and in regard to how they funded training, infrastructure and equipment costs for their remote media facilities.

Just how ill advised this attempt to conform or ‘assimilate’ remote Indigenous media production to the strictures of NITV was, becomes even more apparent when one considers the decline of such generalised television platforms in the face of the ever–burgeoning media consumer subscription to the choice, diversity and inter–activity offered by specialist online/converged media providers. ICTV ensured interactivity with its producer/audiences through its free–access rule, and was precisely such a boutique, targeted media provider catering to an audience who were disadvantaged in many other respects, and who desired and required the cultural/informational oxygen of ICTV.
It is important to call to mind here, that even before the ICTV signal was switched off, Dr Michael Meadows et al noted the extraordinary consequence of ICTV:

ICTV represents the most significant advance for remote Indigenous communities in the past 20 years in terms of its potential to contribute to the maintenance of languages and cultures, boosting self-esteem and making a significant contribution to reinforcing a sense of identity amongst its diverse audiences. It has already begun to achieve this, according to the audience feedback we have included in our study.\textsuperscript{44}

Lessons highlighted by the \textit{Little Children Are Sacred} Report further underscore the magnitude of the policy error attending termination of ICTV broadcasts. This Report emphasised that “a one-size fits all approach to reform in Aboriginal communities” could not work, and that when dealing with Indigenous communities there was “a need to develop tailored, community-owned solutions rather than impose externally-developed plans.” \textsuperscript{45} The policy revolution that attended introduction of NITV clearly breached such an approach – particularly when one considers the utter disparity of the sectors that this policy sought to amalgamate.

Further, the Report stressed that relationships between Aboriginal and non-Aboriginal people were profoundly affected by the failure of successive governments to “communicate effectively with Aboriginal people in any sustained and focused way”. Submissions to the inquiry stressed that “concepts need to be explained in the local Aboriginal language”. An improvement in community wellbeing and program outcomes would only be achieved, the report proposed, by addressing these chronic communication failures. \textsuperscript{46} Indeed, ICTV was a grass-roots service that was bolstering communications strategies and capabilities in remote communities; who’s programming was largely in the languages of its participatory producer/audiences; and which was perfectly positioned to deliver information that might aide the delivery of government services.

\textbf{Choker on production}

The steady increase in recruitment of new community–based video producers, and rapid growth in volume of remote Indigenous television production after 2002, with minimal resources and funding, was directly related to the fact that this programming was being broadcast free-to-air back into the very network of communities who contributed their programs to the collective schedule. It was the strength of audience responses in the communities that inspired Indigenous video makers to continue their output, albeit on CDEP wages; and for others to seek training so that they too could get stories about their communities on ICTV. The right of each community to contribute was a given. There were no gatekeepers.

Just two months after ICTV’s termination at the 2007 Remote Indigenous Media Festival hosted by the Western Australian based RIMO, \textit{Ngaanyatjarra Media}, the quality and volume of production accrued over the previous year remained impressive. This, however, was the last vibrant flush of production catalysed by the dynamic relationship between media makers and audiences through regular ICTV broadcasts. At Yuendumu in 2008 RIMOs reported a dramatic fall in production output. It had been a very dry year in the last half of 2007 and through 2008 with RIMOs not bringing anywhere near the usual quantity of videos to the Festival for exhibition and competition.
Continuing disarray

The determination of the Indigenous Broadcasting Program (IBP) to shrink remote Indigenous media production to fit NITV, was demonstrated in the last round of funding agreements by IBP’s intention to altogether cease funding (about $70,000 per annum) for the administrative base of ICTV, whose funding expires in December 2008 (petition was made at this year’s Australian Indigenous Communications Association conference to rescind this decision). Moreover, funding of about $120,000 per annum that the IBP has provided to the Indigenous Remote Communications Association (IRCA) has been tied to an express instruction that these funds be expended on activities related to Indigenous radio only – and not Indigenous television. IRCA’s funding agreement also obliges it to undertake discussions with AICA with a view to extinguishing IRCA altogether by combining the two organisations.

The request by the IBP for amalgamation discussions between IRCA within AICA, their proscription of funding for remote television practice, and their resolve to cease funding for the ICTV administration hub, suggests that the policy drive that terminated ICTV broadcasts is alive and well under the current Government. The IBP continues to prosecute its resolve to undermine the ability of ICTV and IRCA to serve the distinct interests of remote Indigenous video makers and organisations across the nation and in so doing has flown in the face of the often-repeated advice that successful and sustainable solutions for remote communities must be predicated on direct local participation and ownership of those solutions.

Meanwhile, at ground zero, Remote Indigenous Media Organisations are also struggling in the policy quagmire following directives that IBP funding NOT be expended in support of video and television production. Some RIMOs are facing the prospect of having to sack media trainers and coordinators who they had employed in previous years to fulfill the hybrid function of both radio and video training, and watch the demise of their video capacity and infrastructure. Some simply do not declare how they are cross-subsidising video through their IBP allocations, while others defy the directives by clearly identifying roles for video coordinators, trainers and production in their funding applications and, presumably because of the varying discretion exercised by disparate state Indigenous Coordination Centres, have been funded for these activities in any case.

The IBP’s difficulty in coming to grips with the plight of remote Indigenous media might be explained by the fact that the RIMO–driven ICTV phenomenon did not grow out of an IBP program, but spontaneously took flame in desert communities with the ignition provided by satellite access and dispersal via Imparja’s, until then, little-utilised second channel. This arrangement was negotiated directly between RIMOs like PY Media, PAKAM and Warlpiri Media and Imparja Television without IBP oversight. Nor was there any dedicated video production funding allocated to this development – remote communities and their media organisations made headway by making the most of resources from within their communities and broader network, by cross subsidising radio funding allocations into video for training and staff resources, and drawing on CDEP for wages. It was only in the final few years, having proven their concept with spectacular success, that the ICTV administration hub was funded by the IBP.

The essence of ICTV’s success came down to the extremely productive relationships that formed between the communities who threw their lot in with the consortium,
and the legendary collaborative relationships between Indigenous media leaders and non-Indigenous media workers and technicians who surfed the television wave that surged out of the desert and the Kimberley. Ultimately, it seems, there was no stake for ICTV within the Ministers office and the IBP, while the NITV model, on the other hand – a model forged under IBP oversight – got full backing. Tragically, the first demonstrative intervention by DCITA and the IBP into the collective remote Indigenous television service, ICTV, acted to terminate it.

**Cooperation between Departments of Government**

Apropos of Departmental responsibility, it is important that we recognise that Remote Indigenous Media Organisations have developed to manage a host of laterally integrated communications, media and information technology functions in the communities they serve – including radio and television production and broadcasting, multimedia and music production, telephony, broadband and internet connectivity – and to deliver both technical services for, and training in the utilisation of all these media and ICTs. These functions do not neatly fall into either the domain of culture, language and arts, on the one hand, or essential communications services, creative industries and the digital economy, on the other. The inexorable trend to convergence of media and ICTs, scales of economy, pragmatism and the successful coordination of all these operations and services, obliges RIMOs to take a holistic approach.

It is for this reason that the relevant departments should work together to take stock of media and communications policy affecting remote Indigenous communities following on the intervention that terminated ICTV broadcasts and delimited video and television funding to the utterly distinct agenda of NITV. The effects of this policy should be reviewed, and commitment to consolidating a policy framework that best serves not just NITV, but ICTV and the vast communications network in the bush, should be made.

**Touched by fire and rain**

I cannot close without tribute to the best of the remote video productions that, in spite of despondency and difficult times for television in the communities, were showcased at Yuendumu in October 2008. They presented a diversity encompassing cultural, music, dramatic, educational, documentary and commissioned video, which reached an apotheosis of expression in the graceful testimony of the PAW Media Oral History series, and the lyrical exposition of Ngaanyatjarra Media’s *Turlku Project*, which was featured at the 2007 Perth International Arts Festival. These and other productions from PAKAM and PY Media recounted hunting and gathering trips for bush food and medicine, journeys into *creation* and country that all at once revealed its condition, whether poor, fecund, touched by rain or fire. The abiding theme of these videos being that of the life of the spirit, intercourse with country, animals, plants; a theme rendered more by the roaming or lingering eye of the camera than editing; and with the cadence of musical and visual rhythms faithful to *Yarnangu/Yapa* cultural sensibility.

These Festival films contrasted radically with the television (ABC, NITV, Imparja) we saw in our Yuendumu lodgings at night. It struck me that the difference between these two styles of TV – the mainstream corporate/commercial/packaged, versus that of desert *Inma* and *Tjukurrpa* TV – was the difference between arbitrary spectacle and variety programming characterised by emphatic, celebrity/presenter–driven
entertainments, on the one hand… and enactment rendering the very country, identity and being of a society, on the other.

No wonder then, that so many attending the Festival considered the fare of NITV hurtful, not only because it had replaced their ICTV and “hidden” it away, but because it projected an indigeneity that had as little to do with their lives and aspirations as the life depicted by mainstream commercial and public TV. Particularly emblematic was the dismayed response of a group of Yarnangu viewers to a program on NITV (Thursday evening, 9 October) that made cutting rejoinder to Prime Minister Kevin Rudd’s ‘Apology’. In the program an Indigenous man tells the viewer that he too is ‘sorry’ that he has lost his land, ‘sorry’ that he has lost his culture, ‘sorry’ that he has lost his family; ‘sorry’ that he has lost his language, and so on. This provoked exasperation in the Yarnangu viewers, perhaps, because it came over the same channel that had once so eloquently and voluminously broadcast the positive expression of their living connection to country, their Tjukurrpa and their language.

Frank Rijavec
28 November 2008

2 For a full account of this history please refer to the open letter I addressed to the Minister for Communications, Information Technology and the Arts in July 2007 – Careless, crude and unnecessary: The launch of NITV over the body of ICTV. An abridged version is available at http://www.onlineopinion.com.au/view.asp?article=6127
3 Formerly Ernabella Video and Television
4 Formerly Warlpiri Media
5 A term used by American anthropologist Eric Michaels in his account, For A Cultural Future, Francis Jupurrurla Makes TV at Yuendumu, Eric Michaels, Artspace 1987
6 The 2006 Review of the Indigenous Broadcasting Program recommended that video funding should not be eligible under the IBP program, despite the fact that video production and broadcasting was a fundamental function of remote Indigenous media. See Part 2 of this report and the Discussion Paper, Review of the Australian Government Indigenous Broadcasting Program, Produced by the Department of Communications, Information Technology and the Arts, April 2006
7 ICTV website: http://www.ictv.net.au/ICTV/ICTV.html
8 The four principal RIMO hubs were: Pitjantjatjara Yankunytjatjara Media, Pilbara and Kimberley Aboriginal Media, PAW Media & Communications (Pintubi, Anmatjere and Warlpiri) and Nganyatjarra Media Association.
9 Address by Pat Turner, CEO NITV to the IRCA/ICTV Summit, Alice Springs, March 21 2007
10 Paul Remati, Deputy CEO/ Director of Content for NITV, in a meeting with ICTV representatives at the 10th Remote Indigenous Media Festival, October 2008
11 The Centre was funded by the Department of Local Government & Regional Development; Department of Infrastructure, Transport, Regional Development & Local Government; Lotterywest; Department of Education, Employment & Workplace Relations; Department of Culture & the Arts; Shire of Nganajurraraku and Goldfield Esperance Development Commission.
12 Ng Media Centre Opening Report, 12 November 2008
17 Sophie Staughton, Staff Member, Warburton Community (Ngaanyatjarra Lands) to Senator Helen Coonan, 15 July 2007
19 Sophie Staughton, Staff Member, Warburton Community (Ngaanyatjarra Lands) to Senator Helen Coonan, 15 July 2007
21 On the record with Kirstie Parker, editor of the Koori Mail, Media Report, ABC Radio National, 2 August 2007
22 Ibid.
23 Larissa Behrendt, Transcript of NITV Launch broadcast, 13 July 2007
24 op cit. On the record with Kirstie Parker: 2007
31 Email from Daniel Featherstone, Media Coordinator, Ngaanyatjarra Media to the author, 16 July 2007
32 Email from Rebecca McLean, former manager PY Media, to the author, 17 July 2007
33 Attacks on NITV unwarranted, By Owen Cole, Rachel Perkins and Patsy Mudgett, ABC On Line, Posted 1 August 2007 – COMMENT by ‘brother from another mother’: Posted 03 Aug 2007
36 Irrunytju Community members talking about ICTV, Belle Karirrka Davidson, Video Transcript by Daniel Featherstone, 5 August 2007
38 Connie Nungarrayi Walit, at the 10th Remote Indigenous Media Festival at Yuendumu, October 2008
39 Simon Fisher, at the 10th Remote Indigenous Media Festival at Yuendumu, October 2008
40 Discussion Paper, Review of the Australian Government Indigenous Broadcasting Program, Produced by the Department of Communications, Information Technology and the Arts, April 2006
42 Ibid.
44 Meadows: 2007
45 Ampe Akelyernemane Meke Mekarle, “Little Children are Sacred”, Report of the Northern Territory Board of Inquiry into the Protection of Aboriginal Children from Sexual Abuse, 2007
46 Ibid.
JULUWARLU'S SCRIPT

This is the Burrup Peninsula.
It is a sacred place to the Aboriginal people of the Pilbara.
We call this place Murujuga.

There may be as many as a million rock carvings on the Burrup
Every one of them tells a story.
Every one has a meaning for what it shows and where it is placed.
There is nothing like this anywhere else in the world.

There is a continuous record of human interaction with the Burrup and its
natural environment that goes back many thousand of years…
…a time before the end of the last ice age.
Back then, the Burrup was a range of hills and the coast was a hundred
kilometres away.

Much later, Dampier Island was to be reconnected to the mainland by a
manmade causeway in the 1960's.

Murujuga is the country of the Yaburara people.

We carry with us the grief and pain that the Yaburara have lost through so
many injustices their traditional customs,
And that so many of the sacred sites of Murujuga have been damaged or
destroyed by unthinking industrial development.

In 2003, an agreement was signed between the Western Australian
Government and the Yaburara, Mardudhunera, Ngarluma, Yindjibarndi and
Wong-Goo-Tt-Oo people.

The Burrup and Maitland Industrial Estates Agreement recognises that the
Aboriginal people are the traditional custodians of the Burrup who have a
sacred connection to this land through custom and culture.

In return, Ngaardangarli accept that new development on the Burrup is for the
wealth and well being of all Australians, and that development must also assist
in building a strong community that will allow Indigenous people to grow in
health, education and prosperity.

You are now part of a partnership between Woodside and the five traditional
owner groups of this region.
This is the Burrup Peninsula.
As a member of the Burrup LNG Park workforce you are a guest on very special country. You have a duty and responsibility to be aware of your surroundings and your role in preserving the land’s history and respecting its people and living culture.
You are now part of this history.

The Burrup Peninsula is a special place to the Aboriginal people of the Pilbara, the Ngaardangarli, who call this place Murujuga.
It is also important to all Australians because it holds evidence of Australia’s very early history.
There is a record of human interaction with the Burrup and its natural environment that goes back many thousand of years…
…a time before the end of the last ice age.
Back then, the Burrup was a range of hills and the coast was a hundred kilometres away.
Much later, as the sea levels rose, the Burrup became an island that was to be reconnected to the mainland by a man-made causeway in the 1960s.

Throughout these changes, Aboriginal people engraved images on many of the hard stone surfaces that are prolific across the region. These engravings are known today as rock art or petroglyphs.
This rich rock art legacy is not the only record of the past….shell middens, camp sites, stone arrangements, quarries and burial places remain
…and the Burrup’s past also lives on in the songs of Aboriginal people from the sea to the desert.

In 2003, an agreement was signed between the Western Australian Government and the Yaburara, Mardudhunera, Ngarluma, Yindjibarndi and Wong-Goo-Tt-Oo people.

The Burrup and Maitland Industrial Estates Agreement recognises that these groups have an important role in the management of this special place.

The Ngaardangarli accept that new development on the Burrup is for the wealth and well being of all Australians, and that development must also assist in building a strong community that will allow Aboriginal people to grow in health, education and prosperity.

This is a new beginning for us all.
**ADDENDUM 8B**

**Ngaarda TV Breaking New Ground – Script**

Ngaarda TV. Breaking new ground. [onscreen title]*

Today is the dawning of a new era. We are creating an opportunity to become recognised, respected and involved in media technology that will deliver our voice throughout this region and send a message from Ngaardangarli that we are doing something positive for ourselves and our communities.

The stone carvers, creating our story. [onscreen title]

This breakthrough is called Ngaarda TV, a television broadcast owned and operated by us, the Ngaardangarli of Roebourne.

Welcome to Ngaarda TV.

In June 2005 Juluwarlu Aboriginal Corporation was granted an Open Narrowcast License from the Australian Broadcasting authority. Juluwarlu Aboriginal Corporation is a not for profit Indigenous community organisation incorporated in the year 2000.

Our vision is to enable Ngaarda, Aboriginal people, to sustain a cultural life in contemporary society. Our organisation seeks to build a capacity to provide a sustainable, professional, institutional structure which reinforces, engages and allows access to Ngaarda heritage, history and language - effectively empowering Aboriginal people and their cultural, artistic, social, economic, political and environmental pursuits.

Roebourne is the oldest town in the Northwest established in 1866. It is the birthplace of the modern Pilbara. It is now the birthplace of Ngaarda TV. Good town, good people, with a bright future. For the first time stories culture and history belonging to the Ngaardangarli of this country will be displayed for all to see broadcast in the living rooms of the Pilbara region.

Looking to the future. [onscreen title]

Our vision for Ngaarda TV is to develop it into something that has a strong connection to the region and its people. Our future goal is to have a Pilbara-wide footprint broadcasting into towns like Karratha, Dampier, Wickham, Point Samson, Onslow, Tom Price, Newman, Paraburdoo, Port and South Hedland, and Marble Bar, and all the Indigenous communities in between.

Ngaardangarli, Aboriginal people with Ngaarda TV are here to build bridges - our stories, your stories, the Pilbara's stories can become our nation's stories. It will teach our culture and the story of evolution and change throughout our history.

* View this 5 minute promotion for NGAARDA TV at: http://www.juluwarlu.pilbara.net/ntv.html
We want to attack and address the issues; promote employment and training; teach respect and responsibilities; building strong families; building opportunities from a community level to give people options; promoting community activities such as sport and recreation; environmental management and protection of heritage sites; promote that schools are cool and that education can change lives; role models are important; our lobbying too to address the condition of housing, drug and alcohol problems and most importantly bring to the surface the reality that Ngaardangarli need to work together to promote change and a way forward to a better life.

We realise that each mile starts with a step, and for our mission to confront and overcome bad Ngaarda statistics will need strong partners and real action. Ngaarda TV is for the community. It needs input from the community, government, industry and local organisations. We are inviting you to help to build our station. An organising committee will be established and overseen by community elders. It is to help guide and support the committee with community issues and cultural sensitivities. You will be working together with a local community group who has the expertise – Juluwarlu media and its award winning team. [Here an image of the Masters Award for Excellence - Employers Of Australian Apprentices, 2006, which was won by Juluwarlu for its achievement in training, is shown.]

Ngaarda TV can promote your core business, your design and your message. You will be part of a team that can only empower communities by bringing them the world of broadcast media and what this media can provide in terms of exposure and impact. [Image of mine site explosion.]

It is only fair to say that Roebourne has had more than its fair share of bad publicity. [Image of a heartbeat sign wave traces across the screen neatly skipping over the broadcast mast on Mount Welcome.]

Ngaarda TV is the life line. Ngaarda TV!
ADDENDUM 9B

Sample Copyright Release Form

JULUWARLU ABORIGINAL CORPORATION
Lot 166 Sholl Street
Roebourne 6718 WA
Tel: 91821497
Email: juluwarlu@bigpond.com

STANDARD PERSONAL RELEASE

In consideration of payment of $................... (receipt acknowledged): I hereby grant to Juluwarlu Aboriginal Corporation (JAC) the right to:

• record me on video, digital stills or sound recordings (“the Recordings”),
• store the Recordings in their archive
• utilise the Recordings for educational purposes on a not-for-profit basis
• edit the Recordings into media programs of any media format
• screen, distribute and broadcast the Recordings on a not-for-profit basis
• license others to use the Recordings in all media throughout the world for educational purposes on a not-for-profit basis, including for the purposes of publicity, advertising, sales and promotion

Reference to “the Recordings” in this Release includes any and all edited electronic media versions made by JAC and including books and pamphlets.

For the purposes of this agreement, usage of the Recordings on a “not-for-profit” basis shall mean that any money paid to JAC for usage of the Recordings must only be used by JAC to cover reasonable expenses incurred in producing educational materials based on the Recordings, or in producing any other works that record, preserve, maintain and promote Yindjibarndi culture.

If money made from dealing in the Recordings is to be used for any commercial or for-profit purposes, or for purposes other than those described above, then a separate agreement covering such usage must be made with me.

Signed:

AGREED AND ACCEPTED BY THE RELEASOR

Print Name:

Address:

Date

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