



LAND USE PROGRAM

**INDIGENOUS MANAGEMENT OF LAND AND SEA
and
TRADITIONAL ACTIVITIES
in
CAPE YORK PENINSULA**

J. Cordell
The University of Queensland
1995



THE UNIVERSITY OF QUEENSLAND

CYPLUS is a joint initiative of the Queensland and Commonwealth Governments

**CAPE YORK PENINSULA LAND USE STRATEGY
(CYPLUS)**

Land Use Program

**INDIGENOUS MANAGEMENT OF LAND AND SEA
and
TRADITIONAL ACTIVITIES
in
CAPE YORK PENINSULA**

J. Cordell
The University of Queensland
1995

CYPLUS is a joint initiative of the Queensland and Commonwealth Governments

Recommended citation:

Cordell, J. eds (1995). 'Indigenous Management of Land and Sea and Traditional Activities in Cape York Peninsula'. (Cape York Peninsula Land Use Strategy, Office of the Co-ordinator General of Queensland, Brisbane, Department of the Environment, Sport and Territories, Canberra, and The University of Queensland.)

Note:

Due to the timing of publication, reports on other CYPLUS projects may not be fully cited in the BIBLIOGRAPHY section. However, they should be able to be located by author, agency or subject.

ISBN 0 7242 6234 2

© The State of Queensland and Commonwealth of Australia 1995.

Copyright protects this publication. Except for purposes permitted by the *Copyright Act 1968*, no part may be reproduced by any means without the prior written permission of the Office of the Co-ordinator General of Queensland and the Australian Government Publishing Service. Requests and inquiries concerning reproduction and rights should be addressed to:

Office of the Co-ordinator General, Government of Queensland
PO Box 185
BRISBANE ALBERT STREET Q 4002

or

The Manager,
Commonwealth Information Services
GPO Box 84
CANBERRA ACT 2601

CAPE YORK PENINSULA LAND USE STRATEGY STAGE I

PREFACE TO PROJECT REPORTS

Cape York Peninsula Land Use Strategy (CYPLUS) is an initiative to provide a basis for public participation in planning for the ecologically sustainable development of Cape York Peninsula. It is jointly funded by the Queensland and Commonwealth Governments and is being carried out in three stages:

- Stage I - information gathering;
- Stage II - development of principles, policies and processes; and
- Stage III - implementation and review.

The project dealt with in this report is a part of Stage I of CYPLUS. The main components of Stage I of CYPLUS consist of two data collection programs, the development of a Geographic Information System (GIS) and the establishment of processes for public participation.

The data collection and collation work was conducted within two broad programs, the Natural Resources Analysis Program (NRAP) and the Land Use Program (LUP). The project reported on here forms part of one of these programs.

The objectives of NRAP were to collect and interpret base data on the natural resources of Cape York Peninsula to provide input to:

- evaluation of the potential of those resources for a range of activities related to the use and management of land in line with economic, environmental and social values; and
- formulation of the land use policies, principles and processes of CYPLUS.

Projects examining both physical and biological resources were included in NRAP together with Geographic Information System (GIS) projects. NRAP projects are listed in the following Table.

Physical Resource/GIS Projects	Biological Resource Projects
Bedrock geological data - digitising and integration (NR05)	Vegetation mapping (NR01)
Airborne geophysical survey (NR15)	Marine plant (seagrass/mangrove) distribution (NR06)
Coastal environment geoscience survey (NR14)	Insect fauna survey (NR17)
Mineral resource inventory (NR04)	Fish fauna survey (NR10)
Water resource investigation (groundwater) (NR16)	Terrestrial vertebrate fauna survey (NR03)
Regolith terrain mapping (NR12)	Wetland fauna survey (NR09)

Physical Resource/GIS Projects	Biological Resource Projects
Land resource inventory (NR02)	Flora data and modelling (NR18)
Environmental region analysis (NR11)	Fauna distribution modelling (NR19)
CYPLUS data into NRJC database FINDAR (NR20)	Golden-shouldered parrot conservation management (NR21)
Queensland GIS development and maintenance (NR08)	
GIS creation/maintenance (NR07)*	

* These projects are accumulating and storing all Stage I data that is submitted in GIS compatible formats.

Research priorities for the LUP were set through the public participation process with the objectives of:

- collecting information on a wide range of social, cultural, economic and environmental issues relevant to Cape York Peninsula; and
- highlighting interactions between people, land (resource use) and nature sectors.

Projects were undertaken within these sector areas and are listed in the following Table.

People Projects	Land Projects	Nature Projects
Population	Current land use	Surface water resources
Transport services and infrastructure	Land tenure	Fire
Values, needs and aspirations	Indigenous management of land and sea	Feral and pest animals
Services and infrastructure	Pastoral industry	Weeds
Economic assessment	Primary industries (non-pastoral, non-forestry)	Land degradation and soil erosion
Secondary and tertiary industries	Forest resources	Conservation and natural heritage assessment
Traditional activities	Commercial and non commercial fisheries	Conservation and National Park management
Current administrative structures	Mineral resource potential and mining industry	
	Tourism industry	

TABLE OF CONTENTS

EXECUTIVE SUMMARY	INDIGENOUS MANAGEMENT OF LAND AND SEA (IMLS) PROJECT <i>John Cordell</i>
INTRODUCTION	INDIGENOUS MANAGEMENT OF LAND AND SEA (IMLS) PROJECT <i>John Cordell</i>
CHAPTER 1	FISHERIES OF THE LOWER MITCHELL RIVER, NORTH QUEENSLAND <i>Viv Sinnamon (Kowanyama)</i>
CHAPTER 2	TRADITIONAL AND CURRENT LAND USE IN THE PORMPURAAW COMMUNITY <i>Jim Monaghan and John C Taylor</i>
CHAPTER 3	REKINDLING CULTURE THROUGH COUNTRY: LAND AND SEA MANAGEMENT OF LOCAL LAND-OWNING FAMILIES AT NAPRANUM <i>Sandra Suchet</i>
CHAPTER 4	A TANGLED WEB: MANAGEMENT OF LAND AND SEA AT OLD MAPOON <i>Peter Cooke and Ricky Guivarra</i>
CHAPTER 5	THE COMMUNITIES OF NORTHERN CAPE YORK (NPA) <i>Susan McIntyre and Shelley Greer</i>
CHAPTER 6	THE SEA OF WAUBIN: CUSTOMARY MARINE TENURE, TRADITIONAL KNOWLEDGE OF THE MARINE ENVIRONMENT, AND CONTEMPORARY FISHERIES PROBLEMS IN THE WATERS SURROUNDING THE KAURAREG ISLANDS <i>Michael Southon and the Kaurareg Tribal Elders</i>
CHAPTER 7	LAND ISSUES AND CONSULTATION: LOCKHART RIVER COMMUNITY <i>Athol Chase</i>
CHAPTER 8	INDIGENOUS MANAGEMENT OF LAND AND SEA PROJECT: COEN ABORIGINAL COMMUNITY PROFILE <i>Coen Regional Aboriginal Corporation (CRAC)</i>

- CHAPTER 9** **LAMALAMA "ONE MOB" FOR LAND: THE PORT STEWART LAMALAMA COMMUNITY**
Diane Hafner
- CHAPTER 10** **LAND AND SEA MANAGEMENT PROJECT: HOPEVALE COMMUNITY PROFILE**
Leslie Devereaux
- CHAPTER 11** **THE CAPE YORK PENINSULA LAND SUMMITS**
Diane Hafner
- CHAPTER 12** **LOOKING BACK, LOOKING FORWARD: OUTSTATIONS AND INDIGENOUS MANAGEMENT OF LAND AND SEA ON CAPE YORK PENINSULA**
Peter Cooke
- CHAPTER 13** **INDIGENOUS PEOPLES' INVOLVEMENT IN TERRESTRIAL PROTECTED AREAS**
John Cordell
- CHAPTER 14** **INDIGENOUS PEOPLES AND THE MARINE ENVIRONMENT OF CAPE YORK PENINSULA**
Dermot Smyth
- CHAPTER 15** **CAPE YORK LAND USE STRATEGY: TRADITIONAL ACTIVITIES PROJECT REPORT**
John Asafu-Adjaye
- CHAPTER 16** **AN OVERVIEW OF THE HISTORY OF CAPE YORK PENINSULA**
Dawn May

EXECUTIVE SUMMARY

INDIGENOUS MANAGEMENT OF LAND AND SEA (IMLS) PROJECT

John Cordell

EXECUTIVE SUMMARY

INDIGENOUS MANAGEMENT OF LAND AND SEA (IMLS) PROJECT

*John Cordell, Director
Community Resource Management Program (CRMP)*

ABOUT THIS REPORT

Overview

The Executive Summary identifies key features of the Indigenous Management of Land and Sea (IMLS) report compiled by a team of consultants co-ordinated by the Community Resource Management Program (CRMP) at University of Queensland. Note that the IMLS was expanded to include the Traditional Activities (TA) Project. CYPLUS originally conceived the IMLS and TA as two separate projects. However, in many ways they complement each other and deal with similar topics. For instance, both aim to shed light on the functions, cultural and economic significance of indigenous subsistence patterns. Ultimately, in consultation with the CYPLUS Taskforce, it was decided that the Traditional Activities report could be appropriately integrated in the framework of the larger IMLS report.

This is a very extensive report; aside from the Introduction, it consists of sixteen chapters, each of which discusses a different topic or community. The report is divided into a collection of community case studies (chapters 1-10), and a group of special topics (11-16) in response to specific tasks and categories of information called for in the Terms of Reference (TOR)(see section 0.2, Introduction). The consultancy manager's observations about the project outlined here are intended essentially as a prologue to the overall study, to illuminate certain complexities surrounding interpretation of the TORs, as well as intellectual and political issues involved in documenting and interpreting indigenous traditions these days in Australia.

The Executive Summary also sketches out important elements of our conceptual framework, approach, and methodology, including considerations relating to conditions and constraints under which the consultants worked in this particular project, and which have a bearing on its scope, limitations, and findings. This is not an 'overview,' then, in the classic sense of a distillation of all the study's major points or providing a breakdown of what can be found in each chapter. In preparing materials and discussing the format for the report with advisers and collaborators from communities and indigenous

organisations, the consultants were instructed not to present findings or draw conclusions

in a conventional dot point summary, but to present the materials in a narrative, more literary style that would encourage readers to look at Cape York Peninsula communities case-by-case. Each community profile, then, is required to stand alone. For reasons that should become clearer in the Introduction, the nature of information in the IMLS report does not lend itself to a synthesis, and the project manager has not attempted one that would either preface or cap the report.

As the IMLS study progressed, CRMP's consulting team felt that non-specialist readers would probably not be familiar with some of the anthropological, indigenous, and policy issues and perspectives dealt with in the case studies and special topics. For example, interpretation of issues surrounding traditional knowledge, indigenous rights, problems of cultural representation, and the politics of cultural information which go to the heart of this CYPLUS project presume a certain amount of background and understanding of technical literature.

The IMLS report was compiled by anthropologists and other specialists whose contributions rely on their long familiarity with Cape York Peninsula and the conditions of its indigenous peoples. However, to guide readers in interpreting the report and to make the consultants' interpretations and approaches more accessible, the project manager felt it would be worthwhile to provide an introductory chapter that would set the concepts and issues in perspective, review relevant literature, including some studies from overseas that seem applicable to the analysis of indigenous resource management issues in Australia.

The IMLS project is a study commissioned by CYPLUS to record how indigenous people manage resources and are mobilising to manage resources for the future on Cape York Peninsula, as they seek to reclaim their land and sea countries on a wide scale.

This project aims to fill a significant gap in the CYPLUS process, in that it is the only study in the Land Use Program exclusively designed to address land use practices and concerns among the Peninsula's indigenous land and sea owners. The report is primarily concerned with cultural documentation of natural resource management practices, and environmental perspectives of indigenous communities in the CYPLUS study area. Over the years, many studies have been carried out by researchers or government agencies that intersect with the themes of this report. CYPLUS, however, provides one of the first opportunities to systematically assess indigenous resource management on the Peninsula as a whole, and to consider sources of cultural variation, patterning, and critical issues within this rapidly changing regional system.

Constraints on Collecting Cultural Information

From the outset, indigenous communities found it hard to identify with, contribute to, or feel much ownership for this CYPLUS project, even though the IMLS study was ostensibly designed to facilitate expression of indigenous perspectives on resource management. In general, as evidenced by confusion people voiced about CYPLUS at the

1994 Land Summit at Malandaji, CYPLUS's regional data gathering and regional planning objectives remain poorly understood by the Peninsula's indigenous groups. As far as the CRMP consulting team is concerned, this problem may have less to do with the mechanics of CYPLUS than a basic incompatibility between CYPLUS's research and information management concepts and priorities, and the laws and principles regulating socio-cultural information and traditional knowledge in indigenous communities (see Edmunds 1994; Williams and Baines 1993; Rose 1994).

Although some councils and indigenous organisations are familiar with research and planning processes, even basic steps, procedures, and rationales for collecting, divulging and sharing natural resources information, and the essential relationship of research to the planning process can appear alien or unnatural to many people living in remote communities. Information itself belongs to individuals who are bound by social and cultural responsibilities as traditional owners of country. Most 'information,' for Aboriginal people, is regarded as cultural, social, and personal; by definition, only certain people have the right to keep it and use it (see Hafner, this volume). The upshot is that substantial information that could reveal more about the nature of indigenous resource management, and which would have been interesting and probably worthwhile collecting for CYPLUS, was restricted.

Different principles and values then, apply to Aboriginal knowledge and information about resources and traditional resource management than in the recording of scientific data for environmental management and planning. These different rules, in indigenous contexts, for accessing, handling, and using information, often phrased in terms of ways in which they contrast with 'Western' science or 'European' concepts, had to be carefully respected in the kind of CYPLUS study undertaken by this group of consultants, where the focus is on documenting indigenous customs.

This issue will be nothing new to anthropologists and other specialists familiar with how things work in Aboriginal societies. However, non-specialist readers, perhaps, should realise that such cultural differences as were encountered in this CYPLUS project constitute very real constraints on the categories of information that could be gathered for the report. These constraints also enter into the format and style chosen for presenting our case studies.

The Introduction goes into some detail on matters such as the 'meaning of tradition,' beliefs and Aboriginal thinking about traditional law and 'country' (sections 0.8 and 0.9). This is to help clarify some of the special problems and issues in cultural translation confronted in this project, and to prepare readers for understanding material in the case studies where such interpretive issues are raised repeatedly.

It should also be noted that CYPLUS, no doubt quite by accident, by requiring the consultants in this study to document indigenous traditions, albeit under the politically neutral-sounding scientific rubric of 'resource management,' in fact plunged us into some of the most intense and complex contemporary debates in social science. These debates have to do with both philosophical and practical matters involved in 'cultural representation' (Keesing 1989; Marcus and Fischer 1986; Peacock 1986; Stocking 1987).

How do we construct our views of others, in this particular case, the indigenous inhabitants of a distinctive region? How do racial and cultural stereotypes affect portrayals of other peoples, the politics of cultural representation? Who has the 'authority' to explain or represent other cultures? Can claims be made and supported that such representations are 'objective'?

In other words, apart from the special conditions referred to earlier affecting access to Cape York Peninsula Aboriginal communities' knowledge and practises relevant to the domain of 'managing resources,' this study could not ignore the post-modern critiques of anthropology over the last decade (e.g. Marcus and Fisher 1986) which may have a critical bearing on the question of objectivity in ethnographic writing and reporting.

Without belabouring this point, it is important to note that the IMLS consultants had to proceed with extreme caution on the question of how to portray and write about Aboriginal communities' resource management traditions today, just as they would if they were dealing with religion or other equally sensitive aspects of culture. Where the authors of various chapters voice qualifications, constraints, and cautionary notes concerning interpretation of findings, statements attesting to the preliminary nature of the work, lack of definitive results etc., these are not attempts to 'beat around the bush' or avoid responsibility in drawing conclusions. Rather, this is very much a reflection of the politics of the times, where in many cases it is not only inappropriate but risky business for anthropologists, and outside consultants generally, to engage in making definitive judgements as to the meaning of other peoples' customs.

The consultants have taken care to place their observations as much as possible in context, providing background for the reader on the relationship each writer has established with the community in question. Individual authors are mindful of the often considerable limitations communities themselves have placed on contributing information to CYPLUS, and the methodological problems of cultural representation noted here.

By far the majority of data presented in these chapters is qualitative and descriptive, and can be thought of as ethnographically factual, but not as 'facts' that can be clearly delineated, substantiated, and separated from 'opinion.' Likewise, it is not always possible under conditions of qualitative research within communities which are collectives to substantiate statements by naming names, pinpointing or revealing sources, except where permission has been given to quote individuals directly.

In view of the constraints noted in obtaining cultural information, it is easy to see how CYPLUS planners could underestimate the time frame required for consultation on resource management issues that would be meaningful and appropriate from the standpoint of communities. As it turned out, the bulk of the research and writing for the IMLS project was carried out over a 5-month period from August - December 1994. The work could only be done within this time frame by mobilising a multi-disciplinary network of specialists who already had access to communities and whose connections in a sense helped to legitimise and keep the project current through their simultaneous involvement in land claims or related research.

In constructing the case studies and special topics, CRMP's consulting team identified a

group of key researchers who were interested in working on the project and who could provide coverage for all relevant Cape York Peninsula communities. Although we were unable to assemble the entire group to discuss the project, during August 1994 CRMP were able to arrange meetings and discussions and seek advice on the conduct of the study from all the potential contributors. From this interaction, CRMP devised a set of guidelines (see Appendix A., Introduction) for the case studies. In November, at the 1994 Land Summit, CRMP's core consulting team held a workshop to review and discuss with community representatives rough drafts of most of the case studies and special topics papers.

Each of these papers was required to stand alone as the product of the respective consultant's work in recording and interpreting resource management traditions and issues within individual communities. Accordingly, from the case studies, readers should be able to glean indigenous peoples voices, meanings and concerns that are reflected in the unique qualities of each place. At the same time, the stand alone case studies, as a collection, maximise the sense of the Peninsula's cultural diversity. Throughout the project CRMP was advised by the Cape York Land Council while researchers were instructed by communities on what should and could be reported and made public on resource management and cultural issues.

Sources of Information

This report is a collective effort; its contributors are key researchers, who, in many cases, have long experience working on Cape York Peninsula, have developed special relationships with individual communities, and who, for now at least, hold the key to translating indigenous perspectives on land and sea. These researchers do not and cannot 'speak for country,' but are often entrusted to advise and represent people in projects like this one which require anthropological or environmental management expertise (e.g. Chase, this volume).

Descriptive and interpretive material in this report represents the views of the consultants designated to write particular chapters. The chapters should not be construed as directly representing the views of indigenous people, communities or organisations on Cape York Peninsula except where people are directly quoted. No consultant here claims to have the last word in interpreting indigenous traditions. The views expressed in the Executive Summary and Introduction are those of the project manager unless otherwise indicated by quotes or citations.

Each chapter is based on a combination of interviews conducted by the consultants, personal field notes, notes from workshops at the 1994 Land Summit, data collected over the years for a variety of research purposes, research and preparation of material explicitly for the IMLS project, and reviews of relevant published and unpublished literature.

Approach

On advice from the Cape York Land Council and key researchers, CRMP took care not to impose a pre-conceived structure and categories on the case studies / community profiles, or to draw specific conclusions, or recommendations. The community profiles touch on history, contemporary ethnography, etc. but it was not possible, nor desirable for that matter, in this CYPLUS Stage 1 project for all the chapters to catalogue and analyse information under a consistent, agreed-upon, set of categories.

Originally, this CYPLUS project was conceived with a view towards creating a record of traditional practices that would stand alongside or in contrast to the practices of government management agencies and the interests of non-indigenous communities on Cape York Peninsula. The notion of creating another CYPLUS data compartment to fill with a cultural 'inventory,' however, was much too abstract. We could have ended up with some inert product, a database communities could not relate to; perhaps something not only inappropriate, but inaccessible.

Care was exercised in this project not to take critical information out of context and put it in western categories or compartments where distortion and inaccuracy in cultural documentation may easily occur. In the past, encyclopedic approaches have reduced living cultural systems to mechanical fragments and anecdotes. In this study traditional resource management practices were not recorded as isolated traits. Narrative approaches used in constructing profiles of communities for this report reflect an effort to retain as much as possible of the original community, social, and natural area contexts where information occurs and is transmitted.

As a consequence, the outcome of this study is not a standard ethnographic survey or catalogue, but a somewhat unconventional anthology of community case studies, depicting local history, special relationships people have with land and sea, and interactions with government agencies and programs which define contemporary management issues. This primarily descriptive material helps capture the sense in which each community is socially and environmentally unique.

Organisation of the Report

After the Introduction, which is a preface for the study as a whole, the report is divided into two sections: community profiles (chapter 1-10) and special topics (chapters 11-16). The case study/community profile section establishes the relationships and cultural understandings that underlie the special Aboriginal and Torres Strait Islander connection with land and sea. The special topics address specific issues contained in the Terms of Reference (e.g. historical economic trends, outstations) and develops some of the principal themes from the issues workshops at the 1994 Land Summit at Malandaji (Rocky Crossing), a sacred site of the Kaanju people on the Wenlock River. The report on the Traditional (non-market) Activities study is included as a special topic chapter (15).

Several notes are in order concerning the project manager's intentions in writing the

Introduction. Rather than reviewing or summarising each paper, the Introduction provides a front-end to the report by highlighting certain perspectives and issues deemed critical in resource management around Australia today. The emphasis given to these perspectives stems from the project manager's understanding of resource management issues internationally and in Australia based on previous policy studies (Cordell 1992; 1994), on relevant literature, and on discussions with the community profile consultants, and participants at the 1994 Land Summit workshops.

The Introduction develops several analytic perspectives and concepts today commonly embraced by indigenous peoples and resource management specialists in talking about the meaning of 'custom,' 'traditional knowledge,' 'community-based' management 'empowerment,' etc (see Dwyer 1994). This terminology and various perspectives on resource management elaborated in the Introduction have been the focus of numerous conferences around Australia and overseas dealing with indigenous peoples issues (e.g. Turning the Tide 1993; Surviving Columbus 1992; Regional Agreements 1994; the Marine Strategy for Torres Strait 1993; the IUCN's IV World Congress on National Parks and Protected Areas, 1992; Australian Anthropological Society Conference, Native Title Session, 1994).

Studies that touch on indigenous issues, human ecology, and sustainable development frequently kindle debates about the management and conservational potential of traditional knowledge-based and tenure-based resource use systems. The Introduction briefly reviews some of these debates and provides an overview of issues surrounding the value and uses of Traditional Ecological Knowledge (TEK).

Project Manager's Impression on Some Key Issues

The appearance of 'sea,' alongside land, in the title and Terms of Reference for this project is a welcome sign that governments are finally beginning to realise that indigenous peoples on Cape York have an irrefutable stake in marine areas and resources. It would have been a grave error to exclude indigenous resource management practices or development aspirations pertaining to the sea in a regional planning exercise like CYPLUS.

The issue of sea rights remains largely unresolved for indigenous peoples. The High Court was not required to make a determination on native title for the waters surround Murray Island in the Mabo Case. However, there is a pressing need for information and understanding of the indigenous peoples' stake in coastal resources at a time when events are swiftly changing the scope of marine management—overfishing crises and the increasing scale of coastal aquatic degradation from land sources; moves to establish national representative systems of marine protected areas; a rush to endorse community-based perspectives without knowing what exactly that means, especially where indigenous coastal peoples are concerned; coastal zone management frameworks that encompass entire regions, the effects of adjacent landscapes, diverse human groups and goals of resource sustainability.

In light of the need to more fully record indigenous interests in the marine environment,

this report includes a special topic chapter on marine resources. Expanding the record of indigenous domains in the sea and involvement in fisheries should help fill in gaps in this crucial and neglected component of indigenous peoples' livelihood. This special topic chapter also outlines some future directions for research, public education about indigenous cultures and the sea, and means to enhance the involvement of Cape York Peninsula remote communities in fisheries and marine conservation.

Overall, these chapters provide substantial evidence that 'indigenous resource management' is flourishing on Cape York Peninsula. Chapter 1, for instance, focusing on Kowanyama, shows that whereas indigenous custom and knowledge have been remarkably resilient over the years, some important new initiatives are emerging, and that resource management is something that has a clear contemporary meaning for people.

On the other hand, many of the case studies also indicate that a significant gap continues to separate what indigenous people regard as their resource management traditions and principles, and the tenets of western biology, law, and economics which determine public policy on environmental matters. This cultural and communication gap is characterised by contrasting values, ideologies, and assumptions about natural resources and environmental processes which have yet to be reconciled in public policy and debates about conservation, development, and indigenous rights in Australia.

The case studies illustrate not only a continuing lack of understanding and recognition on the part of government authorities of the legitimacy of indigenous knowledge and custom in managing resources, but a fundamental lack of integration of the indigenous sector in environmental planning, programmes, and policies (cf. Cordell 1992: 1-15).

Many of the case studies provide examples (see Chapters 3,4,7) of resource management problems and conflicts stemming from what appear to be incompatible beliefs or value systems between indigenous and non-indigenous groups. It is not the place of this report to try to harmonise disparate views or philosophies of resource management. Rather the aim is to provide a first-step ethnographic documentation and explanation (where warranted) of indigenous customs and practises, for without such a basic record little meaningful dialogue is possible between indigenous and non-indigenous stakeholders on resource management issues.

The best estimates indicate that indigenous mixed commercial and subsistence economies do not induce over-exploitation or place unsustainable pressure on resources (more field research would confirm this). Note this is not to say indigenous economies are ready-made vehicles for conservation and sustainable development.

Indigenous resource management could become more effective on Cape York Peninsula if communities had greater decision-making power, more training to improve their own technical capacity in spheres of environmental management, and if local protected area and co-management initiatives, like those originating in Kowanyama (Chapter 1) could be institutionally and financially strengthened.

Loss of traditional land through dispossession, and more recent public domain enclosures (heritage and protected area schemes) means that some communities have less than

adequate territory to carry on their traditions (see chapters 3,4,5,6, and 11, this volume). It is not loss of tradition, but loss of land, and continuing subordination to the policies and agencies of the state that are limiting indigenous resource management capacity at this stage. Many different factors, not the least of which are the ongoing effects of earlier depopulation and removals (see chapters 4 and 9, this volume), compound problems communities face today in managing their countries.

A variety of study limitations described above meant this report could be neither definitive nor as comprehensive as the consultants would have liked. CRMP raised these issues in the proposal accompanying its bid for the project and in subsequent discussions with the Taskforce regarding the Terms of Reference. On the other hand, we consider the report to be informative and illustrative, highlighting many of the social and cultural reference points for the evolving debates on resource management that increasingly encompass indigenous communities on Cape York Peninsula.

Thus, along with its data-recording services for CYPLUS, the IMLS study, at some basic level, seeks to increase cultural awareness, to demystify indigenous resource management, and combat some pervasive misconceptions concerning indigenous peoples and environmental issues (see Dwyer 1994; Pearson 1990; Ponte et.al.1994). We direct the report to Aboriginal and Torres Strait Islander communities and organisations, but also to multiple, non-indigenous audiences, by no means confined to CYPLUS: especially to planners and policy makers, applied researchers, conservationists, management authorities, lawyers, and scientists, whether or not they have an abiding interest in the specialised matters being investigated here.

In conducting this project, the consultants have marshalled a wealth of information which, on balance, in the project manager's view, documents and supports indigenous peoples' aspirations for a much more substantial, legitimate, decision-making role in managing the resources of Cape York Peninsula than has been the case in the past.

In examining this study we encourage readers to take a fresh look at the subject of indigenous resource management, listening to what the case studies have to say, and letting communities begin to establish their own critical perspectives and articulate what they perceive to be the problems and issues.

One measure of this project's utility is whether it can be used to facilitate, even to a limited extent, an improved dialogue between indigenous communities and government agencies which could open some new ground to negotiate on management issues at hand, be they fisheries, marine protected areas, national parks, mining leases, or land claims. The report includes a special topic chapter on national parks and protected areas, where there is an urgent need for a better dialogue and cross-cultural understanding.

References

Dwyer, Peter D. 1994. "Modern Conservation and Indigenous Peoples: in search of wisdom." *Pacific Conservation Biology*. Vol. 1:91-97pp. Surrey Beatty & Sons:

Sydney, 1994.

Edmunds, Mary (ed). 1994. *Claims to Knowledge, Claims to Country: Native Title, Native Title Claims and the Role of Anthropologist*. Native Titles Research Unit, AIATSIS: Canberra. 61pp.

Keesing, R.M. 1989. Creating the Past: Custom and Identity in the Contemporary Pacific. *The Contemporary Pacific*. Vol. 1: 19-42.

Marcus G. and M. Fischer. 1986. *Anthropology as Cultural Critique: An Experimental Moment in the Human Sciences*. Chicago: U. of Chicago Press.

Peacock, James. 1986. *The Anthropological Lens; Harsh Light, Soft Focus*. London: Cambridge University Press.

Pearson, Noel. 1990. Black, Green, and Red(neck): A Response To Recent Criticisms of Aboriginal Interests in National Parks. Paper presented at Cross Cultural Management of Natural Resources Semins. Oct. 3. Cape York Land Council.

Ponte, Fernando, Helene Marsh and Richard Jackson. 1994. "Indigenous Hunting Rights: Ecological Sustainability and the Reconciliation Process in Queensland." *Search* 25(9):258-261pp.

Rose, Deborah Bird. 1994. "Whose confidentiality? Whose intellectual property?" *Claims to Knowledge, Claims to Country: Native Title, Native Title Claims and the role of the Anthropologist. Summary of Proceedings of a conference session on native title at the annual Australian Anthropological Society, University of Sydney, 28-30 September 1994*. Mary Edmunds (ed). Native Titles Research Unit. AIATSIS: Canberra.

Stocking, G. 1987. *Victorian Anthropology*. New York: The Free Press.

Williams, N.M. and Baines, G. (eds). 1993. *Traditional Ecological Knowledge: Wisdom for Sustainable Development*. Centre for Resource and Environmental Studies, Australian National University: Canberra.

INTRODUCTION

INDIGENOUS MANAGEMENT OF LAND AND SEA (IMLS) PROJECT

John Cordell

INTRODUCTION

INDIGENOUS MANAGEMENT OF LAND AND SEA (IMLS) PROJECT

John Cordell
Director
Community Resource Management Program (CRMP)

CONTENTS

0.1	Objectives	0-1
0.2	Terms of reference	0-4
0.3	Constraints	0-5
0.4	Approach	0-6
0.5	Reclaiming CYPLUS	0-9
0.6	Background issues and concepts	0-10
0.6.1	Land rights, land claims and indigenous resource management	0-10
0.6.2	The interface between indigenous rights and state controls	0-11
0.6.3	Realignment of power and power-sharing in managing resources	0-12
0.7	Integrating three perspectives	0-14
0.7.1	The analytical perspective (a): Cultural adaptation	0-15
0.7.2	Analytic perspective (b): Common property management frameworks	0-16
0.7.3	The political context: environmental policy, regulations and the politics of information control	0-17
0.7.4	Indigenous initiatives in planning	0-17
0.8	Interpretive issues: tradition and change	0-19
0.8.1	Natural born conservationists or environmental villains?	0-19
0.8.2	Traditional ecological/environmental knowledge (TEK)	0-20
0.8.3	Ongoing definitions of 'tradition' in resource management legislation	0-22
0.8.4	Aboriginal perspectives on tradition	0-24
0.9	Indigenous resource management principles and perspectives in the IMLS community profiles	0-24
0.10	References	0-28

INTRODUCTION

INDIGENOUS MANAGEMENT OF LAND AND SEA (IMLS) PROJECT

In view of the specialised subject matter and extensive ethnographic coverage in this report, the project manager felt it would be advantageous to provide an introductory chapter to explain more of the conceptual framework for the project and to assist readers in interpreting the community case studies and the narrative style in which they are presented.

In fact, many of the critical perspectives and accounts of Aboriginal traditions and customs on Cape York Peninsula are already well established in anthropological and other scientific writing on the area (e.g. Chase and Sutton 1981; Rigsby and Williams 1991; Sutton 1994).

Substantive issues and points emphasised in the sections below are derived from four main sources: analysis of historical and contemporary ethnographic studies; consultations with indigenous people living in communities carried out by CRMP staff and the IMLS consulting team; discussions with participants at the 1994 Land Summit; and review of Australian and international literature on indigenous peoples and resource management. It should be noted that key issues concerning traditional knowledge, the concept of cultural adaptation and common property resource management raised in the Introduction and chapters to follow have not emerged solely in the context of research for this CYPLUS project but are basic to much of the fieldwork and policy studies now being carried out on indigenous resource management in the rest of Australia and worldwide (see Berkes 1989; Cordell 1993; Drewien and Richardson 1994; Dwyer 1994; McCay and Acheson 1987; Stone 1991).

0.1 Objectives

The IMLS study objectives are twofold:

- (1) to provide a level of cultural documentation focusing on communities in the CYPLUS study area, a record capable of becoming public knowledge, which communities are comfortable with, that will enhance appreciation of indigenous knowledge, principles, and practices in managing resources and;
- (2) to identify trouble spots and issues, as they arise in case study/community profile narratives, and special topics which could form the basis for continuing research, dialogue, and negotiation on resource management issues.

Objective (2) is designed to strengthen a long-range process to advance indigenous empowerment in the realm of environmental management which is taking shape around Australia in the post-Native Title era. There is widespread support for this process as evidenced by strategic planning among land councils and other indigenous organisations (e.g. development of the Marine Strategy for Torres Strait, submissions to the Coastal Zone Inquiry (see Smyth 1993)). Recent workshops and conferences have placed the matter of enhancing indigenous rights and involvement in resource management high on their agendas (e.g. the Regional Agreements in Australia workshop held in Cairns in 1994; Turning the Tide conference held in Darwin in 1993).

Readers expecting to find in these pages, raw, encyclopedic, ethnographic data, quantitative data on Aboriginal subsistence, lists of species and resource locations, cultural traits, etc., neatly compartmentalised and mapped in GIS layers, will be sorely disappointed. Instead, the community profiles and special topics invite the reader to consider another invaluable kind of data: indigenous concepts and insights into land, sea, and nature. This way, by revealing more about the internal workings of indigenous knowledge systems, it is possible to understand why conflicts occur when peoples' local systems collide with official, imposed management frameworks, and why a far greater and more sensitive cultural awareness is needed on the part of management authorities, if they are to establish better working relationships with communities, and earn their respect.

All resource management today in Australia, not just indigenous concerns, is politicised and problematic. There are many ways to conceptualise and shed light on this. In interpreting this report, it is useful to grasp the wider context of cultural politics and human rights and environmental initiatives taking shape in Australia (Brennan 1992; Stanton 1992; Toyne 1994) and internationally (Berkes 1989; McCay and Acheson 1987).

In embarking on this project, it is necessary to reiterate things that have been said over and over again about patterns of colonial domination and cultural resistance (Brennan 1992; Pearson 1990; Ponte 1994; Rigsby and Williams 1991). Having made progress in some areas of land rights, indigenous groups are now actively contesting the terms of their subordination on resource management fronts, all over the world (Cordell 1993; Woenne-Green et. al. 1994). This struggle is against ever greater enclosure of indigenous homelands in state-managed and regulated commons, a constant tendency to overturn indigenous communal tenure in the name of conservation or to subvert it to development schemes (Berkes 1989; The Ecologist 1993).

Governments approach resource management with priorities in mind for nature conservation and ecologically sustainable development (ESD), which don't always include, and are not necessarily compatible, with land and social justice. Indigenous hunting and gathering rights, for instance, and other social variables may be acknowledged in conservation programmes, provided they don't conflict with ESD principles (see Woenne-Green 1994). These converging, often competing, perspectives are elaborated in section 0.4 below.

Chapter 11 of this report is devoted to the 1994 Land Summit, sponsored by the Cape York Land Council. Activities and exchanges at the Land Summit brought together an estimated 400 people from throughout the Peninsula and included a workshop organised by the IMLS team. This provided critical exposure for the project, a chance to explain its goals and differences with respect to other CYPLUS studies, and an opportunity to consult widely.

The Land Summit proved to be a catalyst, enabling the consulting team to attempt to reformulate the IMLS in a practical, problem-solving context, more in keeping with plans and aspirations of communities. It was an opportunity to narrow down the issues and the range of situations which generate them.

Peoples' resource management worries seem to centre on a relatively limited number of issues: management implications of the outstation movement, of land claims, national parks, fisheries and marine areas, and rangers. These essentially correspond to the group of special topics presented in chapters 11-16 of our report. Workshops at the Land Summit, particularly in relation to rezoning of the Great Barrier Reef Marine Park, reinforced our decision to develop a special topic on marine resources (see chapter 15). In addition, we felt the high stakes and increasing complexities in asserting and defending indigenous interests in national parks warranted a chapter on protected areas, reviewing their history, and to provide perspective on future directions and options.

The topic of rangers and the TAFE College Ranger Training Program emerges as a significant issue in this study, and was addressed at the Land Summit. Unfortunately, time and resources did not permit us to fully develop the critical, broad-canvas, perspective on this topic that is badly needed. Various chapters contain commentary and some analysis of issues surrounding rangers (notably marine resources, outstations, and the Kowanyama case study). We refer readers to a recent review of the TAFE Program (Birckhead and Wallis 1994). Also, a background paper on the Community Ranger Program produced in the course of the IMLS project by Susan McIntyre is on file and available through CYPLUS.

Many of the case study/community profiles offer evidence to constructively contest the overall rationale, authority and domination of management agencies in the tactics used in continuing to impose regulations on Aboriginal communities. Many groups have limited experience dealing with Government agencies on environmental issues and are ill-prepared, and too poorly resourced to effectively represent their interests in consultations with agencies on matters such as protected area zoning and wildlife management. Few community councils and indigenous organisations can begin to keep pace with the machinery of government planning and ever-changing laws, regulations and conservation agendas. This means communities are often unable to effectively mobilise in order to express their views in public participation processes such as CYPLUS or to respond to government initiatives. Factors such as inadequate access to information about government-sponsored projects, new legislation, and lack of understanding of government programmes which tend to limit community participation were discussed in the IMLS Workshops at the 1994 Land Summit. Resolutions from the various Land Summit Workshops on file at the Cape York Land Council and the consultants' observations, notably in chapter 12 (Outstations); chapter 13 (Protected Areas); and chapter 14 (Marine

Resources) of this report strengthen the case for expansion of Aboriginal control of resource management on Cape York Peninsula.

Finally, it is important to point out that these essays and ethnographic chronicles are not concerned with the legal aspects of acquiring land, perusing claims, etc. Legislation is discussed only in as some of it causes or stands to create serious problems when it impinges on contemporary indigenous practices and livelihood.

CRMP stated in its proposal to undertake this project what could be considered to be a desirable outcome: if the records compiled can be used and shared in such a way as to open up new opportunities for owner-led, community-based resource management on Cape York, where government programs could be better designed to strengthen, rather than displace or subordinate indigenous self-management and self-governance institutions. At the conclusion of the study we feel this is still worth pursuing in the sense of an ideal or aspiration, that could be advanced perhaps in further stages of CYPLUS or related regional planning exercises. But actual, workable mechanisms and methods to facilitate the increased involvement and control people want in managing local resources have yet to be identified, whether for Cape York Peninsula as a whole or for specific sites or indigenous groups.

In the course of research for many of the chapters to follow, the consultants recorded considerable distrust and frustration within communities concerning past or current land-use policies. In practical terms, then, problems and criticisms expressed in the various case studies illustrate just how far apart are the ideals of community-based management and the realities of living with government regulations and nature conservation programmes. Few communities were interested simply in providing CYPLUS with a record or catalogue of their traditions; the consultants were asked repeatedly to write about peoples' frustration with government agencies that do not yet show respect or understanding for their rights in traditional land and sea countries. This is very much an exploratory report, but it sends a clear message from communities that much more extensive consultation on resource management issues than was feasible during CYPLUS Stage I is needed before government agencies, indigenous peoples, and non-indigenous user groups can be brought into cooperative frameworks that will work to sustain Cape York Peninsula's land and sea habitats.

0.2 Terms of reference

Guidelines for the CYPLUS Indigenous Management of Land and Sea (IMLS) Project called for:

- * a register of current and potential initiatives by Aboriginal people and Torres Strait Islanders in Cape York Peninsula to use and manage land and marine resources

- * a report giving a broad overview of issues on a regional basis that:
 - identifies issues in indigenous management of land and sea,
 - reviews existing information about traditional management practices, patterns of resource use and responsibilities
- * a feasibility study into facilitating and assisting Aboriginal and Islander communities to develop community-based management of land and marine resources throughout the Peninsula, and creation of employment opportunities.
- * a report on historical trends of the contributions of Aboriginal and Islander people to the regional economy.

0.3 Constraints

The project was carried out to achieve the broad aims required by the consultancy. At a glance these appear relatively straightforward. However, many different themes and discourses revolve around 'traditional resource management,' a topic that is very open to interpretation and can easily branch in many directions. A certain latitude was necessary in translating the terms of reference into a feasible project.

We took pains to design a study that would not oversimplify and compartmentalise the complex association between resource management, tenure systems, traditional knowledge, tribal law and social processes. Adopting a narrative, case study approach enables the authors to make the most of qualitative data and adhere as closely as possible to indigenous meanings.

It is important to be clear that the views in this report are those of the consultants only who were commissioned to write the various sections and chapters. They are not statements issued by community representatives, except where individuals or organisations are directly quoted. Materials in this report should not be construed as reflecting official policies of any Aboriginal community, Land Council, corporation or organisation, except where publications already in the public domain are cited. There are no quotes from restricted documents, unless specific permission to quote has been granted.

Again, the information and views in this report are presented expressly to document indigenous community practices and perspectives relating to managing resources. As noted, land rights and resource management issues are interconnected. However, this report is not written on behalf of, nor intended to involve in any way, any specific land claim or claimant group.

On the other hand, much cultural information in Aboriginal communities is privileged and confidential, and subject to legal concerns and sensitivities associated with current land claim processes. To varying degrees, depending on the community in question, this curtails the categories of information and level of detail deemed appropriate for presentation in this study. The authors have sought advice, consulted with, and respected

the wishes of communities, elders, councils, traditional owners, and individuals in regard to collecting, sharing, and using cultural information in this report. To the best of our knowledge, there is no restricted ethnographic material, no mapping, no GIS, or locational data used in the report that is not already public knowledge or otherwise acceptable or appropriate for release in the public domain as far as communities are concerned.

Apart from increasing complexities surrounding uses of certain domains of cultural information (notably kinship, cultural sites, and certain categories of resource knowledge pertaining to the location, boundaries, and rights to traditional countries) the most severe constraint in this consultancy boils down to lack of time. This is not an apology in advance for any shortcomings. Rather it goes to the core problem of 'consultation' in the design and implementation of projects involving indigenous communities—that is, the failure of planners to allocate sufficient time to properly establish contact and rapport with communities on projects that directly concern them.

Consultation is often phrased as the problem of 'gaining access' (the requisite permission from councils, Aboriginal organisations, corporations, etc.). Yet access or consent is something altogether different from genuine collaboration, and active endorsement, where people can foresee benefits in participating in a project. Similarly, approval or support for a project from a land council or community council may be a necessary but not a sufficient condition for conducting research in indigenous communities. It is definitely not a short cut to gaining access. For meaningful consultation to occur on virtually anything pertaining to traditional land and sea resources, contact must be made appropriately with the 'traditional owners' of a country, a process which can be very time consuming and which seldom lends itself to the kind of rapid appraisal methods and time frame driving many of the CYPLUS surveys, including the IMLS project.

Constraints on the schedule for this study also meant it was not possible to complete any formal, consistent manuscript review process for all relevant communities. However, draft community profiles have been reviewed notably by councils at Napranum, Kowanyama, Horn and Prince of Wales, Injinoo, and Coen (CRAC). All of the case study authors have either formally sought approval and permission from appropriate sources within communities to develop the profiles (chapters 1-10) for this particular CYPLUS project, or they have authority to write about communities through relationships of long standing, as in the case of Lockhart River (see Chase, this volume). As previously mentioned, IMLS consultants had a chance to get substantial feedback on the project by introducing it and outlining procedures and goals in a workshop for a representative cross-section, and sizeable gathering of indigenous groups at the 1994 Land Summit.

0.4 Approach

The matter of consultation brings up the question of the extent of coverage in this report on communities in the CYPLUS study area. This report can be viewed as providing a geographically ample, but culturally limited, preliminary survey of indigenous land and sea interests in the region in question.

Note that the report is community-focussed; it is not based on tribal or language groups. Most important, the report has no pretensions of identifying and cataloguing anything even close to the total range of Aboriginal and Torres Strait Islander land and sea interests on Cape York Peninsula with all the intricacies of social organisation, settlement patterns, and population shifts this implies.

Instead, we have concentrated principally on the Deed of Grant in Trust (DOGIT) communities, which have become established reference points from a Queensland Government standpoint, and which are in themselves incredibly complex, composite entities (see Department of Family Services 1991 listing of DOGIT communities, indicating origins of residents).

On the question of gaining access to communities, in light of the difficulties noted in the preceding section, CRMP staff chose to rely heavily on previous work and active cooperation of key researchers familiar with Cape York Peninsula, most of whom were already well-known to communities. This strategy essentially involved tapping into and incorporating the work of ethnographers and other specialists who have gathered much of the information on traditional subsistence and related topics over the years, including unpublished data.

Ultimately, this study was able to assemble profiles of all groups designated as communities in the CYPLUS study area except Aurukun and Wujal Wujal. The IMLS project was never able to secure or make a final determination concerning Aurukun's interest in being represented in this particular CYPLUS study, attributable in part to ambiguities and conflicting interpretations of developments and cultural sensitivities surrounding the Wik Claim. In lieu of a case study, we refer readers to the excellent recent article by Sutton (1994), "Material Culture and Tradition of the Wik, Cape York Peninsula" which looks as if it were tailor made for the IMLS project. Regarding Wujal Wujal, the few specialists who could have worked with the community to produce a sufficiently detailed, accurate profile were simply unavailable due to land claim commitments. This was unfortunate, but should not be interpreted as reflecting a lack of desire on the community's part to participate in CYPLUS. In the Wujal Wujal case, interested readers would be advised to consult a previous study by Anderson and Coates (1989).

One indication of the sheer complexity of this project, in light of the need to achieve some sort of reasonable regional coverage in a short time, is that the research and writing tasks depended on more than 20 contributors. One result is unevenness, particularly in the community profile section. No two essays in this section are alike, and each author pursued themes that help distinguish the community in question.

The Pormpuraaw study is a glimpse of the future, or what potential the future holds if Geographic Information System (GIS) techniques and applications can be transferred to enhance indigenous-controlled land management: cartographic empowerment at work. At Kowanyama the future is happening now, as the community consolidates control of its lands and fisheries, through various innovative local resource management initiatives, reinforced by its ranger program. The key word at Kowanyama is that indigenous management is contemporary, not traditional. Development of an on-site GIS is also

underway at Kowanyama. The piece on Lockhart River illustrates the fundamental problems of social inequality that have plagued the community's history of consultation with government agencies on resource-related issues. The Napranum case study focuses on the disjunction between Comalco employees' versus Aboriginal perceptions of the local environment, the kind of disjunction which can carry over into resource conflicts.

Overall, the range of case studies and special topics in the report attest to the vitality and striking cultural diversity of Cape York Peninsula's indigenous societies. This is reflected in the great variety of micro-environments people utilise for ritual and economic purposes, and in the indigenous initiatives which are gaining momentum—from rubbervine eradication at Glengarland (Cooke, this volume), to Kowanyama's fisheries closures and leadership in catchment management, to Injinoo's nature tourism ventures and exploration of regional agreements.

To assist the consultants in compiling the case studies, CRMP sent each contributor a set of guidelines and instructions consisting of 10 points (see Appendix A.). The aim was not to achieve consistency, as we felt it would be counterproductive to pre-empt the IMLS study designed to elicit indigenous perspectives with a strict pre-conceived set of categories. However, we wanted to see if it was possible to elicit some common themes without detracting from the distinctive circumstances of each community featured in the case studies.

In fact, a number of common themes run through the community profiles: contrasts and correspondences between indigenous knowledge and western science; a pervasive sense in many communities that Aboriginal people are disempowered and unable to 'call the shots,' even when it comes to taking care of one's own traditional country; troubles with government agencies and programmes, notably national parks and fisheries (illustrating the need to build capacity to deal with government agencies as a critical aspect of strengthening communities' capacity in fields of resource management); conflicts between Aboriginal and non-Aboriginal tenures; and indigenous peoples' concerns about the motives of researchers, and difficulties in trusting outsiders, particularly in sharing local knowledge.

A special challenge in the IMLS project was to devise a unified framework to take into account entities and approaches often regarded as mutually exclusive or conflicting: land and sea, indigenous and western science, anthropology and biology, the grassroots level and the top-down, participatory, community-centred approaches capable of protecting indigenous customs, rights, and territories versus regional ecosystem strategies and biodiversity priorities, ordinarily thought of as purely government domains.

For the reasons and limitations discussed here, the information in the report cannot be considered definitive or conclusive; the case studies aim to be fairly comprehensive but are in no way exhaustive, or completely representative.

0.5 Reclaiming CYPLUS

Naturally, land claims and winning back the land take precedence for indigenous peoples and Land Councils on Cape York Peninsula today. Under these conditions, some communities perceived that being asked to contribute to CYPLUS' regional data gathering and land use planning activities was putting the cart before the horse. Achieving formal recognition of ownership rights to traditional countries was clearly primary; planning for land management, in as CYPLUS could be seen as furthering such a process, was secondary.

To a certain extent events have overtaken and upstaged CYPLUS. The timing of the IMLS project was problematic as the Land Use Program did not get into full swing until after the Mabo decision. A radically altered political landscape prevails today, compared to 1988-89 when CYPLUS was being conceived. For example, the 'cultural resource management' terminology of initial phases of CYPLUS planning does not begin to cover indigenous resource management aspirations today. Increasingly, we should no longer speak of 'traditional' fishing, but 'indigenous fishing' (see Sinnamon, this volume). Likewise, what determines and designates whether or not something qualifies as 'traditional' is not the technology used, but the intent of a given practice, and peoples' own interpretations of their traditions and customs.

Cultural politics in Australia have entered a dynamic phase in the wake of the Native Title Act, the ESD and Social Justice initiatives, and the ascendance of strong land councils to defend indigenous rights and interests. This work and commitment of the Cape York Land Council is exemplary in this regard.

Several developments, in particular land claims processes in Queensland, had to be taken into account in the IMLS project because of possible conflicts, and legal repercussions involved in collecting and using particular categories of cultural information. Much of the information CYPLUS was designed to collect and manage in a central database as 'indigenous resource management knowledge' is regarded by communities and land councils as sensitive, and some information pertaining to traditional resource ownership and clan estates is 'off limits.' These events are gradually leading to new standards of accountability for researchers working in indigenous communities. While CYPLUS Stage 1 had little flexibility to be responsive to the changing complexion of the cultural and political landscape, Stage 2 could be a different story (see resolutions regarding CYPLUS, 1994 Land Summit).

Paradoxically, complex regional planning frameworks like CYPLUS may provide more latitude for incorporating indigenous perspectives and involvement than the programs of long standing resource management line agencies. Experience has shown in certain situations in Australia and overseas (Stone 1991; Brown and Wyckoff-Baird 1993; Cordell 1994; Smyth 1993; Richardson, Craig, and Boer 1994) that decision-making about new zoning, and the broad, intersectoral scope of regional planning processes can open up new opportunities and flexibility to negotiate resource management arrangements with indigenous groups, linkages which would not ordinarily be possible within the agendas of specialist agencies which by definition are charged to uphold the status quo. Under

certain conditions, these new linkages and avenues could provide the building blocks for community-based, indigenous resource management.

The question is whether, assisted by this report, which might be viewed as a kind of minority report within CYPLUS, the indigenous peoples of Cape York Peninsula can reclaim a bit of CYPLUS? Whether they can stake out a space for themselves in this and other projects, that can continue to grow into a process of empowerment in the arena of environmental management and planning, an arena hitherto dominated almost totally by non-indigenous agencies and public servants, and where power is wielded and can potentially be abused under the pretext that environmental problems require mainly 'technical' or 'scientific,' not social or political solutions.

0.6 Background issues and concepts

0.6.1 Land rights, land claims and indigenous resource management

It is easy to get lost in the maze of issues revolving around resource management. Some important distinctions and clarifications are helpful in introducing this study with respect to 'land rights,' 'land claims,' and 'indigenous resource management.' As stated earlier, this report is not directly concerned with land claims and their attendant legalities and complexities.

On the other hand, land rights, and questions of security of tenure especially, have critical implications for sound management of natural resources. Some of the most significant land management agreements yet negotiated between government and indigenous groups in Australia, provisions for joint management of Parks in the Northern Territory (Nitmiluk, Kakadu, Uluru, and Cobourg Peninsula), are based on the fundamental principle of Aboriginal land ownership.

Not only legislation for maintaining national parks, and conditions set down for claiming national parks under the Queensland Aboriginal Land Act, but most land claim processes require preparation of some form of management plan at some stage. Implementation of these plans affects many basic things that indigenous people care about: access to traditional country, use of livelihood resources, settlement patterns, population movements, prospects for enterprise development, and outstations.

In Queensland, a host of acts (sections of the Community Services Act, Nature Conservation Act specifying management principles for parks, the Queensland Fisheries Act, 1976, legislation underpinning the Great Barrier Marine Park Authority (GBRMPA)) impinge and often encroach upon a wide range of indigenous interests in managing cultural and natural resources. However, Aboriginal and Islander people have had virtually no input in developing these management principles, aside from perfunctory consultation. They end up simply having to live with imposed regulations. A case in point is the management regime for the Great Barrier Reef Marine Park, Australia's showcase multi-use protected area. GBRMPA has been managing Aboriginal marine estates within its jurisdiction since 1975 without formally recognising them in any manner, and in spite of a series of studies commissioned by GBRMPA itself which

recommend recognition of customary knowledge and marine tenure principles as a framework for managing Aboriginal coastal domains (Smith 1987; Cordell 1992:30; Smyth 1992; Bergin 1993).

Matters of indigenous resource management are no longer localised or confined to taking into account "traditional knowledge." They are scaling up and moving into an entirely new phase of regional planning. Systematic environmental planning and drawing up management plans as an integral component of claims appears to be the wave of the future. The question of how people are going to defend their rights and interests in various legislative initiatives and in regional planning in general is a pivotal one for the peoples of Cape York Peninsula.

Among other things, the proliferation of land claims creates a demand for western resource management expertise which communities cannot begin to meet from within their own resources and organisations. It is not unusual for Land Councils to advertise not only for the anthropologists or lawyers, but for a variety of environmental planning, land use, and biological specialties. Currently, there is a critical under supply of skilled personnel in these areas. How are Cape York Peninsula's indigenous land and sea owners gearing up to cope with 'planning' and developing the capacity to deal on an equal footing with government agencies? Various case studies and papers in this report address the dilemma.

At some basic level, then, land claims, land rights, environmental management and regional planning are all interwoven. The studies in this report are very much concerned with the expression of indigenous rights, broadly speaking, in all phases of environmental management, as planning frameworks grow ever larger, more complex and sophisticated.

0.6.2 The interface between indigenous rights and state controls

Managing resources sustainably means understanding natural processes in order to monitor and adjust human impacts on the environment--something far easier said than done. The crunch lies in coming to grips with and coping with natural processes, including the flow of people across boundaries. Boundaries that people and governments construct are rarely designed to enhance management of resources or conform to natural boundaries. Almost all resource management, then, is in a sense regional and must traverse artificial boundaries. States tend to see what happens at the regional scale as where they have to step in to exert their powers to control local development processes that can and do turn environmentally destructive.

In one way or another, most of the studies in this report are concerned with this institutional borderline or intersection between the local and the regional, between indigenous domains and resource/environmental jurisdictions claimed by the state. This nebulous, shifting area of public policy involving administrative borders and spheres of authority is one of the boundaries Australia appears to be trying to redraw and renegotiate with its indigenous peoples by instituting reconciliation. Indeed, among the central issues the Council for Aboriginal Reconciliation identified, is the need to recognise the importance of land and sea country to Aboriginal and Torres Strait Islander peoples, and

to improve the relationship between indigenous groups and the wider community (Ponté et. al. 1994: 258).

In resource management and conservation circles, self-management, self-governance, and self-determination are practically becoming household words. Nearly everyone pays lip service. But how all the words and policies translate into gains on the ground is another question. The Queensland government is putting more parks on the books, without the capacity to manage them (see Protected Areas chapter), seemingly oblivious to the benefits to the State in empowering indigenous landowners as managers (note this is not synonymous with 'rangers'). There are compelling economic, political-administrative, and ecological arguments why indigenous owners of today's protected areas should have decisive powers, not cursory 'involvement' in managing their ancestral territories. International support for this position, on both legal and common property resource management grounds, is now well established (Bergin 1994:4-14; Cordell 1992,1993).

0.6.3 Realignment of power and power-sharing in managing resources

Encouraging equitable community participation in the way resources are managed is not something that can automatically be legislated. Balancing local concerns, often geared toward the short term, and state perspectives, geared to more long term planning, is hardly ever comfortable or easy. The power equation is lopsided in favour of government. Social inequality in managing the environment is not something that is naturally self-correcting.

The concept of 'co-management' is at the forefront in the search for new paradigms and alternatives to restore equity to resource management systems (Pinkerton 1989; see also Smyth, this volume). The expression of this theme in Australia takes the form of 'joint management.' Various communities featured in chapters 1-10 of this report are experimenting with what could be called forms of co-management, (e.g. Kowanyama), or they will soon have to consider 'joint management' proposals put forward by government (e.g. in the upcoming rezoning of the Far Northern Section of the Great Barrier Reef Marine Park).

Regardless of the specific form it takes, co-management implies altering the status quo of how power and authority in managing resources is allocated between the centre and periphery of a system, in order to fashion more equitable, mixed systems of shared benefits and responsibilities. Normally, this rebalancing entails empowerment of disadvantaged groups of stakeholders, as in the case of remote Aboriginal communities on Cape York Peninsula under consideration here. An enlightening discussion of Kowanyama's experience and perspectives on co-management arrangements is provided in chapter 1 (p. 12).

By present standards of social justice being advanced by the Aboriginal Council on Reconciliation, Aboriginal and Torres Strait Islander people are currently disempowered and subordinated in terms of how natural resource management is controlled in Australia and Queensland (see Chase, this volume; also Bergin 1993; Young et. al. 1991; Woenne-Green et.al. 1994) The question is, what can indigenous groups do to become broadly empowered in the environmental management arena?

The point is not to keep lamenting social marginality but to constructively elaborate strategies for empowerment to occur. For communities, this will require a major thrust to enter the environmental management mainstream. It will depend heavily on indigenous initiatives, as institutions of the state only painfully and with immense reluctance and resistance can be persuaded to share power.

Briefly, issues of empowerment which have led to the points elaborated here are addressed in various sections of the community profiles and special topics, especially those sections which focus on communities' perceptions of government programmes and policies (e.g. chapters 4,5,7). These issues, and the perspective on empowerment outlined below, were formulated by indigenous participants in the IMLS Workshop at the 1994 Land Summit; they apply particularly to the management of national parks and marine resources. Based on the wide-ranging strategy sessions which took place at the Land Summit, it is suggested that empowerment may well depend on the following developments happening simultaneously:

- a. People have to get back as much of their land as they can through legal avenues, and by whatever other means are at their disposal (purchase).

Good land management and ESD require, above all, in the case of indigenous groups, security of tenure, to ensure people can reside on or have regular access to their countries.

- b. Procedures and policies of resource management and nature conservation agencies need to be reformed to recognise and accommodate indigenous tenure systems and the special social and territorial features of these systems which pertain to land and sea.

This could be a basis, if not a pre-condition for negotiating co-management arrangements. (The international 'common property' literature is replete with useful models and rationales for preservation of communal tenure systems, exemplified by the special relationship of indigenous peoples to their traditional countries on Cape York Peninsula).

- c. To build local capacity and capacity to negotiate and protect their interests in dealing with government agencies, indigenous groups need to become conversant to a far greater degree in the tools and knowledge of fields of western science, law, conservation biology, resource economics, etc.

This depends on appropriate mainstream education and employment initiatives, not simply ranger training. Indigenous groups need to be able to initiate programs instead of languishing passively in entrenched donor-recipient relationships.

- d. Indigenous knowledge must be recognised as a resource management tool in its own right, in terms of intellectual property rights, not subordinated to western science and ecology. It should not be divorced or compartmentalised from the people who practise it.

- e. Contrasts in indigenous and western science for managing resources should be recognised, but not pushed too far; they can and have been effectively integrated in protected area frameworks, fisheries and wildlife management and educational curricula. They don't exclude each other, and can be made to complement one another.
- f. Government programs should encourage, and most of all, not interfere with the still somewhat fragile indigenous self-management initiatives that are emerging on Cape York Peninsula, along lines documented in this report.

In addition, the environmental movement has a responsibility to ensure that in seeking solutions to foster biodiversity conservation and ESD, it does not remove the initiative from indigenous groups who are defending their commons, or attempting to regenerate their communal tenure systems (cf. *The Ecologist* 1993:197).

Projects like IMLS can be a channel to advance the empowerment process, in striving to put people more in control of their own natural resource and cultural information, along with associated research, documentation, and database management procedures. The IMLS report, possibly in conjunction with other CYPLUS documentation, can be used to help change the public perception of the value of indigenous 'traditions,' and resource management functions of the communal tenure systems that characterise indigenous land and sea country on Cape York Peninsula.

0.7 Integrating three perspectives

Some further notes demarcate the focus and fields of the IMLS project and report. Resource management today, in Australia and beyond, can be seen as a three-sided equation. In this consulting group's opinion, productive, meaningful discussion cannot take place without three kinds of perspectives: one is analytical. This has two components, which may be termed: Cultural Adaptation and Common Property Resource Management. The second perspective is political (or legal-political). Lastly, there is the matter of planning which borrows elements of both analytical and political perspectives.

The political has an environmental and a social side. The environmental side is increasingly driven by the twin global maxims of sustainable development and protection of biodiversity. The social side is driven by equity and human rights/social justice considerations. Tension is always likely to exist in reconciling these viewpoints, as the search for solutions to problems in particular situations usually demands assigning greater weight to one or the other. The danger is that discussions become so politicised, or so bogged down in single issues, the analytical, broad canvassing, outlook is forgotten.

0.7.1 The analytical perspective (a): Cultural adaptation

Where the focus is on indigenous peoples and resource management, social and land justice is paramount. Yet, we argue, there is a place for both political and analytical perspectives. It is important not to lose sight of the need for an analytic perspective. The question is, where to find a good one? It is also important for indigenous groups to appropriate and become empowered in applying more of the analytic perspective, i.e., not leave it (or planning) to the scientists and technocrats.

This report is concerned with **contemporary** resource management among the indigenous peoples of Cape York Peninsula. Despite constant references to 'tradition,' at best a confusing terminology CYPLUS and others employ to distinguish indigenous groups from non-indigenous groups on Cape York Peninsula, the IMLS project is not about traditions that belong to the past; it is not about people being bound to traditions at all, but about the cultural adaptation of indigenous communities in the present.

Cultural adaptation is a dynamic social process. Framing resource management in terms of 'adaptation' has advantages over other approaches. For one thing, it takes change in landscapes, and in customs and values people use to define and transform landscapes through a whole range of activities from markets to subsistence, as a given. There is no place for freeze-frame notions of culture or society in this formulation. Populations and communities are seen as interacting with environments in human ecosystems through complex feedback loops.

There is a pressing need to get communities, social, and cultural factors back into the picture of resource management. Adaptation, human ecology, and carrying capacity approaches have been around for forty years or more. But they are still applicable to questions of ascertaining interdependencies of communities and their environments that contemporary resource management studies have to address on Cape York Peninsula and elsewhere: for example, what are the demographic pressures and exploitation levels affecting resources in fixed locations? Are these levels sustainable—for subsistence, fishing, hunting, larger market economies? What threats does development pose, how can these be evaluated? What about resource competition? How can we gauge the expansion thresholds and capacities of local economies? What sort of growth will the environmental base support? What cultural variables influence access to resources and intensity of resource use?

The IMLS study, albeit in the very different political and planning context of the 1990s, in a sense picks up where some 'cultural adaptation,' data-gathering studies of an earlier day left off. The impetus for CYPLUS—overcoming data deficiencies for comprehensive land use planning—bears a certain similarity to concerns that prompted the Cape York Ecological Transect (CAYET) in the 1970's, later abandoned due to lack of funding (Rigsby personal communication; see also Harris 1975). CAYET employed a highly developed, practical concept of cultural adaptation as an integrating theme for assessing the resource management significance of various indigenous land use and subsistence customs. The initial CAYET reports and research methodology demonstrate the value of cultural adaptation as an analytical tool and CAYET may provide useful background and

comparative material for CYPLUS, if further analysis of the IMLS report is undertaken.

0.7.2 Analytic perspective (b): Common property management frameworks

One of the best, internationally supported, paradigms indigenous peoples in Australia can use as a device to advance their resource management aspirations focuses on 'common property' management (Berkes 1989; Bromley 1991). This analytic framework has exponents around the world, and is fuelling various grassroots social movements (McKay and Acheson 1987). It is also a perspective which tends to carry some weight with nature conservation agencies, though it is not yet well established in Australia.

Australia is one of the last places where the social systems are still intact that support communal tenure systems which have been proven to sustain biodiversity. Indigenous groups can avail themselves of cross-cultural experiences, concepts and principles within this framework, which is a kind of *lingua franca*, to promote their interests, and construct powerful negotiating positions with management agencies (see Cordell 1992, 1993; IUCN 1993).

To elaborate on the emergence of the common property perspective, there is a long history of public policy debate over whether natural resources can best be managed through private ownership or public ownership vested in the provincial, federal, or state governments. Various options and combinations have been pursued, but the results have often been disappointing. Many of our most important resources are still being depleted and degraded.

One reason has to do with the 'boundary-crossing' propensity of people and wildlife noted earlier. But resource domains exist which are not subject to exclusive control or appropriation by anyone. Such resources are in effect the 'common property' of a variety of users; they include water, air, fish, forests.

The legal and property status of common property resources is often inexact, confusing, and enmeshed in social and political conflict. One theory about why this happens can be found in the work of Garrett Hardin, notably in his classic 'Tragedy of the Commons' essay (1976). Hardin forecasts doom for common property resources because of the difficulty of applying rules to stop individual users from maximising immediate personal benefits, to the detriment of others, and the general public. He was not totally wrong. Examples abound of such tragedies.

But there is another dimension to these debates that is often overlooked, and that governments have failed to recognise. There is a third kind of property: **communal property**. This convention applies to the special conditions which, in part, form the basis of Native Title, customary law, and tenure of indigenous countries in Australia. Communal tenure systems have sustained resource use for centuries in many different cultures around the world. Local societies have found many ways to protect this type of community property by devising rules to regulate access to resources.

Interestingly enough, certain modern management frameworks embody principles akin to the informal cultural rules governing communal property. Contemporary fisheries management programs, for example rely on licensing and other measures to limit entry. There are significant parallels between these strategies and the customary property rights many indigenous groups have devised to manage their marine and fresh water resources (Cordell 1989; 1992).

The point is, as the IUCN and other organisations have strongly recommended (1993), governments should take pains not to destroy and undermine indigenous communal tenure systems and associated resource stewardship measures. Rather they should take steps to reinforce, legally protect, and strengthen them in the face of other measures which have failed to prevent resource degradation.

0.7.3 The political context: environmental policy, regulations and the politics of information control

Political exigencies of the day demand insertion of the IMLS project in the wider framework of indigenous peoples' quests for land rights, self-determination, self-government, and self-management. In this context, data-gathering for CYPLUS is no longer straightforward. Conditions for conducting research on Cape York Peninsula nowadays are vastly different than they were a decade ago with CAYET, or even several years ago (pre-Mabo). As noted, land claims and related issues constrain the information which can be made public in a report such as this. By the same token, the entire relationship between outside researchers (government, academic, or free-lance) and indigenous groups is changing.

In developing their resource management strategies, Aboriginal people face a genuine paradox: how to preserve their own complex and carefully guarded rights to intellectual property and at the same time engage in cooperation with neighbours and government agencies on regional resource management problems which may demand considerable exchange and sharing of cultural data (cf. Rose 1994: 10).

0.7.4 Indigenous initiatives in planning

Noel Pearson and others at the 1994 Land Summit spoke eloquently and poignantly of how planning is crucial to Aboriginal communities. This report confirms efforts underway in many communities to adopt planning into their cultural repertoire, taking it into their custom.

It would be difficult to find indigenous resource management practices in Australia or elsewhere that are identical to the long-term planning, decision-making, and resource monitoring processes of government departments. However, assuming, as some governments have in the past, that indigenous communities are not interested in, or capable of engaging in planning for the future, or that planning somehow involves cognitive or logical processes indigenous groups do not share with the rest of society, is a serious misconception.

There is nothing whatsoever incompatible with the logic of long-term planning and Aboriginal decision-making. Local natural resource planning would be more in evidence if there were adequate resources and culturally appropriate, decentralised mechanisms to support it (Dale 1990:12). Participation in planning to enhance environmental management is not yet established because of structural barriers, lack of opportunities, and education. It has nothing to do with cultural preference.

However, what is happening right around the Peninsula is that communities increasingly are undertaking development planning, not only hiring consultants, but incorporating it in their decision processes. Some of these evolving frameworks include environmental planning components.

Planning is naturally most visible at the level of councils and Aboriginal corporations. This project encountered a range of communities on Cape York Peninsula engaged in 'strategic planning' for development. For example, at Lockhart River, this takes the form of a Department of Family Services funded self-governance initiative.

Injinoo people of the Northern Peninsula Area (NPA) are also leading the way in management of traditional Aboriginal land. Already credited with the establishment of the highly successful Pajinka Wilderness Lodge -- owned and operated by the Injinoo Aboriginal Corporation-- Injinoo is now working towards a management plan for the areas natural wealth.

Kowanyama's Land and Natural Resource Management Office is fashioning yet another 'grassroots' style programme aimed at watershed management for the Mitchell River, control of tourism, recreational fishing, and regulation of the community's traditional fisheries (see Sinnamon, this volume). The watershed management network significantly consists of Aboriginal and non-Aboriginal owners and user groups. The community's rangers, who have fisheries enforcement powers, also assist in interpretive cultural and educational projects and in integrating traditional environmental knowledge in the schools.

Aboriginal people of Kowanyama are gradually winning respect and a reputation as innovative resource managers. The Land and Natural Resource Management Office is conducting its own cultural site mapping programme and developing its own geographic information systems (GIS) to help manage its land and fisheries. Collective visions and actions of Kowanyama's Council of Elders indicate the broad basis for their environmental concerns. The Council points out that "it would be a sad thing indeed if the only land people cared for in the future were national parks" (Cordell 1993:111).

It is unrealistic to expect every community on Cape York Peninsula to repeat the experiences of Injinoo or Kowanyama. Kowanyama's elders do not expect other groups to follow suit, and few communities have had Kowanyama's connections with Native American organisations to boost their initial planning and strategy formulation. Each group will choose its own path. The point is, indigenous people all around the Peninsula are awakening to the necessities and possibilities for taking much greater responsibility for managing resources into their own hands.

0.8 Interpretive issues: tradition and change

The IMLS project decided against compiling any sort of inventory or register because of the danger of attributing a static, freeze-frame, quality to custom. In recording indigenous resource management practices custom and tradition must be treated as something dynamic and living. Any method or repository for recording custom must have built into it flexibility and capacity for being updated, and modified. It is up to indigenous people themselves, not outside experts to designate what is traditional and how traditions should be represented.

Implicit in the circumstances which led to the IMLS project within CYPLUS is the assumption that indigenous management, encompassing principle, practice and effect is sufficiently different from non-indigenous (western) systems to require treatment as a project that could to a large extent stand alone or separate in the Land Use Program. Various chapters in this report, particularly Traditional Activities and Protected Areas, and the Kowanyama, Mapoon, and Port Stewart case studies take up questions of the uses and connotations of tradition as applied to the Cape York Peninsula situation.

Defining 'tradition' is a continuing, vexed issue in Australian society--a major issue in land claims, in drafting the Torres Strait Treaty, and in rationalising restrictions on hunting and fishing in national parks. In fact, it has a way of creeping into most discussions and discourses on resource management. The difficulty, of course is with the notion of tradition itself. Can tradition change and still be the identifiable tradition of a recognised group (Rose 1994:1-11). As Rose points out, opponents of land rights like to exploit the 'inadmissibility of change within tradition' to argue that there is no longer a distinctive basis of Aboriginal entitlement to land.

This study is not the place to ponder anthropological or legal permutations on the term, or attempt to resolve issues of definition. In most instances in this report simply substituting 'indigenous' for 'tradition' or traditional does the trick. Yet two problem areas associated with the conventions and debates surrounding tradition are worth considering.

0.8.1 Natural born conservationists or environmental villains?

The first issue concerns whether or not indigenous views of the natural world, or specific economic practices and technologies have deliberate or inherent conservation functions, or embody conservation ethics. This question invariably crops up in resource management studies.

What is disquieting is that indigenous communities are being asked to pass conservation tests, in many cases as a formal or informal prerequisite for recognition of their land and livelihood rights. To prove their traditions are sustainable, they have to live up to the romantic image others have constructed of them as quintessential resource managers--nature's gentlemen, the original conservationists. They are being asked to bear the burden of some of the highly controversial, unrealistic images of the Indigenous 'other' that proponents of the global quest for sustainable development have appropriated as their symbol (Cordell 1992; Dwyer 1993; Sackett 1991).

Throughout Cape York Peninsula, Aboriginal people maintain that their resource use is governed by a central tenet of Aboriginal subsistence—the ethic that people hunt and gather to meet needs and that food should not be wasted. Rigorously applied, it is not 'the Aboriginal way' for example, to fillet fish and throw away the frame or head. Various species are targeted at the time of year when they are known to be most heavily fattened, and this is often indicated by known floral or other seasonal indicators.

By the same token, Aboriginal people are not 'fussy' when it comes to eating. They exploit a wide variety of aquatic and terrestrial ecosystems and species. A single community may fish the open ocean, reefs, seagrass beds, monsoonal swamps, mudflats, estuaries, mangroves, seasonally inundated floodplains and freshwater lagoons. The same group, at different times of the year, would take pelagic, estuarine and reef fish, dugong, sea turtle, freshwater tortoise, reptiles, and a wide variety of shellfish as well as avifauna associated with aquatic environments. On this basis, it can be argued that Aboriginal principles of economic diversification which spread fishing effort over a range of habitats and species, unlike commercial fishing which tends to focus on single species, is ecologically sustainable (Cordell 1992: 11).

There is a place to pursue these lines of reasoning, but they involve empirical questions well beyond the scope of this report. No attempts are made here to evaluate the conservation impacts, sustainable development, or biodiversity support uses, for example of 'fire,' or any indigenous custom *per se*.

0.8.2 Traditional ecological/environmental knowledge (TEK)

A second issue in contemporary environmental and cultural politics which has come to epitomise indigenous 'good resource manager' ecological wisdom is Traditional Knowledge or Traditional Ecological Knowledge (TEK). TEK is sort of 'warm and fuzzy' and in some respects appears to be less contentious and controversial than topics like land tenure in resource management. TEK is catching on in international conservation circles, and in some places is emerging as a public policy issue. Whole journals, and even academic centres, are now devoted to it (cf. Morin-Labatut and Akhtar 1992: 24-30).

The current phase of escalating interest in application of indigenous knowledge in resource management is attributed by Baines and Williams (1993:1-5) to a process of networking which grew from a conference on traditional lifestyles, conservation and rural development, convened by the International Union of Conservation of Nature and Natural Resources (IUCN) in Bandung Indonesia in 1982. This, they note, gave impetus to the activities of an IUCN Working Group of Traditional Ecological Knowledge and led to increasing publications in this field and a major conference on this topic in Canberra in 1988.

They observe a growing interest in traditional ecological knowledge (TEK) between 1982 and the publication of their 1993 volume marked by:

- An early tendency of some proponents of TEK to present a romantic notion of traditional resource management during the 1980s and a subsequent academic backlash against this;
- a debate concerning the appropriateness of terminology (ecological or environmental) which ended with use of indigenous knowledge replacing earlier forms, (although the volume of proceedings retained the ecological terminology);
- scope for an advance in the effectiveness of development assistance to countries with indigenous populations through partnerships between professionals familiar with TEK and its place in the allocation and management of land and sea resources, and the agents of development;
- possible roles for ethnobiologists in partnerships between holders of Indigenous Knowledge and commercial interests in areas such as pharmacology;
- developing application of Indigenous Knowledge by its original owners in formal land management organisations such as the Dhimurru Land Management Corporation in north-east Arnhem Land;
- a growing debate about the need for and possible nature of ethics to govern "rules of engagement" between non-indigenous information seekers and indigenous information holders

The value of TEK alone to indigenous peoples' in furthering their land justice struggles is debatable, although it has become a focus for certain issues surrounding intellectual property rights. TEK frameworks also allow important distinctions (and similarities) to be made about indigenous knowledge and western science. The danger is when these comparisons are pushed too far, they become reductionist and are extended to cognitive processes (for example, in the supposition that indigenous knowledge is intuitive, oral, holistic, subjective, cyclical and inclusive versus western science which is analytical, literate, objective, linear, etc). A recent study by Wolfe et.al. (1991:12) illustrates the distortions and misinterpretations that can come from naive presentation and analysis of these contrasts.

As TEK becomes a more central issue in Australian discourse on resource management (Williams and Baines 1993), an interesting question is to what extent it is being recognised by government agencies? A survey to assess the perception and uses, if any, of TEK in other CYPLUS projects (NRAP and LUP) was carried out early in the IMLS project. Data from the survey show that only six out of 36 projects made any attempt to incorporate TEK in their studies or findings. Copies of the questionnaire and results are presented in Appendix B.

Virtually all of the case studies here touch on some aspect of traditional knowledge. However, they also confirm that indigenous resource management interests are far more encompassing than existing TEK treatments in the literature would indicate. It would be

unfortunate if TEK became the only acceptable avenue for indigenous groups to try to authenticate their resource management claims or the only basis for dialogue with management agencies. In as TEK studies compartmentalise and isolate knowledge systems from the people who live them and practice them, or divert attention from more fundamental land rights and tenure questions, it can be a disempowering and not very illuminating or useful discourse.

0.8.3 Ongoing definitions of 'tradition' in resource management legislation

The report of the Land Tribunal concerning the Aboriginal land claims to Cape Melville National Park, Flinders Group National Park, Clack Island National Park and nearby islands (Land Tribunal 1994: 59-71) provides a detailed commentary on the meaning of tradition as it relates to proof in establishing traditional ownership under the *Aboriginal Land Act*.

While this is in itself an area of vitally important interaction between Aborigines and their concepts of tradition and a specific external agency which must adjudicate on the validity of those concepts in a particular setting, the importance of the scope of tradition accepted by the Tribunal must be seen to have further importance as leading other agencies in the direction of developing a definition of tradition which is both contemporary and valid within the area of indigenous rights generally.

As described in more detail within the Protected Areas special topic in this report, the rights which Aboriginal people will have within National Parks, claimed successfully under the Act, will be determined by the terms of the compulsory lease and by a management plan developed by the Minister administering the *Nature Conservation Act* 1992 (at the time of writing still not in effect) through a process involving the Aboriginal people concerned with the park.

In its report on the Cape Melville Claim the Tribunal notes the requirement of both *Aboriginal Land Act* and *Nature Conservation Act* that Aboriginal tradition is a key concept in both the development of the plan and park management more generally.

A National Park (Aboriginal Land) is to be managed as a National Park and, as far as practicable, in a way that is consistent with any Aboriginal tradition applicable to the area, including any tradition relating to activities in the area. Subject to certain provisions, of a conservation plan or management plan, an Aborigine may take, use or keep protected wildlife under Aboriginal tradition. (Land Tribunal 1994: 186, see also 179)).

Thus the key determinants of the boundaries to be put on Aboriginal activities within national parks would appear to be the extent of the definition of tradition and the limiting phrase "as far as practicable". The tribunal's report canvasses a broad anthropological and legal commentary on tradition but concludes that:

...there is clear judicial acceptance that aspects of Aboriginal tradition can change over time and in response to a range of influences (Land Tribunal 1994:71)

The Tribunal also considered the question of the degree to which documentary records of traditions (compiled by non-Aboriginal researchers) relate to contemporary tradition and commented that, as to whether all such records might form part of tradition:

The evidence in this case suggested that the relevant Aboriginal people must acknowledge, and possibly have some control over the use of, material in that form before it is accepted as part of the store of the group's tradition (Land Tribunal 1994:63).

This highlights the critical importance for Aboriginal people of the establishment of clear, perhaps formal, rules of engagement (noted in the foregoing section on TEK), between themselves and researchers involved with recording their tradition, in whatever area of activity. Deveraux (this volume) distinguishes between what might be called a "suburban" understanding of tradition and a definition evolved within an intellectual community addressing the question in greater depth:

The notion of tradition as routinely used...carries an almost unconscious definition as the static state of the past from which things have changed. What anthropological and social historical work of the past 50 years have shown is that for any culture and in any institution, "tradition" is the ritual or linguistic or organisational form within recent living memory, not at all a static thing unchanged from time immemorial but indeed a constantly changing, and continuously invented response to the conditions of the evolving present. (Deveraux, this volume).

0.8.4 Aboriginal perspectives on tradition

Everyone else seems to be talking about tradition; how do Aboriginal people view it? A commonly heard expression of Aboriginal rhetoric proposes that "our law never changes". An Aboriginal speaker at the 1994 Land Summit Indigenous Knowledge Workshop stated: "our law is still intact". While law and tradition are not absolutely synonymous, each encompasses something of the meaning of the other to the extent that a statement about 'law' is also a statement about 'tradition' and vice versa.

Another speaker reflected the apparent paradox within a definition of tradition, as well as providing a notion of its dynamic meaning projected into the future:

To me tradition is the way and the means that we used in the past. To me I see that we have all got different traditional ways. And I believe tradition changes...I know tradition changes all the time. You used to cook turtle with ti-grass and now you chuck ginger in. That's a tradition and that's changing. And certainly what my (newborn) daughter and her children are going to know, hopefully, the tradition

that I have learned and developed and passed on to them and that will be tradition for them (Wayne Guivarra, Malandadji 1994)

Reference to mundane kitchen tradition does not lessen the applicability of this statement to what non-Aborigines might consider as more serious issues. It concerns generally applicable principles and moreover, within Aboriginal tradition and law, cooking methods may in many circumstances go beyond the mundane into the sphere of religious law (as indeed they do in many cultures). What is important, says Guivarra, is "developing tradition so we can survive in the future as families".

Are the statements that "our law never changes" and "I know tradition changes all the time" contradictory? They are not, inasmuch as the law that never changes represents foundation principles and values that underpin and constitute it, and tradition represents the dynamic expression of these principles and values as logical responses to changing external circumstances. These responses may clearly involve changes in various aspects of mundane or more elevated areas of life experience but they nevertheless remain consistent with the unchanging law.

0.9 Indigenous resource management principles and perspectives in the IMLS Community Profiles

Any meaningful treatment of indigenous resource management depends, as a point of departure, on conveying a sense of peoples' beliefs and linkages to land and sea 'country.' Aboriginal sense of place has been widely documented in Australia (Stanner 1979; Young et al 1991) and on Cape York Peninsula (Rigsby and Williams 1991). A substantial literature now also exists attesting to the significance of Aboriginal and Islander identification with the sea and coastal domains (Bergin 1993; Cordell 1992; Fitzpatrick 1991; Sinyth 1992,1993, this volume).

The community profile section extends the documentation of sense of place. Suchet (this volume) notes that the sense of place, to which she was introduced by the traditional landowners at Weipa during her fieldwork there, is in complete opposition to the scientific environmental paradigm of Conalco and its employees:

Instead of a fragmented, human-centred view of nature, the environment to the traditional landowners is multi-dimensional and intricately interconnected....What western science divides into land units, mineral resources, food resources and cultural sites are interlinked and multi-dimensional in Aboriginal readings (of the landscape)...the cultural and physical environments are inseparable. Within this multi-dimensional system parents are not really dead, ancestors, spirits are still there, still alive listening.

Boundaries, in the sense that they are familiar to most Australians are not similarly long-standing within Aboriginal tradition. As Deveraux (this volume) notes in respect of estates, areas of land associated with particular groups, often clans:

...[An estate] was and is conceived of intellectually as a collection of ecological, historical and religious or sacred sites and the relationships between them and not (as English historical practice does) as a tract of land bounded by lines which define whether one is at any one moment inside or outside of that tract of land. Boundaries *per se* are not the significant delineating feature in Aboriginal thinking.

Continuing this line of interpretation, Suchet (this volume) observes that cultural resources "form the bridge between country and people" and points importantly to Aboriginal perceptions "in which the 'owners' (of story places) are responsible for the site and its story, whilst the site sustains, guides and gives meaning to the owner's Aboriginality." This she describes as "an animate, interconnected, multi-dimensional system".

A similar meaning is contained within a more mundane expression of relationship between people and land. As Deveraux writes of Hopevale:

The Hopevale lands, with their foods, sounds, scents and stories are profoundly "home", to which people always return, in which they belong, and where their sense of meaning resides.

Particular relationship to discrete sites may, not surprisingly, influence choices of residence. People have good reasons for choosing to be at particular locations within the landscape. As Suchet says: "many outstations are located at or near sites of significance." She refers by example to the creek at Bowchat (outstation) created by Warra the stingray, nearby oyster beds created by Yarra, the frigate bird and other sites. As a result of the action of these creative beings "Bowchat is surrounded by plentiful food resources, permanent fresh water and material resources".

But to emphasise the spiritual aspect of Aboriginal conceptual systems, which include, but extend beyond, the physically grounded non-Aboriginal concepts of environment and ecology is not to deny that there is not a strongly materialistic or pragmatic side to the Aboriginal world view as well. As well as spiritual links to sites, or species related directly or indirectly to sites and religious belief, Aboriginal people have strong proprietorial feelings towards areas of land and sea and the resources they contain.

The nature of this proprietorial interest goes to intellectual and cultural property rights. Gordon Pablo, an elder from Injinoo made this point strongly during the Indigenous Knowledge Workshop at the 1994 Land Summit. His reference to the selling of bush tucker refers to knowledge of bush foods, not the foods themselves.

But I think white man is robbing us from our culture. They robbing us and they selling it, they are making millions of dollars. ...They come out visit all the communities and learn from them and...like for instance this bush tucker man. Somebody showed the bush tucker to him and he end up selling it and he make big profit out of it. White man using us. Also dancing. Taking movement out from the

corroboree and put it in the big show. That's what they do. I know my culture. I can do it (Gordon Pablo, Malandadji 1994).

Many examples could be given where Aboriginal codes of conduct may indirectly affect the use of resources. Their contemporary cultural relevance or environmental significance is not open to question; Aboriginal people simply expect outsiders to respect their custom, their law. The traditional closure of a country following a death is one such practice.

Data collected for the Cape York Outstation Project notes two outstations 'closed' as a result of a death (Cooke, this volume). Such closure would appear to be strongly practised around some parts of western Cape York. At the 1994 Land Summit, Colin Lawrence, from Kowanyama talked about this practice and the need for it to be respected by outsiders:

When Wangarra (white people) come around our community we explain the law that the white people gotta take from us...they've gotta use the same law like we use in the community. Like we show them "you can not go to that country over there." And they say "why?". (We say) "well because we might lose somebody (someone died). We sent him (the dead person) back to the country where he is." We tell that white man "you can not go fishing there...you can not go until maybe one month...that traditional ground for that particular person we bin lose." We (black people) can not go there (either) until that other people say, that family (of the deceased). ...If we can follow their (white people's) rules they gotta go by our rule. (Colin Lawrence, Malandadji 1994)

Much indigenous resource management is akin to this; law, knowledge and custom are intimately bound up in cultural practices. The meaning of such 'traditions' is lost if lifted out of context. There is no attempt to sift cultural traits and complexes out of the narratives presented here in order to typecast individual communities. The 'raw data,' so to speak, of indigenous resource management occurs, is transmitted, and is perhaps best understood within the rich oral traditions, stories, and narratives, of the kind that the writers for this report draw upon to construct their case studies.

Like sense of place, customary law, religion, and other cultural features can be differentiated from European notions. With the aim of enhancing cross-cultural understandings and appreciation of indigenous views, the community section that follows invites readers to consider cultural differences, and the proposition that many differences might not be as 'cultural' as they appear. They might be better understood as reflecting long-term adjustment to the structural and economic disadvantages that plague indigenous society. Differences are very real, but the point is not to dwell on them.

What is more important for readers of this report, especially decision-makers and planners working at what this introductory chapter refers to as the policy 'interface' between indigenous groups and government, is an understanding of general principles

which accompany and mediate transmission and use of indigenous knowledge rather than a mass of particular data. If these indigenous principles are not embedded in what Con Boeckel (quoted in Williams and Baines: 1993:5) appropriately terms 'rules of engagement,' then use of particular cultural data, may not only cause (at least perceived) injury to those people from whom the information is derived, but is also unlikely to be of any more than cosmetic importance in planning and management.

In conclusion, resource management on Cape York Peninsula is undergoing a metamorphosis, sparked by indigenous peoples' prospects and strategies for reclaiming their traditional countries on a major scale. As they win back the land, people are insisting upon a greatly expanded role in managing resources. In doing so, they will not be replacing traditional laws and obligations with modern planning; they will be integrating the two. In this consulting group's opinion, Aboriginal empowerment in the environmental management sphere should be regarded as an asset, not a liability. Few other countries with tropical coasts have the option, as Australia does in Cape York, to enlist the cooperation of indigenous groups living on the land to aid in sustaining biodiversity.

This introduction sets out some possible, programmatic steps to improve resource management in the CYPLUS study area through empowering indigenous communities, to help overcome the inequalities that are built into the current system of how the government administers its environmental business. How such a realignment could be funded, and how or whether it will work is unclear. However, one productive first step would be for government agencies, and the legislation that empowers them, to recognise indigenous groups as legitimate resource 'owners,' (whether or not they have the magic piece of paper conferring title) whose management needs and problems are often quite different than those of non-indigenous resource 'users.'

This report is intended to provide baseline data and background analysis to stimulate further discussion of the issues, possibly in future stages of CYPLUS, or in other regional planning frameworks where indigenous rights and interests need to be represented and respected.

0.10 References

- Anderson, C. and S. Coates. 1989. *Like a Crane Standing on One Leg on an Island*. Report Commissioned by Royal Commission on Death and Custody. Aboriginal and Islander Legal Service.
- Bergin, Anthony 1993. *Aboriginal and Torres Strait Islander Interests in the Great Barrier Reef Marine Park*. Research Publication No. 31. GBRMPA: Townsville, 88pp.
- Berkes, F. (ed.). 1989. *Common Property Resources: Resources, Ecology, and Community-based Sustainable Development*. London: Bellhaven Press.
- Birkhead and Wallis. 1994. *An Evaluation of the Cairns College of TAFE "Community Ranger" Program*. unpublished report.
- Brennan, Frank. 1992. *Land Rights Queensland Style*. U. of Queensland Press.
- Bromley, D.W. 1991. *Environment and Economy: Property Rights and Public Policy*. Cambridge: Basil Blackwell.
- Brown, M. and B. Wyckoff-Baird. 1994. *Designed Integrated Conservation and Development Projects*. World Wildlife Fund. Biodiversity Support Program. Corporate Press: Landover, Maryland.
- Chase, A. and P. Sutton. 1981. Hunter-Gatherers in a Rich Environment: Aboriginal Coastal Exploitation in Cape York Peninsula. In: *Biogeography and Ecology in Australia*. A. Keast (ed.) The Hague: Junk & Co.
- Clarke, W. 1990. "Learning From the Past: Traditional Knowledge and Sustainable Development." *The Contemporary Pacific: A Journal of Island Affairs*. Vol. 2, No.2. Fall. 233-255pp.
- Cordell, John. 1994. *Indigenous Domains in Regional Marine Strategies*. World Bank Discussion Paper (forthcoming). Environment and Social Policy Division: Washington, D.C.
- Cordell, John. 1993. "Who Owns the Land? Indigenous Involvement in Australian Protected Areas." *The Law of the Mother: Protecting Indigenous Peoples in Protected Areas*. Elizabeth Kempf (ed). Sierra Club Books: San Francisco.
- Cordell, J. 1992. *Managing Sea Country: Tenure and Sustainability of Aboriginal and Torres Strait Islander Marine Resources*. Consultant's Report to ESD Working Group on Fisheries: Canberra.
- Cordell J. 1989. *A Sea of Small Boats*. Cultural Survival: Cambridge, Massachusetts.

Dale, A. 1992. "Aboriginal Councils and Natural Resource Planning: Participation by Bargaining and Negotiation." *Australian Geographic Studies*. Vol. 30;1, April 1992.

Dale, A. 1992. *Aboriginal Access to Land Management Funding and Services: Case Studies, Kowanyama, Aurukun, Woorabinda and Trelawney*. ANPWS: Canberra.

Department of Family Services, Division of Aboriginal and Islander Affairs, May 1991.

Drewien, G. and G. Richardson. 1994. *Monitoring and Management of Natural Resources by Aboriginal and Torres Strait Islander People*. unpublished report. 33pp.

Dwyer, Peter D. "Modern Conservation and Indigenous Peoples: in search of wisdom." *Pacific Conservation Biology*. Vol. 1:91-97pp. Surrey Beatty & Sons: Sydney, 1994.

Ecologist, The. 1993. *Whose Common Future: Reclaiming the Commons*. Earthscan, Ltd.: United Kingdom, 216pp.

Edmunds, Mary (ed). 1994. *Claims to Knowledge, Claims to Country: Native Title, Native Title Claims and the Role of Anthropologist*. Native Titles Research Unit, AIATSIS: Canberra. 61pp.

Fitzpatrick, J. 1991. "Maza: A Legend about Culture and the Sea." *Sustainable Development for Traditional Inhabitants of the Torres Strait Region*. D. Lawrence and T. Casnfield-Smith (eds). Workshop Series No.16, GBRMPA: Townsville, pp. 335-346.

Hardin, Garrett. 1976. "The Tragedy of the Commons." *Managing the Commons*. Garrett Hardin and John Boden (eds.). W.H. Freeman and Company: San Francisco.

Harris, David. 1975. *Traditional Patterns of Plant-Food Procurement in the Cape York Peninsula and Torres Strait Islands*. unpublished report on field work carried out in Aug-Nov., 1974, 9pp.

Hohl, AI and CA Tisdell. 1993. *Conservation Networks, Integrated and Sustainable Land-Use in a Tropical Frontier: The Cape York Peninsula Region*. Discussion Paper No. 121, Dept. of Economics, Univ. of Queensland: Brisbane, 29pp.

International Union for Conservation of Nature (IUCN) 1990. *Caring for the World: A Strategy for Sustainability*. Second Draft. International Union for the Conservation of Nature: Gland, Switzerland.

Land Tribunal. 1994. *Aboriginal Land Claims to Cape Melville National Park, Flinders Group National Park, Clack Island National Park and Nearby Islands*. Report of Land Tribunal established under the Aboriginal Land Act 1991 to the Hon. the Minister for Lands, Brisbane.

McKay, B. and J. Acheson (eds.). 1987. *The Question of the Commons: the Culture and Ecology of Communal Resources*. Tucson: U. of Arizona Press.

- Morin-Labatut G. and S. Akhtar. 1990. "Traditional Environmental Knowledge: A Resource to Manage and Share Development." *Journal of Society for International Development*.
- Parliamentary Committee of Public Accounts. 1991. *Financial Administration of Aboriginal and Island Councils*. Report 2, Effectiveness of Councils and Support for Councils, Training, PCPA Report No. 8, February 1991.
- Pearson, Noel. 1990. Black, Green, and Red(neck): A Response To Recent Criticisms of Aboriginal Interests in National Parks. Paper presented at Cross Cultural Management of Natural Resources Semins. Oct. 3. Cape York Land Council
- Pinkerton, Evelyn, ed. 1989. *Co-operative Management of Local Fisheries: New Direction for Improved Management & Community Development*. University of British Columbia: University of British Columbia.
- Ponte, Fernando, Helene Marsh and Richard Jackson. 1994. "Indigenous Hunting Rights: Ecological Sustainability and the Reconciliation Process in Queensland." *Search* 25(9):258-261pp.
- Richardson, Benjamin, Donna Craig and Ben Boer. 1994. *Aboriginal Participation and Control in Environmental Planning and Management: Review of Canadian Regional Agreements and Their Potential Application to Australia*. In Press. NARU Monograph Series: Darwin. 110pp.
- Rigsby, B. and N. Williams. 1991. "Reestablishing a Home on Eastern Cape York Peninsula." *Cultural Survival Quarterly*. 15(2):11-15pp.
- Rose, Deborah Bird. 1994. "Whose confidentiality? Whose intellectual property?" *Claims to Knowledge, Claims to Country: Native Title, Native Title Claims and the role of the Anthropologist*. Summary of Proceedings of a conference session on native title at the annual Australian Anthropological Society, University of Sydney, 28-30 September 1994. Mary Edmunds (ed). Native Titles Research Unit. ALATSI: Canberra.
- Sackett, Lee. 1991. "Promoting Primitivism: Conservationist Depictions of Aboriginal Australians." *The Australian Journal of Anthropology*. 2(2):233-246pp.
- Smith, A. 1987. Usage of Marine Resource By Aboriginal Communities on the East Coast of Cape York Peninsula. Report to the Great Barrier Reef Marine Park Authority. Sir George Fisher Centre for Tropical Marine Studies. James Cook University, Townsville.
- Smyth, D. 1992. *Aboriginal Maritime Culture in the Far Northern Section of the Great Barrier Reef Marine Park*. GBRMPA Consultancy Report.

Smyth, D. 1993. *A Voice in all Places: Aboriginal and Torres Strait Islander Interests in Australia's Coastal Zone*. Consultancy report for the Coastal Zone Inquiry, Resource Assessment Commission, November 1993.

Stanner, W.E.H. 1965. "Aboriginal Territorial Organisation: Estate, Range, Domain, and Regime." *Oceania*. Vol. 36, No. 1: 1-26pp.

Stanton, JP. 1992. "J.P. Thomson Oration: The Neglected Lands: Recent Changes in the Ecosystems of Cape York Peninsula and the Challenge of Their Management." *Queensland Geographic Journal*. 7:1-18pp.

Stone, Roger. 1991. *Wildlands and Human Needs: Reports from the Field*. World Wildlife Fund: Washington, D.C.

Sutton, Peter. 1994. "Material Culture and Tradition of the Wik, Cape York Peninsula." *Records of South Australia Museum*. Vol. 27, No. 1: 31-52pp.

Toyne, Philip. 1994. *The Reluctant Nation: environments, law, and politics in Australia*. ABC: Sydney, N.S.W.

Williams, N.M. and Baines, G. (eds). 1993. *Traditional Ecological Knowledge: Wisdom for Sustainable Development*. Centre for Resource and Environmental Studies, Australian National University: Canberra.

Woenne-Green, Susan, Ross Johnston, Ros Sultan and Arnold Wallis (eds.). 1994. *Competing Interests: Aboriginal Participation in National Parks and Conservation Reserves in Australia A Review*. ACF. Corgi Printing: Queensland.

Wolfe, J., C. Bechard, P. Cizek, D. Cole. 1991. *Indigenous and Western Knowledge and Resource Management Systems*. University School of Rural Planning and Development.

Young, E., Ross, H., Johnson, J. and Kesteven, J. 1991. *Caring for Country: Aborigines and land management*. Australian National Parks and Wildlife Service: Canberra.

Appendix A.

Guidelines for developing community profiles, scope and content:

1. How do the indigenous groups in question view land, sea, and inland aquatic areas and resources? How do indigenous perspectives on land management and conservation differ from Euro-scientific perspectives. How, if at all, are they similar?
 - >> How do special sites, storyplaces, and social organisation generate the socio-cultural landscape and the concept of what is a valuable resource?
 - >> Note cultural and spiritual values associated with traditional country, and some specific examples of people's beliefs and aspirations concerning the land. If possible include some direct quotes.
 - >> Describe fundamental relationship between social organisation and land and marine tenure for the group(s) and area(s) in question.
 - >> Locate indigenous observations and perspectives about land, tradition, and change in the fluid, rapidly transforming context of regaining homelands and reconstitution of social groups on CYP. Zero in on CYP in the 1990s.
2. Demographic and geographic profile: each community profile should be delimited to existing areas under indigenous tenure and current claims and interests in land and sea.
 - >> Explain how relationships to the land are changing, recent population shifts linked to land claims processes, and how this will impact future land management on CYP; why CYPLUS and other regional planning processes must come to grips with the reality of changes brought about through land claims, the outstation movement, and other events.
3. Present a brief portrait of the total indigenous mixed economy (non-market and commercial activities).
 - >> How are decisions made concerning access to resources and use of resources and territory. Who can speak for country?
 - >> Provide a sketch of how economies operate at the household level, family level.
 - >> Document women's roles in particular in CYP mixed strategy economies.

4. Describe the subsistence resource base and subsistence practices, procurement locations, that is the sub-set of the local economy that is of primary interest in the sense of long-term planning for resource sustainability.

>> If applicable, highlight fishing practices and overall dependency on marine and aquatic resources (any supporting evidence qualitative or quantitative is a plus)

>> Assess status of key livelihood resources. Are people running out of natural resources? Identify any environmentally threatened locales or species and explain nature of problems.

>> Does the community have any strategic plans for managing resources? Are these plans separate or part of overall community development plans (provide references, and if possible copies of relevant studies undertaken). Are resource management plans linked to land claims? Commissioned by government or independent initiatives?

5. Describe any special community initiatives in the area of natural resource management (local protected areas, archaeological / cultural sites, school curricula, ranger training, recording of traditional knowledge, etc.)
6. Document local perceptions and feelings about the range of government regulations and programmes relating to land and sea management (commercial and traditional fisheries regulations, ranger training, nature conservation act, national parks, etc.)
7. What understandings, feelings, expectations does the community have concerning CYPLUS? This particular project? What issues do they feel ought to be discussed at the Land Summit?
8. What has been done or needs to be done in documenting and understanding use of marine resources, overall affiliations with the marine environment?
9. Describe the nature and sources of information in your case study / community profile, disclaimers, data limitations, restrictions on interpretations, uses of information. Outline a strategy for consulting with the community in question in order to review the material going in to your paper, prior to inclusion in the final report to CYPLUS.

10. References & Appendices

>> Attach maps, figures.

>> Any relevant information on material culture related to production and resource procurement to be compiled and presented in tabular form – seasonal use of resources (calendars), species taken, techniques employed in hunting, fishing, gathering, etc.

Appendix B. TEK Survey Questionnaire

Analysis of Community Resource Management Program's Traditional Ecological Knowledge Survey of Cape York Peninsula Land Use Strategy's Land Use Program (LUP) and Natural Resource Assessment Program (NRAP) consultants.

The Community Resource Management Program (CRMP) sent a questionnaire on the incorporation of Traditional Ecological Knowledge (TEK) in field work, surveys, and findings of consultants to LUP and NRAP projects. 13 responses to the survey were received from LUP and NRAP consultants out of 36. Data collected from the survey shows that only six projects incorporated TEK in their findings. Two of the six projects referred to already existing literature as their main sources while four obtained TEK from the local communities through consultation.

LUP and NRAP consultants identified four major constraints when trying to integrate TEK into projects. Problems of incorporating TEK were attributed to 1) lack of time, 2) no community participation, 3) inadequate financial resources, and 4) miscommunication in regards to CYPLUS' intentions and goals.

Consultants recognised that if TEK was included into LUP and NRAP projects all parties involved would benefit from the collaboration. Utilising TEK would provide a more comprehensive, accurate report, and a more thorough understanding of the habitat and natural resource management on the Cape York Peninsula. Incorporation of TEK legitimised TEK as a means of managing, describing, and utilising the natural environment by Aboriginal people. Thus TEK encourages the maintenance of traditional practices and knowledge.

LUP and NRAP consultants recommended three key elements essential for incorporation of TEK into future resource or planning surveys: 1) adequate time to collect data, 2) thorough consultation with the local communities, and 3) building trust between field workers and Aboriginal people.

SURVEY FOR LAND USE PROGRAM CONSULTANTS**Working definition of Traditional Ecological Knowledge (TEK):**

Professor Henry T. Lewis writing in the Centre for Resource and Environmental Studies' (CRES) publication *Traditional Ecological Knowledge - Wisdom for Sustainable Development* suggests that, 'Traditional ecological knowledge is usually presented by anthropologists and others in one of two forms (sometimes both): folk taxonomies (the ethnobotanical and ethnozoological classifications of plants and animals), and as indigenous understandings of "natural" processes (systems of relationships involving plants, animals and various supernatural and environmental factors). Together these two broad kinds of information have been construed as constituting traditional ecological knowledge.'

A response to the following general categories of information is requested.

1. Project Title:
2. Brief project description:
3. Duration of field work:
4. Tenures of land or sea where field work was undertaken:
5. Number of people employed on the project:
6. Researcher expertise (eg. Phd. Ma. B. Dip.):
7. General community consultation undertaken:
8. Was local knowledge sought, used or of assistance:

**ABORIGINAL AND/OR TORRES STRAIT ISLANDER
LAND & MARINE INTERESTS**

The following questions relate to NRAP research projects proposed or undertaken on Aboriginal and Torres Strait Islander land or marine areas.

1. What process was undertaken to gain access to the field study area:
2. Was access denied and if so for what reasons:
3. Were conditions imposed for access approval:
4. Did Aboriginal or Torres Strait Islander people accompany researchers:
5. If so, in what capacity:
6. Was your knowledge or understanding of indigenous perspectives of the environment affected by Aboriginal or Torres Strait Islander involvement in the field work:
7. If so, how:
8. Did your project incorporate local traditional ecological knowledge:
9. If not, do you think it should have and if so why:
10. How could future research projects such as those undertaken in the NRAP process better incorporate traditional ecological knowledge:

TRADITIONAL ECOLOGICAL KNOWLEDGE

The following questions relate specifically to those projects which incorporated traditional ecological knowledge.

1. What was the protocol used in undertaking this field work (eg. storage and access to info. etc.):
2. To what extent was traditional ecological knowledge derived from existing literature:
3. What accommodations, if any, were required in planning the field work to incorporate traditional ecological knowledge:
4. How was this information gained and recorded:
5. Was there a report back to the Aboriginal or Torres Strait Islander informants to verify the findings in your report:
6. If so, how was this undertaken:
7. What are the benefits to your project from having incorporated traditional ecological knowledge:

CHAPTER 1

FISHERIES OF THE LOWER MITCHELL RIVER, NORTH QUEENSLAND

Viv Sinnamon (Kowanyama)

CHAPTER 1

AUSTRALIAN INDIGENOUS USE AND MANAGEMENT OF LAND AND MARINE RESOURCES

FISHERIES OF THE LOWER MITCHELL RIVER, NORTH QUEENSLAND

Viv Sinnamon

CONTENTS

1.1	Introduction	1-1
1.1.1	Subsistence	1-3
1.2	Planning for management policies and their implementation	1-6
1.2.1	Local planning and self governance	1-6
1.3	Implementation of indigenous management	1-13
1.3.1	The indigenous fishery	1-13
1.3.2	Recreational fishing	1-17
1.3.3	Commercial fisheries management	1-20
1.4	Conclusion	1-24
1.4.1	Strategies or Stragedies. Which will it be?	1-24
1.5	Reading list	1-29

The people of Kowanyama represent three major linguistically defined groups¹ with traditional links to the Mitchell River and adjacent lands south to the Staaten and Nassau Rivers. Only a small group of people living there come from areas outside of the Lower Mitchell River Region, although not all of the traditional lands of the three groups are within current Aboriginal landholdings. These include areas within adjoining pastoral leases, and the Alice and Mitchell Rivers National Park to the north-east of Kowanyama Community.

Traditional landowners and their relatives continue to rely upon the Mitchell River, its tributaries and the lower delta system's rich natural resources for their current and future cultural and economic needs. The land and its rivers is a familiar landscape of traditional story places, sites of local historic importance, and for gathering, hunting and fishing.

The Cape York Peninsula Land Use Strategy Project, *Sites of Geological and Landform Conservation Significance of Cape York Peninsula*, identifies four sites of international significance, fourteen sites of national significance, and a number of regionally significant sites. The Mitchell River Delta is described as one of the four internationally significant areas. The study notes,

the area is of national and possibly international significance. Such depositional fan features with a detailed history and low topographic profile is not known elsewhere in the world. The Mitchell Delta is the only fan of the Carpentaria Basin with the fan in fan development resulting from the lateral migrations of the channels.

The wetlands systems of the area both in terms of scale and diversity, are the best examples of riverine floodplain wetlands in the northern Gulf Plains Region.

The Mitchell Nassau Region contains some of the most extensive and well preserved beach ridge sequences as well as the most recent stages in the development of the Mitchell Fan.

The value of the region's rich wetland ecosystem was also commented upon in the earlier Cape York Peninsula Resource Analysis prepared for the Premier's Department in 1989, in which it described the Mitchell River and environs as being an important wetland and wildfowl area, and a key conservation area for crocodiles (Connell and Wagner 1989 p88).

The inundated coastal flats provide food and shelter for a whole range of fish species, and nearshore channels at the delta mouth provide important spawning habitat for barramundi and a number of other species. The same channel areas are described as providing an important juvenile environment for javelin fish, blue salmon, king salmon, and lutjanus snappers (Garrett Pers. com.1994)

¹ Kokoberra, Yir Yoront (Kokomnjen) and Kunjen

Both the natural and cultural values of the Mitchell River delta coast have been long understood by its traditional inhabitants although they may have had a different perspective on the conservation of crocodiles.

The significance of the Mitchell River as an inshore and estuarine finfish nursery to indigenous fishers, recreational and commercial interests is clearly indicated in the recorded catches of commercial operators of the delta. It has been estimated that approximately forty percent of the State's commercial barramundi, and thirty percent of threadfin salmon catch, is taken from the Mitchell and Nassau Rivers. 240 tonnes of barramundi were harvested from the area in 1991. In 1992 following a good prawn season the yield of banana prawns offshore of the same area was one of the highest in Queensland at 259 tonnes (*Mitchell River Watershed Management Short Report Number 2 1994 p2*)

Kowanyama's active campaign in recent years to safeguard the future of the Mitchell River fishery, and to establish effective self management of the natural resource endowment of its lands and marine areas has attracted considerable State and national attention (*ESD Fisheries Report 1991, RAC Coastal Zone Inquiry 1993*).

The coastal zone is an important part of both the social and economic fabric of the Kowanyama Community which is as much concerned with the maintenance of its cultural heritage as it is with the sustainability of its current and future economic resource base².

The cultural and economic significance of marine areas has been clearly established in a number of major national inquiries (*Australian Law Reform Commission 1986, Cordell in ESD Fisheries Report 1991, RAC Coastal Zone Inquiry 1993, Jull 1993, Altman 1993, Smyth 1993*).

Jull notes that the indigenous fishery is not just a group of individuals in a fisheries occupation, nor can they be regarded as just another part of the politics of conventional resource management. The special attachment of indigenous groups to lands and seas, and the way in which the fishery is seen as connected to a greater environment is also discussed in the same paper (Jull 1993 110-111). Chief Sealth's statement last century, "all things are connected" says it all.

1.1.1 Subsistence

This section gives a brief outline of the subsistence activities of indigenous fishers of the lower Mitchell River. It is not exhaustive, but will establish the significance of this fishery to the community of Kowanyama.

Indigenous fishers, gatherers, and hunters of marine and aquatic fauna harvest both salt and freshwaters extensively for their subsistence needs at Kowanyama. This is typical of activities throughout tropical Northern Australia. The coastal fishery of the Mitchell River is essentially an inshore, estuarine one with only limited offshore activity by fishers with outboard motor boats.

² The economic base refers to both subsistence and commercial enterprise needs.

Activities are determined by seasonal availability and abundance of resources. Activities can become species specific during some seasons although the indigenous subsistence fishery does not intensively target species in the way that both the commercial and recreational finfishery does. An extensive traditional knowledge of species biology and ecology of aquatic fauna ensures a successful harvest.

The indigenous fisher takes a number of species not considered by the other two sectors. There is no stigma attached to the taking of shellfish, catfish, file snakes and other such species. In fact these species are often favoured in their periods of peak condition. Healthy fat fish and other aquatic fauna are highly prized. The heavy take of catfish would be considered a good management strategy by non-indigenous northern fishers who despise the fish. Likewise indigenous fishers see the recreational fisher's repulsion and consequent discard of catfish, and river shark, as blatant waste of a good food resource. A range of catfish varieties are taken from both freshwater and saltwater country throughout the year, although season does determine both the condition and availability of varieties such as the eeltailed catfishes.

The large mangrove shell (*Geloina coarxans*) is taken throughout that part of the year when it is possible to harvest them in saltarm creeks, drainages, and their lower seasonally inundated mangrove margins. Mangrove mud whelk (*Telescopium telescopium*) are also taken for fish bait and consumption.

Fish are predominantly taken on hand lines with either lures or bait. Spears are used to take species found in the beach shallows, along river banks, and lagoons. Fish are also taken with hand held beach seine nets and by fixed gillnets. Crayfish and giant shrimp are harvested with finer hand held seine nets. Some crustaceans are gathered by hand in lagoons and mangrove areas. Some of these activities will be described. Fish taken throughout the year are listed in the table below³.

Shark Time is an important time of the year which can last as long as two to three months depending upon the full onset of monsoon rainfall. During the annual migration of a variety of sharks late in the season significant quantities of young sharks are taken. Their flesh is favoured for the making of fish meal cakes eaten with liver fat in a similar fashion to stingray flesh. The sharks are taken at known stations along river banks by handline, and sometimes by gillnet. Fish is returned either whole for preparation in town or as prepared fishmeal cakes for distribution to family.

Stingrays are taken by spear in the shallows of the estuaries and beaches, along with mud crab, shovel nosed ray, and sawfish.

³ This list is by no means exhaustive.

SUBSISTENCE SPECIES LIST*Salwater*

Grunter (Spotted Javelin fish)
 Pikey Bream Silver Bream
 Young Cod
 Young Shark
 Stingray
 Barramundi
 Shovel nosed Ray
 Lutjanus Snappers
 King Salmon
 Blue Salmon
 Barracuda
 Catfish
 Butterfish
 John Dory
 Trevally
 Queenfish
 Sawfish
 Mullet
 Mulloway

Freshwater

Sooty Grunter (Black Bream)
 Saratoga
 Eel tailed Catfishes
 Fork tailed Catfishes
 Golden Grunter
 Spangled Perch,
 Oxeye Herring (Tarpon)
 Sleepy Cod

Crustacea and Other Shellfish*Salwater*

Mud Crab
 Prawn
 Mangrove Shell
 Mangrove Whelk

Freshwater

Red Claw Crayfish
 Cherabin (Giant Shrimp)
 River Mussels

Crayfish Time is another important season of the year. Shallowing perennial lagoons are harvested with fine seine nets for red claw crayfish, and the giant freshwater shrimp.

It is necessary to harvest before flights of waterbirds make their own annual harvests of the shellfish and other small aquatic life trapped there. Large birds such as pelicans quickly deplete the maturing store of shellfish before the lagoons finally dry out, and the remaining lagoon fauna buries itself to aestivate until the onset of monsoon rains.

Other fish such as barramundi, catfish and tarpon, are taken from lagoons during lower levels either opportunistically during crayfish harvest, or in more organised activities with spears and heavier seine nets where the fish are known to be bigger and in greater numbers.

These fishing activities form a very important part of a calendar of social events throughout the year related to more general subsistence activities. It is a time when traditional knowledge is passed on to younger generations of gatherers, hunters, and fishers. It is a time when connections are reaffirmed with the land as a family unit.

How to locate aestivating long necked swamp tortoises, the best place and time to spear stingrays, when the bat colonies are there for the harvesting, and where to gather magpie geese eggs is all knowledge learnt and refined during these times. They are not just subsistence activities, but a culture and a way of life for the people of Kowanyama.

Currently there is no data available on the socioeconomic value of the subsistence fishery, as well as a lack of data on the gathering and hunting of terrestrial resources, for the general economy of Kowanyama. However, the quantities of fish taken such as catfish, crayfish, and shark are considerable. They are an important part of seasonal events which continue to make a meaningful contribution to cultural and economic needs of the community.

1.2 Planning for management policies and their implementation

1.2.1 Local planning and self governance

Some of the successes of Kowanyama's search for self governance of its lands and waters have been the result of calculated plans and campaigning to achieve longer term goals.

This in fact occurred prior to the establishment of Kowanyama's Land and Natural Resources Management Office. Discussion on gaining greater enforcement powers began at a community level at the onset of early discussions with the fishing industry and State authorities in the 1980's. A structured campaign document was circulated to a number of key Aboriginal participants interested in the broader issues. This was probably one of Kowanyama's earlier attempts at networking.

There were indications that a planned approach might well meet with success. Kowanyama informed Queensland Fish Management Authority (QFMA) of its long term goal to place a fully trained Aboriginal enforcement officer on the Mitchell River. The Authority responded positively, and real progress was made in the years that followed.

A helicopter surveillance program funded locally through fees levied on recreational fishing groups camping on Aboriginal lands was both a valuable management tool, as well as a useful lever in the community's negotiations for river closures. The program both removed the perceived remoteness of the delta to fishing boats and parties, and provided valuable information on the level of illegal activity in the area to the negotiating table.

Regulation of the increasing numbers of recreational fishermen was likewise both an assertion of real local management, as well as a strategy to gain credibility in the developing relationship with the commercial and Government sectors of the fishery during negotiations.

The development of credibility with the other side of the negotiating table was an early aim as community negotiators developed the capacity to maintain professional and consistent debate with the fishermen .

Kowanyama's negotiations sustained consistent direction through two consecutive changes in its elected Aboriginal Council. The value of community ownership of agendas and priorities was a lesson learnt early in the process with meetings clearly minuted and agendas always proposed prior to meetings. As both groups got to know each other, and a measure of trust in the other side's commitment to management grew, it became possible to approach meetings with some shared agendas (Sinnamon 1994C *In Press*).

Kowanyama's eventual purchase of two barramundi licenses valued at in excess of \$60000, seemed a little like buying back a river that was never sold or given away in the first place. The buyback had its critics from afar, however, the pragmatic approach taken at a time when political realities were somewhat different, resulted in significant closures of the system to commercial and recreational activity. Several years later Kowanyama's Fisheries Officer was granted the formal powers of a Fisheries Inspector under State fisheries legislation⁴. The Kowanyama Natural Resources Management Office now uses its helicopter surveillance funds more strategically in joint enforcement exercises with the Queensland Boating and Fisheries Patrol. Its own Fisheries Officer will soon exercise cross jurisdictional powers with the gazettal of the Kowanyama Aboriginal Council's By-laws.

The ability to network successfully with Native American groups and conservationists has been an element in the community's strategy to develop the capacity to deal with

⁴ Qld Fisheries Inspector under the Fishing Industry Organisation and Marketing Act (1982-1989)

a) Regional planning and co-management

The clear intention in the strategic directions document was in its commitment to securing sustainability⁶ of the downstream resources of Aboriginal lands. This led to Kowanyama's active involvement in regional strategies for management of lands beyond their own self managed landholdings. The Mitchell River watershed is one of Australia's larger systems.

The retreat document clearly stated Kowanyama's position on its involvement in co-management activities with external agencies. It also indicated a broadening perspective of management for a community which two years earlier had been deeply preoccupied with local issues such as illegal fishing activities and fish stock depletion. A number of times in the recent past Kowanyama had been described as "the most unfriendly and bigoted mob on the west coast" by commercial operators. There were also early accusations of professional fishermen bashing (verbal) from the same group which have since disappeared.

It was a change of perspective which some of the participants found difficult to believe at the Mitchell River Watershed Conference where a special meeting of Elders was convened when there were murmurings from a section of non-indigenous representation that the murris didn't understand all this talk of watershed management .

The previous day at a meeting with Squaxin Indian visitor, Dave Whitener, one of the Elders group, Colin Lawrence had made a comment which discounted such claims.

We should have wake up long time ago, but we starting to wake up now, we got a big mob of river coming in. We have got the Palmer River, that comes into the Mitchell, we got the Alice River, that comes into the Mitchell, we got the Lynd, that comes into the Mitchell, we got the Walsh, that comes into the Mitchell River, you have got all those rivers coming in and they are mining up there now, at the head of it. Well all kinds of muck comes down that river, they are coming into that one river, the Mitchell, that Mitchell River see that Mitchell River's feeding us.
Colin Lawrence, Kunjen Elder, Kowanyama, 1990

The frustration of the Chairman of the Kowanyama Aboriginal Council, and a Kokoberra Elder at the time was apparent when he waved the group back to conference from the meeting, Let's get on with it boy! We've been talking about these things for years . Community understanding of words such as sustainability and intergenerational equity was described in less eloquent terms, but at that time a

⁶ It is noted that whilst words like *sustainability* and *intergenerational equity* are not to be found in the vocabulary of Counsel of Elders, Kowanyama Aboriginal Council, or indeed most commercial fishermen on the river, they are clearly principles espoused in the simply stated principle of managing for future generations.

number of people at the conference had underestimated the indigenous understanding of the real issues at stake. The conference had in fact been called by Kowanyama to discuss ways in which Aboriginal interests might be involved in management of the watershed with others.

b) Co-management: Joint management. What is it?

Effective participation and equity in bargaining and negotiation processes cannot be bestowed by external agents. These are two way processes where all parties must seek to improve their own capacity to participate and *walk their talk* as described by Jewell Praying Wolf James, a representative of Lummi Indian Nation, Washington State during his visit to Kowanyama in 1990 (*sic*)⁷. Becoming credible and informed participants in this way ensures equity in co-management strategies and more effective self governance (KALNRMO 1993 9)

Kowanyama's natural resources management agency seeks to avoid tokenism in its involvement in co-management strategies with others.

Current experiences in co-enforcement activities with State fisheries enforcement authorities are seen by that office as an example of real and effective co-management given that there is still much room for improvement. Kowanyama remains wary of the motives of the State's *Nature Conservation Act* and its implications for its self governance of Aboriginal lands and waters. It became clear at the recent Land Summit at the Wenlock River that there was little idea of the meaning of the terms *co-management* or *joint management* in dealings with State Marine Park management agencies on the east coast. Clearly the words meant many different things to many different people. The perception of the term at Kowanyama is not that it be simply a way by which communities assist Government to implement their own policies as described by Kearney⁸ (Kearney 1989 86), but a more equitable and empowering relationship which satisfies some basic mutual objectives.

Pinkerton has described a situation similar to other parts of Australia where greater control makes sense but where the institution of private property rights is not

⁷ Should read 1989

⁸ Perceptions of co-management of natural resources held by both government, non government agencies, and the public differ widely, Kearney describes those varied notions as comprising three basic categories.

- * "A consultative process in which fishermen and other interest groups provide systematic advice to government officials, who remain the sole decision makers;
- * The implementation and enforcement by fishermen of government policies and regulations which are widely accepted as beneficial to fishermen;
- * Comprehensive participation by fishermen in fisheries decision making at the levels of policy formulation, acceptance and implementation".

Kearney further notes that such arrangements can represent either self determining approaches to natural resources management or simply another way to assist government in their decision making role (Kearney 1989 86).

administratively feasible or politically acceptable, and co-management is likely to be the most reasonable alternative (Pinkerton 1989 277). This is the reality for indigenous groups whose traditional lands lie within the *Protected Areas* of the Great Barrier Reef Marine Park and Wet Tropics World Heritage Area, or Kakadu and Uluru in the Northern Territory. This does not preclude those groups from the pursuit of more self determining strategies in the management of their lands and waters, albeit that they are legally owned by a multitude of widely differing interests.

Landowning groups in the sense of non-indigenous law, such as Kowanyama are in a totally different position to those groups with respect to the development of self governance of their natural resource endowment. Perceptions of co-management will likewise be different as their social and economic needs will vary widely.

Kowanyama is however resisting the current tendency of government agencies to impose models of *Protected Area Management* upon the management of established Aboriginal Trust Lands. (Sinnamon 1994A *In Press*)

This was a consideration in earlier concerns which lead to the hosting of the Watershed Conference to discuss regional management of the Mitchell River as a biological unit, and in its active promotion of the Mitchell River Watershed Management Group which resulted. The Management Group now represents the combined interests of miners, graziers, fishers, conservationists and indigenous groups. Kowanyama now looks for other aboriginal groups to represent traditional interests in the mid and upper watershed.

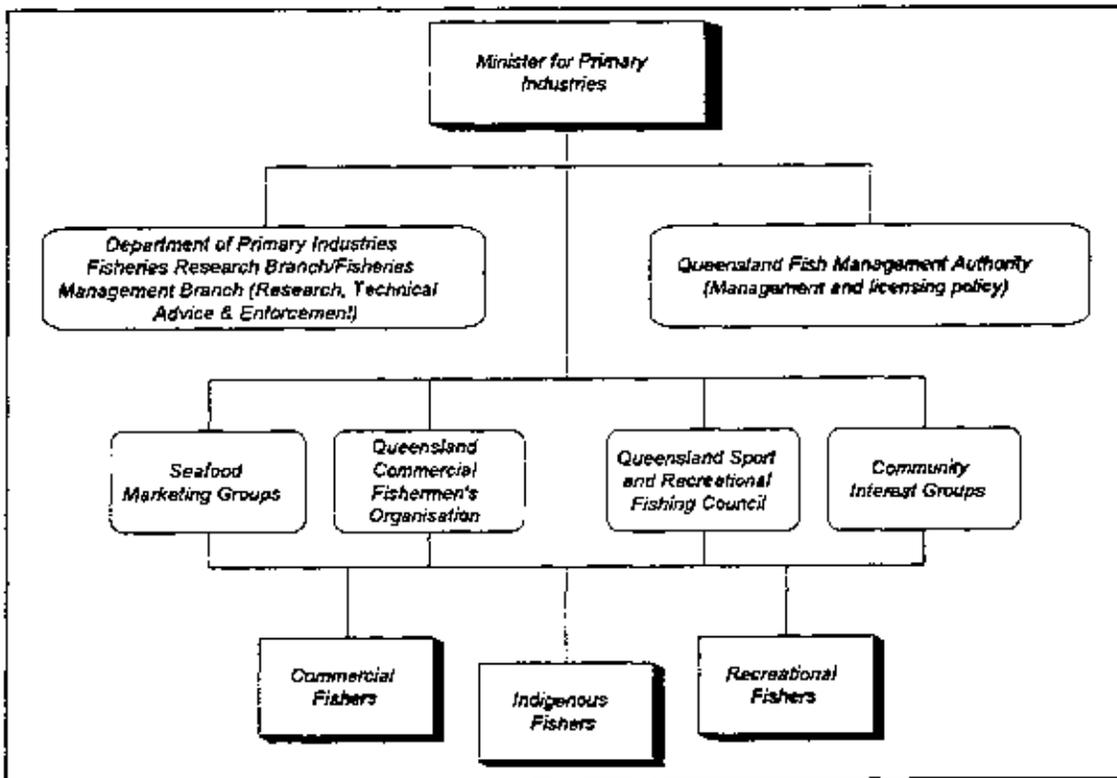
Kowanyama's concern for recognition of its right to self management of its lands are reflected in earlier warnings to CYPLUS that regional planning must acknowledge the need for Aboriginal management of Aboriginal lands, for Aboriginal people, by Aboriginal people and their own management agencies. This is reflected in Kowanyama management agency's seeming preoccupation with the process of regional management, rather than participation in the collection of data by external agencies. The community's concern with being the subject of overstudy in the past with little perceived benefit to the community was voiced at an early meeting at Kowanyama with CYPLUS representatives.

1.3 Implementation of indigenous management

1.3.1 The indigenous fishery⁹

In 1988, Kowanyama hosted the Northern Fisheries Resources Conference. At that time issues discussed were similar to those revisited at the Wenlock River Land Summit late this year. Many of the resolutions of the Summit echoed those of the 1988 conference although the Summit issues and resolutions from its fisheries workshops related more to capacity building for indigenous management which was a positive step.

The value of one of the major outcomes of the earlier Northern Fisheries Conference did not appear in its final resolutions but related to the public recognition of the indigenous fishery by Queensland's fisheries authorities. This occurred with the presentation of a redrawing of the Queensland Fish Management Authority's own diagram of fisheries management in Queensland.



It was noted by a key member of Queensland Fish Management Authority that the diagram was fine but needed to be made to work if it was to be of any value.

⁹ To avoid confusion reference will be made to an indigenous rather than a subsistence sector. Up until very recently in Australia the term subsistence has applied exclusively to indigenous fishers. Due to recent CYPLUS Workshops reference is now being made to a nonindigenous subsistence fishery on Cape York Peninsula.

Another public comment on the conference appeared in the *Queensland Fishermen* which acknowledged the conference as being constructive and the fact that,

from my observations the future aim of the Aboriginal and Islander groups was to have a part in the management of the resource by representation to the industry and ultimately a position on the QFMA (Queensland Fisherman December 1988 p7).

The Regional Fisheries Group for Cape York Peninsula proposed in 1988 did not eventuate. Aboriginal communities' priorities at the time were determined by the fact that Deed of Grant In Trust title was being given to Aboriginal Councils in Queensland. Northern communities at that time were preoccupied with a considerable agenda of establishing their own local government infrastructural requirements.

Representation of both indigenous and recreational fishing interests in State fisheries management was a common concern at the recent National Fisheries Managers Workshop convened at Bribie Island. Indigenous interests were noticeably on the agenda of papers presented by speakers from the Northern Territory and Queensland. It was significant that indigenous representation had been sought and that the Kowanyama Land and Natural Resources Management Office Director had been invited to give a paper on experiences in negotiation with fisheries authorities as a case study.

Considerable commitment on the part of indigenous communities and government will be necessary for the successful implementation of the Summit resolution to further discuss the formation of a West Coast Regional Fisheries body. This will be a positive start to the implementation of some of the Coastal Zone Inquiry recommendations on involvement of indigenous interests in the management of the coastal zone.

Following the 1988 Conference Kowanyama has taken the QFMA's counsel in making every effort to make the diagram work, and has sought to assert an indigenous presence in the fishery.

Kowanyama seeks to establish its jurisdiction and capacity to manage all three sectors identified at the Northern Fisheries Resources Conference. Experience shows that achieving gains for indigenous natural resources management does not happen overnight and that careful planning is essential at both local and regional levels by indigenous management. Ownership of the process is an imperative.

a) Sustainability of a future resource base

Sustainability of the future resource base for Aboriginal lands and waters underpins Kowanyama's concern for management.

This includes strategies to manage the impacts of recreational and commercial fishing upon the resource endowment, and the Aboriginal community's involvement in regional strategies of the Mitchell River Watershed Management Group.

There is a broader long term socioeconomic agenda to the concern for resource use and management. This is implicit in the aim expressed in the land and natural resources management curriculum for Kowanyama High School students. The course's educational and social objectives of literacy and numeracy, better teacher/student relations etc. are in fact strategies to achieve the major community objective of providing the community with future resource managers and users able to operate within a contemporary Aboriginal world. The course teaches the traditional aspects of indigenous and non-indigenous sciences for appropriate resource use. *Traditional ecological knowledge* can include information on topics such as; increase ceremony, seasonal condition, and availability of natural resources complement water cycles, food chains, riparian ecology, and other concepts.

Kowanyama looks to its Native American colleagues as *contemporary indigenous managers* dealing with co-management strategies in a more equitable sense, often on a daily basis with other Federal and State government agencies. Their management is firmly rooted in the present, and in the philosophies of traditional resource use.

Contemporary indigenous land management strategies have begun to develop at Kowanyama. This includes the maintenance of fish increase ceremonies, the consolidation of the traditional ecological knowledge base in the school curriculum, through to the establishment of a sophisticated geographic information system. Mapping of both cultural landscape and natural resources inventories will form the basis for future management of Aboriginal lands and waters. Other northern communities are also involved in the development of their own plans of management.¹⁰

The Curriculum Development Program became an important long term element in the Community Awareness Program established with the opening of the Kowanyama Aboriginal Land and Natural Resources Management Office in 1991. A Counsel of Elders was also formally established at that time to direct traditional issues of land and resources management. This placed the newly established office under the joint direction of traditional landowners and Kowanyama Aboriginal Council.

The community's vision of becoming more autonomous and self regulating in the management of its lands and waters was underpinned by the recognition of its own member's native title rights. This being the key principle of the operation of the Kowanyama Aboriginal Land and Natural Resources Management Office, and the policies and strategies it implements (Dale 1993: 8).

Kowanyama Aboriginal Council is currently seeking to incorporate formal acknowledgement of Native Title within its By-laws.

b) Awareness and participation; the key

Awareness and participation were key issues in the establishment of the Office as issues began to snowball, and the realities of the move from rhetoric and words on paper

¹⁰ Pompuuraw and Injinoo Aboriginal communities.

to active management were experienced first hand. The paper war culture was found to be demanding in its endless agendas of Elders meetings, workshops, planning sessions, and conferences (Sinnamon 1992).

The Community Awareness Program since its inception has involved a wide range of activities. Some were in co-operation with other management agencies.

Litter bags with a river care message;

Land Degradation Conference;

T Shirts with a river care message;

Introduced Weeds Workshop;

Production of a video documentary, *Running the River*;

A retreat on natural resources management;

Production of a comic on coastal and river care; and

Poster on indigenous seasonal resource use with river management theme.

The Awareness Program rapidly expanded to encompass broader awareness activities involving regional, state, and national forums. Recognition of the indigenous fishery and contemporary indigenous management was the primary goal of that part of the program.

Resources from community projects were regularly used at numerous meetings in the promotion of indigenous natural resource use and management. This included conferences and university summer schools attended by office staff and other community representatives. The Queensland Commercial Fisherman's Organisation and State authorities were included in the community's program through formal and informal meetings, conferences and publications.

Kowanyama has taken the QFMA's counsel in its development of capacity to become an active fisheries management agency, and has asserted an indigenous presence in fisheries management of the Gulf of Carpentaria which is now clearly acknowledged.

There are few legal precedents for indigenous self regulation in this country, however Kowanyama is prepared for the long haul. It is prepared to negotiate the achievement of one of its key aims of self governance over time.

The vision is that indigenous management will ensure a future fisheries resource base for the continuation of culture and the exercise of resource rights and responsibilities (Sinnamon 1994A, *In Press*).

Kowanyama is aware that it is in a region of scarce and limited resources, and that the marine resource has potential socioeconomic value for them. This is seen as the other reason for the careful use of resources in the lower Mitchell River Region. This has been clearly stated in their current concerns over proposed offshore and inshore mineral exploration of the delta. There is concern that they are the people who will be living in the region long after resource developers are gone, and that the traditional resource endowment is essential for their future survival both socially and economically.

1.3.2 Recreational fishing

The regulation of non-indigenous recreational fisheries activity on Aboriginal lands and waters is possible through State legislation which empowers Aboriginal communities to control access to Aboriginal Trust Lands¹¹.

The presence of tourists and recreational fishers and campers is tolerated in Kowanyama but is regarded by many as an unnecessary intrusion upon their lives and an unwanted drain on traditional hunting resources. The development of management strategies for recreational fishing and camping access to Mitchell River delta lands was a direct consequence of those concerns as early as the mid 1980s.

Numbers of tourists and fishing parties using campsites and fishing is the subject of constant debate at Kowanyama.

This has emerged as an issue for both recreational fishing and offroad motoring groups visiting Cape York Peninsula. There is a perception amongst some of their members that there is need for less restriction upon access to remote parts of Australia for their recreation.

This has created considerable concern for indigenous and pastoral interests of the Peninsula. Some residents consider this to be a potential resource management problem.

Kowanyama also became aware that during the recent Burns Inquiry on Recreational Fishing in Queensland a disturbing new perception of the user pays concept had emerged. Some recreational fishermen had sought the introduction of a licensing system for groups fishing remote areas. The early proposal was to permit the taking of barramundi in excess of the existing bag limit in place in the less frontier for a 'fee' areas.

Having been successful in the establishment of earlier strategies to regulate the pressure upon the traditional needs of the Aboriginal community this was perceived as an immediate threat. Discussions began on the introduction of local regulations which would effectively exclude fishermen with such licenses should they become a reality¹².

¹¹ *Queensland Community Services (Aborigines) Act 1984-1990* part vi page 29.

¹² The proposal did not get into the final document.

It was also noted that the recreational sector opposed any suggestion of the introduction of a recreational fishing license for Queensland waters.

Kowanyama Aboriginal Community considers permitted access to visiting fishing groups to be a privilege rather than some manifest right of access to Aboriginal lands.

Commercial and indigenous sectors share the view that such regulation by indigenous groups represents a workable fisheries management tool in conjunction with the current commercial and recreational fishing closures on the Mitchell River. Indigenous management views it as an assertion of its policy of self governance of Aboriginal lands and waters.

Helicopter surveillance has concentrated on commercial fishing activity on coast and waterways of the delta but more recently has been used in the observation of recreational fishing activity. Last season the program resulted in the prosecution of individuals gillnetting freshwater on the Alice River adjacent to the Alice and Mitchell Rivers National Park. Close co-operation between Fisheries Officer at Kowanyama and Queensland Boating and Fisheries Patrol ensured the success of the operation.

Recent purchase of Oriners Station has assisted in the better management of this relatively remote area of the mid Peninsula which represents the north-eastern entry point into Aboriginal lands, and the National Park. Dry season residence at the station allows an oversight of activities in the area. This is the westerly margin of the natural range of the Golden Shouldered Parrot which is a much sought rare bird by poachers. In past years there has been evidence throughout the Peninsula of birding and other illegal activity¹³.

The number of visitors either passing through or seeking permits to camp and fish is increasing due to the improvement of the Cape York access road, and the increasing desire of many Australians and overseas visitors to travel to the 'Tip'. The majority of recreational fishing groups currently seeking permits are from the farming areas of the Atherton Tablelands in the upper watershed of the Mitchell River. A lesser number travel from east coast centres between Cooktown and Townsville. Most of these groups have been visiting the lower Mitchell River for many years. Some have been visiting for fifteen to twenty years and know the river very well. This group generally experienced no problems with the introduction of camping fees.¹⁴

Following problems with recreational hunters and shooters a regulation prohibiting recreational hunting was introduced. The following year visitors were requested to leave both guns and dogs at home on visits to Kowanyama. This has assisted in the attraction of a more appropriate clientele.

¹³ A mist net with several common parrots enmeshed was located adjacent to the Mitchell River road crossing in the mid 1980's by a visiting group.

¹⁴ Occasionally fishermen disgruntled with the payment of fees due to the principle involved appear as letters or articles to some of the northern angling media. Invariably they are first time visitors and do not return.

Considerable interest has been shown by many visitors in the use of monies raised from camping fees for fisheries management. Staff at the Kowanyama Natural Resources Management Office now spend time with visitors in explaining community regulations and discussing and debating fisheries and river management issues. Many recreational fishermen actually farm and live within the Mitchell River Watershed and show an active interest having visited the lower Mitchell River for many years. Some have been involved in barramundi tagging programs through either the Kowanyama office or their own fishing club interests.

This group also represents another management opportunity through their willingness to report observations of activity such as noncompliance with fisheries regulations, gun use, and nonpayment of fees etc¹⁵.

**RECREATIONAL FISHING AND CAMPING
ON MITCHELL RIVER DELTA LANDS AND WATERS
KOWANYAMA**

Limited Season
(June 1st to October 31st),

Limited areas with permitted sites
(3 areas with two sites each),

Limit of 3 cars per site,

Permit required,

Fees charged
(\$10 per vehicle per night),

Prebooking of sites
(After January 1st),

No recreational hunting or shooting,

No guns or dogs,

Litter facilities provided
(No burial of rubbish permitted).

¹⁵ Little problems are experienced with the great Australian tradition of never dobbing the neighbour

Broader community awareness of Kowanyama's policy on visiting recreational fishing groups is an ongoing issue.

To date the Kowanyama Land and Natural Resources Management Office has specifically targetted a number of national camping, four wheel drive and recreational fishing magazines for advertisements and editorials describing the management of lower Mitchell River lands.

The Office has also used radio, newspaper and other media to advertise the closure of seasons, community policy etc. A documentary on recreational fishing and management of Mitchell River country was recently assisted through the sponsorship of helicopter time during surveillance flights.

Late in 1994 the office's camping permit system was computerised as part of the development of Kowanyama's fisheries enforcement capacity.

This program has included community initiated training and development for its staff. Fisheries Officers have travelled to work with New South Wales Fisheries Service personnel, and to Native American tribal fisheries enforcement offices in the State of Washington on work information and training tours. Kowanyama management continues to work closely with Queensland Boating and Fisheries Patrol offices in Cairns and Karumba. Most of this is self funded through funds raised from minor consultancies etc.

The objective is to employ officers who are both well travelled and trained, and knowledgeable in indigenous resource management and enforcement as an active part of a community owned Aboriginal Land and Natural Resources Management Office (Sinnamon 1994A *In Press*).

1.3.3 Commercial fisheries management

The history of Kowanyama's involvement in management of the Mitchell River commercial fishery has been described recently in detail (Sinnamon 1991 & 1994D *In Press* & Dale 1991).

By the mid 1980s relations between Kowanyama and commercial fishermen operating in the Mitchell River Region had become volatile. In 1986 it became obvious that the situation was escalating. Queensland Fish Management Authority called a meeting with the assistance of the Department of Aboriginal and Islander Affairs. The meeting was held at Kowanyama between Government, commercial fishermen, and representatives from Kowanyama to discuss the issues arising from the conflict.

Public opinion at Kowanyama was that commercial fishing boats should not have been fishing in the waters adjacent to Aboriginal Trust Lands of the Mitchell River delta. There was discussion on the Barramundi Management Plan for the Gulf of Carpentaria, and issues such as illegal fishing activities, overexploitation, wastage of fish etc. Discussions began in earnest with members of Queensland Department of Primary Industries, Queensland Fish Management Authority, Aboriginal Co-ordinating Council,

and the Department of Family and Community Services on a proposal by the Aboriginal community to close parts of the Mitchell River system to non-indigenous fishing to assist in the conservation of fish stocks. The primary goal of the community was the conservation of their own traditional subsistence fishery.

In the first year of discussions Kowanyama appointed its first Aboriginal Ranger to address the increasing pressure of recreational fishing activities on Aboriginal lands and waters, and to enforce the fees and permit system introduced the year before QCFO had voiced concern over illegal amateur fishing activity throughout Cape York Peninsula.

In the years that followed monies raised from recreational fishing and camping fees was allocated to helicopter surveillance of coasts and waterways of the delta. This was probably one of the few such community initiated schemes in the country. Data from the flights provided the basis for discussion in the negotiation of river closures. The flights also called an end to the perception of remoteness to enforcement amongst commercial fishermen on the delta. By the 1990s the Queensland Boating and Fisheries Patrol had begun to use the program in joint activities with the Aboriginal community as part of their own enforcement program.

Closures involving the entire South Mitchell River system to recreational and commercial activity, and sections of the Main Mitchell upstream of the West Mottle to commercial fishing were declared by the Minister for Primary Industries in 1989¹⁶. Kowanyama Aboriginal Council funded the buyout of two barramundi licenses at a cost in excess of \$60000 as compensation for lost effort to the fishing industry. This also satisfied QCFO objectives in the Gulf Barramundi Management Plan to reduce fishing effort throughout the Gulf barramundi fishery.

In return the community was permitted to split the two licenses to recover some of the costs of the buyout by disposing of the crab and line endorsements, and voiding the barramundi fishing portion of the endorsements as part of the negotiated agreement. This allowed the closure of the river as part of Kowanyama's plan to conserve fish stocks in the delta. The indigenous fishery continued to exercise a form of fishing rights in its exemption from the State Fisheries Act under the Community Services Act¹⁷.

The recreational fisheries closure on the South Mitchell River created some anxiety amongst non-indigenous recreational fishers at Kowanyama who viewed the closures as infringements upon what they perceived to be their rights as residents of Kowanyama. This, however, was the tradeoff in obtaining the closure for the benefit of the thousand traditional residents. Some continue to recognise the existence of a subsistence fishery and any prior rights to the resource for indigenous residents. In a small community this debate has placed both Aboriginal Council and the original negotiating group under considerable pressure since the closure.

¹⁶ *Government Gazette* Number 18, 6th May 1989 page 207.

¹⁷ *Community Services (Aborigines) Act 1984* S77 p29.

During 1988 Kowanyama co-ordinated the Northern Fisheries Resources Conference which assisted in highlighting broader regional concerns of northern indigenous communities in relation to many of the concerns expressed by Kowanyama in their debate with the fishing industry. Interstate visitors from the Northern Territory and South Australia also provided a broader perspective. QCFO representation was considered important by organisations also involved in negotiations over river closure.

The conference also assisted the community to understand the need to become more active which later led to Kowanyama's assertion of its presence in the Gulf as a fisheries manager.

Meetings with the QCFO and government agencies became a regular occurrence and the community began to discuss broader management issues with the industry. Issues included bag limits for recreational fishing, enforcement inadequacy, fisheries habitat issues, fisheries research, etc.

a) Fisheries enforcement

Kowanyama has been aware of the inadequacy of enforcement strategies for the Gulf barramundi fishery for some time. Often as many as nine State Fisheries Officers had the task of oversight of the east and west coast fisheries of the entire coast of Cape York Peninsula and the Gulf Region.

For enforcement of its own lands and waters Kowanyama views the situation as an opportunity to both assert its presence as indigenous managers of the delta fishery, as well as contributing to management of the west coast fishery generally.

It is in this area of its activities that capacity building is most needed. There is a real need for Kowanyama Fisheries Officers to establish a greater presence on the River than is currently the case. In the past the Ranger Service has concentrated on recreational fishing activities. There are plans to upgrade both the Service's transport and communications facilities to allow it to address this issue.

As already outlined a Training and Development Program initiated by the Aboriginal Land and Natural Resources Management Office will ensure adequate and appropriate training for its staff. Air surveillance activities will soon utilise the office's Geographic Information System (GIS) as the system's first task. This complements the computerisation of the recreational fisheries enforcement capability of the office in 1994.

b) Habitat protection

The delta and Lower Gulf of Carpentaria coast is relatively undisturbed by major development of any kind, however, a number of mineral exploration permits have been sought in the past for areas on, or adjacent to Aboriginal lands and waters.

Habitat protection is an issue of concern for both indigenous and commercial fisheries. Both groups have been involved in discussions on the declaration of Fisheries Habitat

Reserves in the Lower Gulf north to the Nassau River. Kowanyama was instrumental in highlighting the conflict of interests of a number of applications for authorities to prospect adjacent to the proposed habitat protection areas. This resulted in speedy ministerial action to declare the reserves.

Both Kowanyama and QCFO are currently involved in discussions on an offshore mineral exploration proposal for the delta.

Involvement in the development of the Mitchell River Watershed Group was a direct result of the two groups' mutual interest in the long term sustainability of the fishery through broader regional management of the Mitchell River system

c) Research

Kowanyama has been involved in early discussion on enhancement of Mitchell River barramundi stocks with QCFO, Gulf Local Authority Development Association (GLADA), and QDPI. Kowanyama representatives attended an early workshop on barramundi and aquaculture hosted by the Northern Fisheries Research Centre in Cairns.

Through joint lobbying of both Kowanyama and QCFO a research program to establish the genetic makeup of barramundi stock of the Mitchell River was established by QDPI, Northern Fisheries Research Centre and its southern Deception Bay research facility.

Kowanyama was concerned that before enhancement began the biological genetics of the fish stock needed to be established. Some of the samples were collected from commercial operators on the River by Kowanyama Aboriginal Land and Natural Resources Management Office for dispatch to southern laboratories for analysis. The project was completed in establishing that Mitchell River stocks are genetically similar to all stocks south to the Northern Territory border.

A community based freshwater fishes survey has been established at Kowanyama with the intention of expanding the project into a full species inventory of both freshwater and saltwater fishes stocks of the lower Mitchell River in the future.

d) Participation and negotiation

It has been acknowledged that Kowanyama's success in the development of a working relationship with Queensland Commercial Fisherman's Organisation and State fisheries agencies is the result of a number of important factors.

Key individuals were involved with a commitment to negotiated outcomes for management of the fishery,

Continuity of the group involved in talks and negotiations,

The lack of human population pressures in the Gulf with a limited number of stakeholders in the process,

Confidence in the other's ability to deliver on promises and strategies at the negotiating table,

Major parties resident in the region with a strong vested interest in both regional and local management,

All spoke a language the other understood,

Sufficient time between negotiation sessions to plan and consider options,

There were mutual concerns and understandings on issues such as habitat protection.

Kowanyama was able to address broader issues of management such as the regulation of other sectors of the fishery , ie recreational fishers,

Kowanyama's network was seen as beneficial to QCFO on issues of mutual concern,

Kowanyama's development of a professional approach to discussions dispelled early fears of dealing with an indigenous community, ie helicopter surveillance data, camping permits for recreational fishers, an active Ranger Service etc.

This has provided Kowanyama with a more positive scenario for discussion of more controversial issues such as Native Title in the future. The single most valuable thing being that the community and commercial fishery are at the table with a developing ability to talk to each other.

1.4 Conclusion

1.4.1 Strategies or Stragedies¹⁸ Which will it be?

The Indigenous Working Group's scepticism of the real outcomes of the Coastal Zone Inquiry for Australian indigenous groups was discussed during their meetings in both Canberra and Sydney during the Inquiry.

It was noted by that group that recognition of indigenous interests in the coastal zone by the Resource Assessment Commission's Coastal Zone Inquiry would simply join the numerous other national and international inquiry findings, statements, and recommendations as books in private and public libraries around the country.

¹⁸ Coined by a Yir Yoront Elder, Thomas Bruce, who asked the meaning of that word at an early CYPLUS consultation at Kowanyama.

It was felt that recognition of indigenous interests in marine resources was a case of a death of a thousand cuts .

First the *Australian Law Reform Commission Reports* (1985), the *Royal Commission Inquiry into Black Deaths In Custody* (1991), the *Ecologically Sustainable Development Fisheries Report* (1991), and finally the *Resources Assessment Commission's Coastal Zone Inquiry's* final recommendations (1993). All declared the significance of indigenous interests in natural resource management.

International meetings have all produced reports, recommendations, and even covenants signed by the various participating nations of the world. The UNCED Conference in Rio de Janeiro (1992) which produced Agenda 21, and the IUCN Conference in Caracas, Venezuela (1993) were two of the more recent such meetings. They too addressed interests of indigenous peoples in the use of the earth's resources¹⁹.

The scepticism of the Indigenous Working Group of the *Australian Coastal Zone Inquiry* seemed justified. The political will and commitment of Australian governments to implement many of the common basic principles expressed in the inquiries was seriously questioned. Recommendations seemed but meaningless rhetoric, just words on paper . How many more inquiries would be conducted to come up with the same basic statements? Was the *Coastal Zone Inquiry* to be just another Inquiry to have looked at the indigenous viewpoint?

As Kowanyama's land and natural resource management strategies began to develop it became clear that the move from the angry rhetoric of social and moral indignation to actually becoming involved in self management strategies, and in shared strategies with others took hard work. As it became involved in management, educational and enforcement roles of lands within its jurisdiction the Kowanyama Land and Natural Resources Management Office found itself swept into a range of issues which were undreamt of in the recent past. What became clear was that participation, consultation, negotiation could not simply be bestowed at the wave of a magical legislative wand. They were things that had to be done, things which had to be asserted to be meaningful (Sinnamon 1994B *In Press*).

Kowanyama is currently developing its capacity to be a resource manager and is asserting its presence as a *contemporary indigenous manager* in the Gulf of Carpentaria fishery. As noted at one Kowanyama meeting, Fish have fins, they swim in and out of our (Aboriginal Trust) area. They know nothing about boundaries, rules and regulation. They are their own people! . Fisheries management benefits the fishery as a whole, not just indigenous fishers.

All the good will and commitment in the world by indigenous and non-indigenous government and individuals is meaningless, unless there is a mutual capacity to actually

¹⁹ No criticism of these meetings is intended.

make the words on paper work. Capacity to communicate, and to implement appropriate management plans are equally important at all levels.

Billy Frank Jr., Chairman of the Northwest Indian Fish Commission describes the tribes' commitment, and capacity to manage Pacific Northwest American natural resources.

The tribes are here to stay as co-managers, they have their technical people in place, their management schemes in place along the watersheds. They have their policy people on every level of United States and State Governments, as leaders prepared to take us into the future (NWIFC Legacy of the Salmon People).

Participating in that Pandora's Box of tricks whitefellas call natural resources management in a modern world does not come easily.

It has taken Kowanyama ten to fifteen years of debate and constant activity to reach its current position. It is constantly, often painfully, aware that things do not happen overnight. Management has been guided by the comments of a Kokoberra Elder spokesman who summarised activities at Kowanyama during a moment of reflection on where the Elders Group and the Aboriginal Land and Natural Resources Management Office had been. There had been a low point in group morale at the time. We've come a long way alright, but bit by bit we did it eh?, but lotta things we gotta do yet (Harry Daphney June 1990).

The persistent bit by bit approach has been the philosophy of management. Planned persistence has proven a powerful tool for gains in resources management at Kowanyama, and its achievement of some significant longer term goals. Fisheries enforcement powers, the strengthening self governance of its lands and waters, and the longer term education of younger generations as resource managers and users, are amongst those achievements.

More than ever there is an awareness that there are other issues to be addressed, and much work to be done in improving capacity to deal with the many and varied ongoing complex problems of management.

a) Searching for recognition as managers

In seeking recognition as a manager of land and natural resources, and in being involved in management strategies with others as co-managers, a range of issues need to be considered.

There is the need for political will of governments to ensure that responsibility for the management of this earth is shared. All too often the talk of bottoms up approach to resources management has joined the empty rhetoric of the countless meetings around the country (Sinnamon 1994B *In Press*).

Sharing the power and responsibility of management is not easy for some, and it is difficult for them to understand they (government agencies) have no monopoly upon the management of planetary or national resources (Sinnamon 1994A *In Press*).

For those wishing to achieve change, and a share in the responsibility, there is the ever increasing danger of expending untold energy on the management of battles with others over resources, rather than in managing the resource itself. This was experienced intensely during the fisheries debate/battles of the State of Washington through the 1970s and 1980s.

Some of the issues which often stand in the way of more equitable sharing in the responsibility of management are outlined.

Current hysteria verging on *paranoia in some sectors of the implications and realities of the recent High Court decision on Native Title*. There is the serious danger of Native Title becoming the all consuming preoccupation of both government and non-indigenous public at the expense of other important indigenous social and economic considerations. Recognition and respect for indigenous rights and responsibilities is, however, a basic requirement for the development of the trust needed in the development of meaningful co-management strategies. Experience at Kowanyama to date suggests that people can continue to discuss the other considerations while the debate goes on, and that recognition and respect can be found at the negotiating table;

Bureaucratic rivalries have often been found to stand in the way of developing co-management arrangements between government and non government sectors. This has been the reality of indigenous affairs in Australia and overseas;

Community and bureaucratic resistance to changing long established ways of doing things is a constant problem where new institutions are required for the better management of resources;

Indigenous communities are often confronted with the *romantic notions* of others concerning contemporary indigenous lifestyles, and their "involvement" in management. All too often there is an attempt to keep them to involvement in the "traditional" issues while others get on with what is often considered whitefulla's business by the whitefellas. Others judging relative 'traditionalness' of indigenous groups and individuals is often encountered. It is found extremely distasteful by the recipients and counterproductive;

Many communities find themselves playing to *external agendas*, priorities, timeframes, and criteria. Avoiding the rush to be facilitated, participated, and consultated (*sic*) to other people's timeframes and agendas is a problem for those who have their own priorities and agendas. Bureaucrats who believe that they have personal monopoly on the management of the planet find this difficult to understand;

In an increasingly complex world accepting, or indeed maintaining, that responsibility for management is no easy task. Capacity building for groups and individuals to meet the challenge of natural resource management will allow them to avoid what Ascher describes as the external agency's search to mobilise local participation in order to generate grass roots support (Ascher 191 1990) Groups will need to develop the capacity to generate their own priorities and agendas. They will need to be able to act upon them at a community level if they are to meaningfully participate in the development of joint strategies with others.

The key to success lies in the development of a community's autonomy of purpose, and its ability to comfortably share some of it with others (Sinnamon 1994A *In Press*).

Land managers have been warned of the dangers of token efforts to involve indigenous people in natural resources management strategies. It has been noted that this is a sure way of destroying the trust so necessary in the development of effective and meaningful co-management arrangements with any community group (Sinnamon 1991 59).

Issues, objectives, and strategies must be owned by the "stakeholders" or plans for management with, or on behalf of others will fail no matter how well meaning. The imposition of a strategy to which there is no such ownership would make "Cape York Peninsula Land Use Stragedy" a very apt description of such a situation for all concerned, indigenous and nonindigenous.

The government's perceived monopoly on the management of the natural resource endowment has been seriously questioned. This is evident in both the local and the regional context as indigenous groups consider their options for the self governance of their respective estates as is happening at both Kowanyama, and in the Torres Strait (Mulrennan 1993).

Kowanyama's experiences in recent years in negotiations with State fisheries interests and the fishing industry are examples of some positive gains for both the indigenous sector and the resource. It is certain that benefits have a flow on effect to others in the Gulf of Carpentaria, and Cape York Peninsula regions, and more importantly to future generations of resource users and managers.

1.5 Reading list

Altman, J.C., Ginn, A, Smith, D.E., 1993, Existing and Potential Mechanisms for Indigenous Involvement in Coastal Zone Resource Management, *Consultancy Report to the Coastal Zone Inquiry, Resources Assessment Commission*, Canberra, ACT.

Ascher, William and Healey, Robert, *Natural Resource Policy Making In Developing Countries: Environment, Economic Growth, and Income Distribution*, Duke University Press, Durham and London USA, 1990.

Carr, Anna, 1993, Catchment Co-management, (The Case of the Mitchell River Watershed Management Working Group), *Centre for Resource and Environmental Studies, Working Paper*, Australian National University Canberra, Australian Capital Territory.

Cordell, J. 1991, Managing Sea Country, (Tenure and Sustainability of Aboriginal and Torres Strait Islander Marine Resources). *Report on Indigenous Fishing. ESD Working Group*. Canberra, Australian Capital Territory.

Cordell, John, 1993, Who Owns the Land, In *The Law of the Mother: Protecting Indigenous Peoples in Protected Areas*, Edited by Elizabeth Kempf, Sierra Club Books, San Francisco, USA.

Dale, Allan, 1994, Strategic Directions for Natural Resources management on Aboriginal Lands of Kowanyama: Proceedings of a Retreat prepared jointly for Kowanyama Aboriginal Land and Natural Resources Management Office, Kowanyama, North Queensland, Australia.

Dale, Allan, 1991, *Aboriginal Access to Land management Funding and Services Case Studies: Kowanyama, Aurukan, Woorabinda and Trelowney*, Division of Environmental Studies, Griffith University, Queensland, Australia.

Elliot, Mark, 1990, *My Land, My Place, My People*, A Television Documentary for FNQ Television, produced by Elliot Productions, Cairns, North Queensland, Australia.

Jull, P. 1993, A Sea Change, Overseas Indigenous Government Relations in the Coastal Zone (Consultancy Report), *RAC Coastal Zone Inquiry Report*, Canberra, Australian Capital Territory.

Kearney, John F, 1989, Co-Management or Co-Optation (The Ambiguities of Lobster Fishery Management In Southwest Nova Scotia), In *Co-Operative Management of Local Fisheries*, University of British Columbia Press, Vancouver, Canada.

Kowanyama Aboriginal Land and Natural Resources Management Office, 1991, *Running the River*, Video Documentary, Barramundi Productions, Kangaroo Point, Brisbane, Queensland, Australia.

CHAPTER 2

**TRADITIONAL AND CURRENT LAND USE
IN THE PORMPURAAW COMMUNITY**

Jim Monaghan and John C Taylor

CHAPTER 2

TRADITIONAL AND CURRENT LAND USE IN THE PORMPURA AW COMMUNITY

Mr Jim Monaghan

Dr John C Taylor

CONTENTS

2.1	Introduction	2-1
2.2	Description of survey area	2-2
2.3	Natural resource mapping	2-2
2.3.1	Mapping procedure	2-2
2.3.2	Mapping results	2-4
2.3.3	Land use significance of management areas	2-8
2.4	Community infrastructure and land use	2-10
2.4.1	Mapping procedure	2-10
2.4.2	Community infrastructure	2-12
2.4.3	Land use implications for community management	2-13
2.5	Spatial analysis of natural resource accessibility	2-14
2.5.1	Image analysis	2-14
2.5.2	Theme extraction procedures	2-17
2.5.3	Spatial Analysis	2-17
2.6	Spatial analysis of traditional and current land use	2-19
2.6.1	A case study of current land use	2-19
2.6.2	Traditional land use and tracts in the study area	2-20
2.6.3	Implications of current study for community management	2-23
2.7	References	2-26

Tables

1. Properties recorded for each resource unit	2-5
2. Properties recorded for each infrastructural theme	2-12
3. Spectral characteristics of LANDSAT TM data	2-14
4. Properties recorded for each environmental theme	2-18
5. Traditional land use properties of each tract	2-21
6. Cultural information for each tract	2-22

Figures

1. Location of Pormpuraaw Community within Cape York Peninsula	
2. Resource units within the Pormpuraaw Community	
3. Management units within the Pormpuraaw Community	
4. Natural resource regions within the Pormpuraaw Community	
5. Management units and surface hydrology	
6. DOGIT and leasehold boundaries	
7. Regional scale view of tracks and accessibility	
8. Community infrastructure in Pormpuraaw - 1969 and 1994	
9. Surface water classification of Pormpuraaw - February 25 1992	
10. Late wet season surface water change in case study area	

TRADITIONAL AND CURRENT LAND USE IN THE PORMPURAAW COMMUNITY

This project was undertaken in three parts

- i) natural resource mapping;
- ii) infrastructure and current land use mapping; and
- iii) spatial analysis of current and traditional land use.

It complements the longer term cultural mapping programme that has been continuing in the Pormpuraaw community since the early 1970s (Taylor 1984).

A total of 101 resource units were mapped from 1:85 000 scale aerial photography (AUSLIG 1969) on the basis of their distinct photo patterns (Brett 1992). Each unit was assumed to have distinct physical characteristics in terms of vegetation, topography, drainage and fire. These units were then aggregated into dominant vegetation types each of which are assumed to form coherent resource management units. These have a high statistical concordance with independently mapped drainage and surface water patterns - rivers, swamps and lagoons (AUSLIG 1993). Lower order resource units are distinguished primarily on the basis of fire and land management regime, and local topographic differences.

Infrastructure (roads, fences, outstations), tenure (ownership and lease), and current land use were also mapped and summarised for each resource management unit.

The spatial and temporal characteristics of surface water availability were extracted from LANDSAT Thematic Mapper remotely sensed data with spectral and spatial modelling techniques. The same suite of spectral data also provided information on variability in seasonal ground cover and primary productivity, woodland cover, and fire which complemented the known ecology of the area. These models provide a detailed representation of natural resources and a contextual framework for analysing their traditional use, for identifying the extent of those seasonal 'tracts' or 'country' that are used by individual community groups, and their coincidence with current and proposed land management regimes.

2.1 Introduction

This project was undertaken in response to a brief provided by the Pormpuraaw Community Council. They requested the identification of sacred and traditional sites; information on the extent, location, shape and characteristics and value of natural resource areas; and on current and future land use trends within Pormpuraaw. This information was to be summarised in maps that showed representative 'management' and 'resource' units and their accessibility to community members. The community had no detailed documentation of either their cultural or natural resources and anticipated that the above brief would provide them with a basis for their management and for evaluating economic development proposals. The documentation would also provide them with an archive of the traditional knowledge held by older people that may be transferred to younger community members in the future.

Information on cultural and natural resources were provided to the Council in the form of maps, tables, a report and a simple digital mapping database that permits future maintenance of the archive. Analyses of cultural and ecological significance, and of the relationships between traditional use of the community's resources and current and proposed land uses were undertaken with a geographic information system (GIS).

2.2 Description of survey area (Figure 1)

Pormpuraaw is situated on the Gulf of Carpentaria lowlands on the west coast of Cape York Peninsula. It covers an area of 4333 square kilometres. The community area is tenured as a 'Deed of Grant in Trust' (DOGIT). This implies some degree of autonomy in land and natural resource management by the community. However any land required for infrastructure and public facilities are excluded from the DOGIT, and timber and mineral resources and grazing rights remain the property of the Crown. The Crown has an exclusive right to grant grazing, timber and mining leases within the DOGIT area.

The community has a population of about 450 (Dale 1991), most of whom live in the main settlement at Pormpuraaw. The Pormpuraaw settlement was established by the Anglican Church in 1939. Currently there are three outstations. The most northerly was established at the mouth of the "Holroyd River" (Christmas Creek) at *Ngangkayengka* about two years ago and is a typical outstation community composed of traditional land owners and their families. It is occupied all year round. During the dry season, a small community of stockmen is maintained on Eddie Holroyd's pastoral lease. Barr's Yard, on the northern side of the Coleman River, has for many years been the centre for the community cattle operations. Barr's Yard operates through the wet and dry seasons.

Pastoralism is the main economic activity within the community. A crocodile farm, still currently in a developmental stage is at the point of achieving financial independence. Two on-shore fishing enterprises, located at the mouth of the Edward River and the Holroyd River respectively, are privately owned and operated by non-Aboriginal people. Traditional hunting and fishing play an important role in family subsistence patterns.

Pormpuraaw is a remote area. The Edward River settlement can be accessed by plane throughout the year. Road access is only possible for 7 or 8 months in the dry season, either along an unsealed track from Musgrave, 248 kilometres to the east on the Peninsula Developmental Road, or along another unsealed track from Kowanyama, more than 120 kilometres to the south.

2.3 Natural resource mapping (Figures 2 - 6)

2.3.1 Mapping Procedure

There has been no previous large scale thematic mapping of Pormpuraaw. The only aerial photography that was available at the start of the project for establishing a mapping base was a 1:84 800 panchromatic coverage (AUSLIG 1969). This photography had also been used in the CSIRO 1:1000 000 Land Systems mapping (Galloway, Gunn and Storey 1970) and the 1:100 000 and 1:250 000 topographic mapping of the area (AUSLIG 1978). Those 'management areas' and composite 'resource units' that were requested in the

project brief were identified from interpretation of these photographs. A total area of 4333 square kilometres was mapped from a planimetric mosaic of 86 photographs.

Fieldwork was undertaken in June and July 1992 to verify the resource unit mapping and to describe their soil and vegetation characteristics so that an assessment of their land use potential, their scientific value and their accessibility could be made.

All of the mapping was digitised into a GIS and geometrically transformed into the Australian Map Grid (AMG) using ground control points obtained from the 1:100 000 maps for the area, and from Global Positioning System (GPS) measurements of those features that were identifiable both in the field and in the aerial photography.

Each resource unit was represented as a polygon which was referenced in a corresponding relational database table by a unique number. All relevant survey information for each resource unit was referenced to the same unique identity number.

Additional cartographic information in the form of 'GEODATA' was supplied by the Australian Land Information Group (AUSLIG 1993). This is a proprietary product now available for the whole of Australia and comprised in this instance digital information extracted from the 'Holroyd' and 'Edward River' 1:250 000 map sheets. These maps were published in 1978 but their detail was obtained from the same 1969 aerial photography as used in the natural resource mapping. These digital data were included to facilitate identification of 'resource' and 'management' units. Three themes were supplied in ARCINFO format. These included

Hydrography

- ▶ *Waterbodies.* A polygon representation of 'lakes', 'land subject to inundation', 'mangrove', 'saline coastal flat' and 'swamps'; and
- ▶ *Streams and Rivers.* A linear network of surface drainage.

Where appropriate these features also had names and perenniality attributes attached to them.

Topography

- ▶ *Elevation.* Spot heights either captured from parallax measurements from aerial photographs or by interpolation along the 20 metre and 40 metre contours.

Infrastructure

- ▶ *Roads.* A line network describing where appropriate the classification (trafficability and surface type), route number and name of roads and tracks.
- ▶ *Settlements.* A point coverage of names of settlements, places and man-made features.
- ▶ *Airfields.* A point coverage of aerodromes and their day/night access.

Each theme is complemented by a data dictionary and a data quality statement. They were transformed into AMG coordinates and entered into the project database. There was an almost perfect spatial concordance between these themes and the aerial photographic mapping. The hydrography theme was merged with the digital resource unit mapping in ARC/INFO and a logical 'OR' or UNION of their corresponding attributes made.

An attempt to use the elevation data in mapping was unsuccessful. The resolution of the data was not sufficient to resolve any significant topographic features. The greater part of the community area lies below the 20 metre contour and digital terrain modelling techniques could not resolve any of the major features of the extensive coastal plain and seasonal wetlands that comprise the community area.

2.3.2 Mapping results

a) *Resource units (Figure 2)*

A total of 101 separate resource units were identified and recorded. The following properties were represented for each resource unit in the project GIS;

- ▶ dominant vegetation type and density of cover;
- ▶ hydrology and drainage density; and
- ▶ fire regime and land use.

These properties were derived from the aerial photography and associated field survey, from general field knowledge of the DOGIT, from interviews with community members and from the AUSLIG GEODATA. The properties recorded for each unit is summarised in Table 1.

Table 1 : Properties recorded for each Resource Unit

Resource Unit	Properties recorded
1. Marine Grass Plain	...
2. Marine Grass and Tree Plain	...
3. Tall Grass Plain	...
4. Mangrove	...
5. Beach	...
6. Coastal Woodland	...
7. Coastal Ridge	...
8. Inland Ridge	...
9. River Plain Tall Woodland	...
10. River Plain Eucalypt Woodland	...
11. River Plain Melaleuca	...
12. Melon Hole Plain	...

b) Management areas (*Figures 3, 4 and 5*)

Management areas were identified primarily on the basis of dominant vegetation type within resource units and their association with those landforms that are generally recognised by the community (for instance see Taylor 1984:52-3). These areas comprised

1. Marine Grass Plain
2. Marine Grass and Tree Plain
3. Tall Grass Plain
4. Mangrove
5. Beach
6. Coastal Woodland
7. Coastal Ridge
8. Inland Ridge
9. River Plain Tall Woodland
10. River Plain Eucalypt Woodland
11. River Plain Melaleuca
12. Melon Hole Plain

These formed 63 individual map units (Figure 3). They were further stratified into four larger regional units or coherent landforms

1. Coastal Area
2. Inland Ridge
3. River Plain
4. Melon Hole Plain

These formed 17 individual map units (Figure 4).

i) *Coastal Area (1 - 7)*

The first seven categories are all a feature of the coast and occupy an area with an overall maximum width of 10 kilometres (east-west). They extend the entire 105 kilometre length of the Pomppuraaw coastline. The remaining categories are all aligned east-west and follow the axes of the Holroyd, Edward and Coleman rivers.

There was a considerable mixture of vegetation and cover types within each of those resource units that were visited in the coastal area. They all differ in their internal composition and in the relative density of tree cover. This heterogeneity can be recovered to some degree as each of the composite resource units have more detailed vegetation descriptions and have individual estimates of vegetation cover based on visual photodensity assessments. Melaleuca in particular featured in virtually all of the units, other than in the open salt marsh and beach areas. Mid-high woodland was the main structural form throughout except for some areas of closed Vine Thicket on the raised beach ridges, and tall closed grassland on the Tall Grass Plains.

The Marine Grass Plain is made up of Saltmarsh, some of which also contain Melaleuca woodland (Marine Grass and Tree Plain). These tree-covered grassplains are prone to tidal inundation immediately prior to the wet season. During the wet, they are flooded with fresh water. The most extensive areas of Saltmarsh occur south of the Edward River but smaller pockets can be found to the north, particularly in Melaleuca dominant areas.

Mangroves are found at the mouth of the Holroyd and Coleman Rivers at the extreme northern and southern end of the survey area. Elsewhere they form the seaward margin of the Tall Grass Plain. At the northern end they form a significant barrier between the coast and the inland area as they are also backed by relatively dense stands of Vine Thicket.

The Coastal Ridge and Coastal Woodland areas comprise Tall Open Forest and Vine Thicket, and Open Eucalypt and Melaleuca Woodland respectively. Even though the ridge rarely rises more than 6 metres above sea level it is the most pronounced topographic feature in the community area. It comprises a series of raised beach ridges or 'cheniers' of quartz sand and compounded shell which support a diverse range of flora and fauna, and which supply the only permanently available fresh water.

Tall Open Forest is found over the whole length of the area on the crest of the innermost dune ridge at about 6 metres above sea level (Brett 1992). Denser pockets of Vine Thicket are found within swales at 3-4 metres above sea level, and Open Eucalypt and Open Vine Thicket and Grassland on slightly higher plains on the coastal side of the dunes, at the northern and eastern side of the area, and adjacent to the Coleman river in the south.

ii) *Inland Ridge (8)*

The Inland Ridge comprises a series of interfluvial ridges that support Bloodwood and Eucalypt Woodland similar to that found on the Melon Hole Plain. They are discriminated from the River Plain woodlands by the 20 metre contour, a relative absence of surface drainage that also discriminated them from the Melon Hole Plain, and the

presence of numerous perennial swamps and lagoons. The former are largely absent from the River Plain woodlands, other than in areas adjacent to the main watercourses, and on the subdued interfluvial ridges which dissect the area.

iii) *River Plain (9 - 12)*

On the River Plains between the coast and the Inland Ridges there is a general trend of more closed vegetation from the Holroyd river in the north to sparser vegetation around the Coleman river in the south. The dominant vegetation type is Melaleuca woodland, with Eucalypt woodland on interfluvial ridges in the Holroyd and Coleman river catchments, and Tall Eucalypt woodland and lower storey Bloodwood on elevated areas in the Edward River catchment, in particular the interfluvial with the Coleman River.

River Plain vegetation in the north is generally described in the CSIRO 1:2000 000 vegetation mapping of the Mitchell - Normanby area as 'Paperbark', and 'Bloodwood/Stringybark' woodland and in their 1:1000 000 land systems mapping as a 'Balurga' and 'Mottle' system (Galloway et al 1970). The current survey identified a large contiguous area of Open Eucalypt woodland and lagoon country in the Holroyd river plain adjacent to the Coastal Ridge, similar to the Melon Hole Plain to the south. Elsewhere the survey also identified discrete areas of Melaleuca vegetation within the drainage channels of the Holroyd river and adjacent swampy hollows, and Mixed Eucalypt and Melaleuca on the interfluvial as distinct resource units (Brett 1992).

The area of the Edward River Plain is described in the CSIRO survey as 'Battersea', 'Cumbulla', 'Balurga', 'Mottle' and 'Mixed Eucalypt' land systems (Galloway et al 1970). It is described as a wide floodplain of alluvial clays with ridges of weathered mesozoic sands and clays on higher ground inland.

The current survey identified Bloodwood and Tall Woodland on the interfluvial and in the less densely drained areas of the Edward River Plain, and Melaleuca and Mixed Eucalypt on the lower lying sandy ridges. Melaleuca areas that were visited in the field for the most part consisted of mid-high Open Woodland. The Bloodwood areas comprised a mixture of low open, tall Open and mid-high Woodland (Brett 1992). The Coleman River area in the south generally comprises a sparse cover of Bloodwood and Eucalypt woodland with Melaleuca towards the Coastal Ridge and the Coleman river.

iv) *Melon Hole Plain (13)*

The Melon Hole Plain comprises Open Eucalypt woodland and numerous small wetlands in the form of perennial swamps and lagoons. It comprises a weathered laterite surface which rises to over 20 metres above sea level and has a 'melon hole' or lagoonal landscape characteristic of many other areas of the Gulf of Carpentaria lowlands. The CSIRO Land System series classifies the area as a 'Balurga' land system and describes it as being predominantly 'Bloodwood' and 'Stringybark' woodland (Galloway et al 1970).

Although the above management units comprise a mixture of vegetation types two general trends relevant to land management are clear.

- 1 There is a high statistical concordance between drainage density and perennial water supply and the current management unit classification. This is evident even when those resource units which characterise the lower lying interfluves within the River Plain are analysed separately. They have an intermediate drainage and perennial water supply status which is significantly different from that of the surrounding plain (Figure 5).
- 2 The broad vegetation categories employed in this classification seem to be generally recognised by community members even though their significance may be more hydrological than botanical.

2.2.3 Land use significance of management units

Current and recent historical economic uses of the community area have included pastoralism and fishing. More recently tourism has become a significant activity with visitors attracted by the relative remoteness of the Gulf of Carpentaria lowlands, general scientific interest in the flora and fauna of the area, and recreational fishing opportunities.

Landuse is largely dictated by wet season inundation and its consequences for accessibility and movement within the DOGIT, and its effect on perennial water and pasture, and habitat availability (Figure 6).

a) *Pastoralism*

The grazing potential of the area has been broadly assessed by the CSIRO (Galloway et al. 1970). Even those areas identified as being most optimal, which coincide with the Melon Hole Plain and River Plain interfluves, are only capable of supporting very low stocking rates and are dependant on seasonal water availability.

The current grazing regime uses the Marine Grass Plains immediately at the end of the wet season. These are the first areas to dry out and provide a sparse cover of Couch Grass which is utilised until flood waters have receded from the Tall Grass Plains on the inland side of the Coastal Ridge. Grazing then continues on the Melon Hole Plain, River Plain interfluves and Inland Ridge where lagoon water is available until July or August. Some lagoons, particularly those along river courses offer small reserves of water throughout the dry season. Wet season grazing is confined to the Coastal Ridge and Coastal Woodland, and to a lesser extent the Inland Ridges as these areas provide refuge from the extensive flooding which covers the remainder of the community area from December through to April or May. The Coastal Ridge has permanent reserves of interstitial water in the raised beach deposits which support cattle throughout the wet season.

Remotely sensed analysis of fire scars show that burning is a constant feature of the Marine Grass Plains and the Tall Grass Plain from May onwards, and the Inland Ridges from July, and then throughout the dry season. More intense late dry season burning is a particular feature of the Inland Ridges.

b) *Traditional Food Gathering*

There is no potential for agriculture on a large scale. An attempt to establish a commercial coconut grove failed when Cyclone Dora totally demolished the plantation in 1964. In the early mission years, food gardens (potatoes, sweet potatoes, taro, cassava, bananas etc.) substantially augmented mission rations as did the exploitation of traditional foods. Traditional food gathering takes place all year round on the Coastal Ridge, and elsewhere follows a cycle determined by the recession of floodwaters following the wet season and is largely concentrated around lagoons on the Melon Hole Plain, and river valley and inland ridges which offer fishing and hunting opportunities throughout the dry season. The Tall Grass Plain provide an abundant early dry season source of game (Thompson 1939, Taylor 1984).

c) *Crocodile Farming*

The crocodile farm is located around a series of lagoons on the coastal ridge adjacent to the settlement at Pormpuraaw. Established in 1972, the farm has successfully established a breeding range and currently produces between 4000 and 5000 hatchings annually. Because of perceived problems in maintaining an assured supply of protein for the developing crocodiles during the wet season, a large proportion of the crocodiles destined for the 'skin' trade have been removed to another facility in Cairns where food supplies are more easily available.

d) *Scientific Interest*

The Coastal Ridge has the greatest number of botanically and hydrologically different resource units and hence the greatest biological diversity. It has been recognised as one of the most ecologically significant areas of the Gulf of Carpentaria lowlands (Stanton and Morgan 1976). The Melon Hole Plain is one of seasonal freshwater inundation and has a large number of both intermittent and permanent lagoons. It has been described as an area with a 'distinctively complex pattern of ecosystems and habitats. Biologically interesting sedgeland. Has scientific value' (McConnell and Wagner 1989).

An inventory of 'Wilderness Quality' conducted by the Australian Heritage Commission (AHC) has identified the Coastal and Melon Hole Plain area, and the Inland Ridge as areas of high wilderness quality (Lesslie, Abrahams and Maslin 1992).

e) *Tourism*

With the realignment of the access road, the journey from Musgrave to Pormpuraaw has been reduced from eight to four hours. Consequently increasing numbers of recreational fishermen and hunters visit the DOGIT to take advantage of the opportunities in the tidal arms, the seasonal lagoons and swamps. These visits are largely uncontrolled and sometimes clandestine. Potentially they conflict with traditional and pastoral activities.

f) *Mining*

The GEOPEKO company has an exploration lease which covers the southern part of the coastal ridges of the DOGIT and part of Kowanyama as well. These ridges are thought to hold reserves of high value metals, in particular titanium. The sands also have a high silica content which may make their extraction commercially viable. The lease coincides with an area of ecological and cultural significance to the community. Any sand mining in this area will conflict with wet season pastoral activities, interfere with the drainage of the area, disturb wet season habitat for native species and cattle, and destroy a large number of important cultural sites, burial grounds, and places currently used by people.

2.4 Community infrastructure and landuse (*Figures 7 - 9*)

The next phase of the study investigated current landuse and infrastructure within Pormpuraaw and their relationship to the above natural resource mapping.

A particular need for the mapping of tracks, fence lines and outstation settlement was recognised. The only infrastructural information available was the AUSLIG GEODATA theme which only describes the extent of tracks and settlement in 1969. There was no information available to the community on track development from that date onwards.

Figure 7 shows the DOGIT boundary for Pormpuraaw and the location of pastoral and mining exploration leases within this boundary.

Figure 8 shows the extent of information on tracks that are provided by the AUSLIG GEODATA. This information has been registered with the GEODATA 'waterbodies' theme to illustrate the relative wet season inaccessibility of Pormpuraaw compared to the surrounding landscape; and the paucity of infrastructure compared to the better drained Kowanyama community area to the south which has a more highly developed track network.

Figure 9 shows the current mapped extent of infrastructure within the Pormpuraaw DOGIT.

2.4.1 Mapping procedure

Three techniques were used for mapping infrastructure

- a) Aerial Photographic Interpretation
- b) Community Consultation and Anecdotal Mapping
- c) A Global Positioning (GPS) survey.

a) *Aerial Photographic Interpretation*

Whilst the fieldwork for the natural resource survey was being undertaken in June 1992 a 1:50 000 colour aerial photographic survey of large areas of Cape York was undertaken by AUSLIG. The photographs of the Pormpuraaw area were supplied to this project by the Aboriginal and Torres Strait Island Commission (ATSIC) later that year. These

provided an opportunity in the first instance to map current tracks and fence lines. Despite the good quality of the photography it was felt that the information they provided on such fine grain detail was beyond the interpretative abilities of the authors. There were particular problems in the separate identification of tracks and fences. All of the information that could be abstracted was transcribed to transparent overlays and then entered into the community GIS where it was registered with the natural resource mapping.

It was felt that mapping accuracy would be enhanced by taking the photography to Pomppuraaw to consult traditional landowners and stockmen and other appropriate members of the community, including council members and council officers, and to seek their assistance in the identification of infrastructure.

b) *Community Mapping*

The photography was taken to Pomppuraaw in June 1994. The community council made their meeting room available for consultation. The aerial photography was mosaiced and individual community members were interviewed separately and their interpretation of the location of tracks, fences, bores and outstation sites transferred immediately to a transparent overlay. Consultation took place over a period of 6 days. This allowed for refinement of mapping detail and the acquisition of anecdotal information on the specific land management practises of individual land users.

c) *GPS Field Survey*

Community mapping was immediately verified in the field. Mapped infrastructural detail, tracks and fences, were visited and their position recorded with a GPS receiver. This positional information was compared with the community mapping and a very high concordance between the two was realised.

Those areas of inconsistency that were identified between the two forms of mapping were resolved by further consultation with the community.

The outcome of the survey was three new themes

- ▶ fence lines within the community area;
- ▶ new tracks constructed after 1969; and
- ▶ the location of three outstation settlements.

Table 2 : Properties recorded for each Infrastructural Theme

Theme	Properties
1. Infrastructure	1.1. Roads 1.2. Tracks 1.3. Fences
2. Land Use	2.1. Pasture 2.2. Woodland 2.3. Wetlands
3. Water	3.1. Rivers 3.2. Lagoons 3.3. Wetlands
4. Community	4.1. Settlements 4.2. Outstations 4.3. Cultural Sites

2.4.2 Community infrastructure (Figures 8 and 9)

The track network has grown from 1969 to extend access to

- ▶ three outstation sites;
- ▶ the Melon Hole Plain and Inland Ridges and perennial water supplies; and
- ▶ a new route to Musgrave and the Peninsula road.

A new road has been constructed and aligned along the River Plain and Inland Ridge interfluves thus shortening the period of wet season inaccessibility to the rest of the Peninsula.

The old road alignment followed the Edward River Plain and, though subject to more prolonged inundation, it provided access to lagoons frequently used for traditional food gathering by the community.

The only fencing evident in the 1969 mapping is the community 'Block Fence' which encloses an area of the Tall Grass Plain to the south of the Edward River settlement and which defined the community grazing area at that time. New fencing has developed around the three outstation sites. Two of these are located on the Coastal Ridge. The southern site is managed by Mr Royce Wright, the community cattle manager, and the northern site by Mr Robert Holroyd, a traditional landowner. The third site is managed by Mr Eddie Holroyd, a community member and the holder of a grazing lease granted by the Queensland Government in 1988.

Eddie Holroyd has built a fence along the southern boundary of his lease, the Edward River; and another one to the west on the margin of the Coastal Ridge and Tall Grass Plain, adjacent to Robert Holroyd's country which is on the Coastal Ridge and the Coastal Woodland at the northern end of the DOGIT. The eastern margin of Eddie's lease is on the DOGIT boundary with the Strathgordon Holding. The northern margin is the Holroyd River and Aurukun DOGIT boundary. His grazing area largely comprises the Melon Hole Plain, Holroyd River Plain and adjacent Inland Ridges. Robert and Eddie's land coincide with about 1200 square kilometres of the community area that have highest

grazing potential and cattle carrying capacity, and also the highest ecological significance and hence scientific interest.

Royce Wright manages community grazing in the DOGIT area south of the Edward River. This extends to the southern DOGIT boundary with Kowanyama, at the Coleman River, and includes the Tall Grass, Marine Grass and River Plains. The outstation he manages is located at Barr's Yard on the Coastal Ridge. This is a long established site which was formerly only used for wet season mustering of cattle. It is now permanently occupied. The Tall Grass Plain adjacent to the ridge is enclosed by the 'Block Fence'. The eastern margin of the community grazing area is at the DOGIT boundary with the Strathgordon and Strathmey pastoral holdings.

2.4.3 Land use implications for community management

The issues relevant to assessing the implications of newly developed infrastructure for community land management are

- ▶ access to community services;
- ▶ access to dry season water supplies;
- ▶ dry season fire regimes for pasture improvement; and
- ▶ traditional use of natural resources.

An understanding of these landscape properties provides a basis for informed community management.

All of these issues are related to the extreme seasonality of the Gulf of Carpentaria lowlands, and in particular to the extent and duration of wet season flooding. These are environmental factors which are particularly relevant to the Pormpuraaw community. The hydrography theme provided as part of the AUSLIG GEODATA was adequate for regional scale assessment of inundation effects, and was sufficient to establish significant differences between management units that were identified in the above survey. However their level of spatial detail and information on seasonality was not adequate for relating specific infrastructure to relevant seasonal water and land availability and use patterns.

A comparison of the GEODATA and high resolution remotely sensed imagery captured between September 1991 and July 1992, and colour aerial photography from June 1992 showed that lagoon and river features had not been fully recorded. This is probably because the GEODATA was originally based on mapping from dry season panchromatic photography in which a lot of important surficial detail is not visible. The Melon Hole Plain and Inland Ridges which have highly diverse cover characteristics following the end of the wet season had relatively homogenous photopatterns.

The current survey identified resource and management units which are appropriate for regional scale summaries of land use potential and natural resource significance, and for assisting in the development of broad community planning strategies. A more representative field assessment of management areas and their composite resource units was circumscribed by the difficulty of the terrain, and also the need to arrange for traditional custodians to accompany field visits. The survey did not provide any indication

of the heterogeneity of natural resource distribution within each resource unit, in particular seasonal water and vegetation patterns, which identify those specific traditional and current resource preferences that are significant to a community scale assessment of landuse.

2.5 Spatial analysis of natural resource accessibility

The above resource mapping does not show the seasonal distribution of freshwater or ground cover, or the location and extent of distinct patches of woodland which are crucial to an accurate description of natural habitat, or of pasture availability relevant to traditional and current landuse within the DOGIT.

A suite of digital remotely sensed imagery was acquired in order to obtain a more precise estimate of seasonal trends in vegetation and freshwater distribution. LANDSAT Thematic Mapper (TM) data of February 25 and July 21 1992 were provided by ATSIC. These scenes covered an area of 38 000 square kilometres of the Gulf of Carpentaria Lowland between the Holroyd river in the north and the Mitchell river in the south, and extended inland to the Great Dividing Range. LANDSAT TM data of March 29 and September 21 1991 were also obtained for part of the Edward River area.

Four bands, 2, 3, 4 and 5, of LANDSAT TM data were obtained for each date.

2.5.1 Image analysis

a) Characteristics of the remotely sensed data

Thematic Mapper images are captured every 16 days by LANDSAT 4 and 5. These are low earth orbital satellites which carry two scanners, the Multispectral Scanner (MSS) and the Thematic Mapper (TM). The TM scanner measures electromagnetic radiation that is reflected from the Earth's surface in 7 bands. The pixel size is 30 metres and provides a nominal mapping scale of 1:100 000.

Table 3 : Spectral Characteristics of LANDSAT TM Data

Band	Wavelength (nm)	Bandwidth (nm)	Approximate Reflectance
1	0.4 - 0.5	0.1	0.1 - 0.2
2	0.6 - 0.7	0.1	0.2 - 0.3
3	0.8 - 0.9	0.1	0.3 - 0.4
4	1.1 - 1.3	0.2	0.4 - 0.5
5	1.6 - 1.8	0.2	0.5 - 0.6
6	2.1 - 2.3	0.2	0.6 - 0.7
7	2.1 - 2.3	0.2	0.7 - 0.8

b) *Geometric Correction*

The 1992 images each comprised an array of 7337 x 6550 pixels and had already been transformed into the AMG coordinate system at the Australian Centre for Remote Sensing (ACRES). They were thus spatially conformal with the project database.

The March and September 1991 scenes comprised an array of 1024 x 1024 pixels with a nominal pixel size of 30.68 metres. Both scenes were geometrically corrected to the same 1:100 000 AGM coordinate system as the rest of the database and pixel size was resampled to 30 metres. They were then conformal over an area of 1005 x 916 pixels or 854 square kilometres. This provided additional coverage of about 20% of the total DOGIT area. Within this coverage 17 resource units had been mapped, five within the Coastal Ridge, seven within the Edward River and two within the Melon Hole Plain areas. The 1992 images gave complete coverages of the whole DOGIT.

c) *Spectral Sensitivity Analysis*

Two procedures were followed for identifying the relevant information content of the remotely sensed data

- i) a statistical exploration of the datasets using principal component analysis (PCA); and
- ii) an empirical analysis based on discriminating significant spectral differences in field-measured vegetation structure and ground cover variables.

i) *Exploratory Analysis*

The two 1991 images of the Edward River area were subject to a principal component analysis (PCA). The aim of this was to obtain summary statistics of the correlation between each spectral band and to see which were most useful in describing the general vegetation, bare soil and water elements of the study area on each date.

Three new synthetic channels were produced from the original four band spectral dataset for each date. Each new channel describes that variance in each band of the original dataset which is probably due to reflectance from green, bare or water surfaces respectively. These are the three broad cover types or 'dimensions' that comprise a terrestrial surface at visible and near infrared wavelengths, whose uncorrelated, or unique, spectra are reproduced in the three new channels with PCA.

The first component on both dates had high eigenvalues in all bands and thus was composed of high reflectance from bare unvegetated areas, or vegetation litter or senescent vegetation. This component contained 85% and 95% of the total variance, or potential information content, for the March and September scenes respectively.

The second component in the March scene, which described 10% of the scene variance, has a relatively high eigenvalue for the near infrared (TM4) and corresponding negative eigenvalues, indicative of very low reflectance or absorption of visible light radiation in bands TM2 and TM3, and of middle infrared radiation in TM5. This is a response

characteristic of photosynthesising vegetation. The corresponding component in September is the converse. There was no reflectance in the near infrared and relatively low reflectance peaks in visible red (TM3) and middle infrared (TM5), all of which are indicative of an absence of green vegetation.

The third component in March which contained 4% of the scene variance had a relatively high reflectance loading in the middle infrared (TM5). This reflectance peak is normally characteristic of interstitial moisture in waterlogged soil or in the intracellular phase of vegetation, particularly when as in this case it is accompanied by a negative eigenvalue or absorption in the near infrared (TM4) which is a characteristic response from surface water. This relationship is not evident in the September scene. The remaining components on both dates largely comprise scene noise, a product of atmospheric reflectance and the operation of the scanner.

The above PCA loadings showed high eigenvalues for visible light wavelengths in the first 'brightness' component and uniformly low reflectance or absorption at these wavelengths in the remaining components. These bands on their own do not provide a basis for the discrimination of the differing vegetation, water and soil components in each scene. The infrared bands, in particular TM5, showed sufficient differences between each dimension on each date to suggest that they are more sensitive to differences in seasonal ground cover composition.

ii) Empirical Analysis

Field measurements of vegetation structure, ground cover and soil properties were undertaken in June 1992 and again in June 1994. A total of 61 sites were visited, mainly in the Coastal Ridge, Tall Grass, Edward River and Melon Hole Plain areas.

The core attributes identified by Walker and Hopkins (1992) for non-rainforest vegetation and by Pedley and Isbell (1992) for recording soil characteristics were measured at each site and recorded.

The vegetation and soils data were transformed into linear additive models where canopy, mid- and under-storey, and ground cover components at each site comprised a set of standardised indices which could be used to calibrate the spectral data for each location.

A sample of nine (3 x 3 matrix) and 25 (5 x 5 matrix) pixel brightness values respectively were obtained for each location in each of the four TM bands on each of the four dates.

Discriminant function analyses which sought the optimal combination of bands and dates most sensitive to discriminating structural differences in vegetation canopy and ground cover were applied. It was assumed, allowing for major landuse changes, that there was a high degree of constancy in these parameters between dates.

The preliminary results of these analyses largely complement the exploratory PCA. Background reflectance from the ground surface, whether bare, or senescent or green grass dominated the spectral response for most sites and was most easily summarised in a Normalised Difference Vegetation Index (NDVI) of TM3 and TM4 values for each date.

There were differences in TMS values that were related to canopy separation values in differing woodlands. These were particularly evident in September when shadows both within and between tree canopies form a large spectral component of semi-arid woodland, and hence provide detail related to structure. A selective PCA based on the resource units also showed the TMS response to be a distinct feature of 'woodland' resource units.

On the whole the dynamic range of the spectral data on each date was very low and discrimination of broad ground and canopy cover differences was most effective when temporal trends in spectral response were also analysed.

2.5.2 Theme extraction procedures

Three themes were extracted from the imagery for each date

- ▶ surface water type and extent;
- ▶ ground cover; and
- ▶ woodland cover.

The extraction of these properties was based on six premises

- i) Near Infrared and Middle Infrared reflectance values discriminate surface water
- ii) High Visible Red reflectance within the above set indicates deeper water
- iii) NDVI values identify bare, and wet and dry vegetated surfaces
- iv) High NDVI and high Middle Infrared values indicate densely vegetated surfaces on wet season dates
- v) Low reflectance values in all bands on dry season dates indicate fire scars
- vi) Relative NDVI and Middle Infrared values within the above fire scar set indicate regeneration of vegetation

These were used as rules in the classification of the imagery. They are based on the above sensitivity analysis, and on bi-directional reflectance models that describe depth of penetration and radiation absorption in water, and canopy scattering in semi-arid woodlands.

Spectral classes were defined and masks created for each of the three themes on each date.

2.5.3 Spatial analysis

Spatial Analysis of these masks was undertaken in order to relate them together into relevant spatially coincident themes that described temporal change in the natural resources and environment of the DOGIT.

a) Theme development

Boolean overlay techniques were used to relate themes together. Masks of the same theme but of differing dates were successively unioned to create a coverage that contained differing temporal versions of the same phenomenon. Differing versions for each date, i.e. current and antecedent conditions, had a unique 'date stamp' or 'time' attribute attached to it. This allowed recovery of 'time slices' or 'temporal states' for each theme that showed water resources; ground cover and woodland cover on differing dates.

A fairly detailed classification of water resources, ground cover and fire scars was possible on the basis of their temporal and spatial coincidence. Changes in each of these themes between dates, and temporal relationships between themes over the period of the imagery were established. Combined with the natural resource unit and infrastructural and landuse mapping within the project GIS they provide a spatiotemporal representation of the DOGIT of sufficient detail to resolve individual swamps and lagoons, and discrete areas of probable differing ground and woodland cover types. This analysis is being extended with the acquisition of more imagery or 'time slices', and further fieldwork.

Table 4 : Properties recorded for each Environmental Theme

Theme	Properties
Water	Area, Perimeter, Fragmentation, Shape, Topology, Adjacency, Contiguity, Containment
Ground Cover	Area, Perimeter, Fragmentation, Shape, Topology, Adjacency, Contiguity, Containment
Woodland Cover	Area, Perimeter, Fragmentation, Shape, Topology, Adjacency, Contiguity, Containment
Fire Scars	Area, Perimeter, Fragmentation, Shape, Topology, Adjacency, Contiguity, Containment
Swamps	Area, Perimeter, Fragmentation, Shape, Topology, Adjacency, Contiguity, Containment
Lagoons	Area, Perimeter, Fragmentation, Shape, Topology, Adjacency, Contiguity, Containment
Discrete Areas	Area, Perimeter, Fragmentation, Shape, Topology, Adjacency, Contiguity, Containment
Probable Differing Ground	Area, Perimeter, Fragmentation, Shape, Topology, Adjacency, Contiguity, Containment
Probable Differing Woodland	Area, Perimeter, Fragmentation, Shape, Topology, Adjacency, Contiguity, Containment
Water Resources	Area, Perimeter, Fragmentation, Shape, Topology, Adjacency, Contiguity, Containment
Ground Cover	Area, Perimeter, Fragmentation, Shape, Topology, Adjacency, Contiguity, Containment
Woodland Cover	Area, Perimeter, Fragmentation, Shape, Topology, Adjacency, Contiguity, Containment
Fire Scars	Area, Perimeter, Fragmentation, Shape, Topology, Adjacency, Contiguity, Containment
Swamps	Area, Perimeter, Fragmentation, Shape, Topology, Adjacency, Contiguity, Containment
Lagoons	Area, Perimeter, Fragmentation, Shape, Topology, Adjacency, Contiguity, Containment
Discrete Areas	Area, Perimeter, Fragmentation, Shape, Topology, Adjacency, Contiguity, Containment
Probable Differing Ground	Area, Perimeter, Fragmentation, Shape, Topology, Adjacency, Contiguity, Containment
Probable Differing Woodland	Area, Perimeter, Fragmentation, Shape, Topology, Adjacency, Contiguity, Containment

A spatial model was created where each of the water, ground and woodland cover themes comprised a set of discrete objects, or overlapping regions between dates. Each object is complemented by a set of geometric properties - area, perimeter, fragmentation and shape for each date; and topological properties - adjacency to, contiguity with, and containment within other objects or thematic states before, on, or after any date recorded in the model.

b) Verification

Spatial analysis was undertaken within the logical consistency provided by current scientific and Pompruraaw community understanding of the ecology of grazing and fire regimes, their effect on ground cover and woodland structure; and their dependency on

surface water distribution.

'Truth tables' were established to identify the expected trend that each theme would follow over time. Logical inconsistencies such as an area being wet in March, dry in July and wet in September, or containing shallow water in March and deep water in July were sought. This was extended to include corresponding lag effects between the depth, extent and duration of surface water inundation and later grass productivity and fire management regimes as recorded in the field and also described by community land users.

Colour aerial photography of the whole DOGIT which is coincident within 10 days of the July LANDSAT TM image was used to assess accuracy in the identification of woodlands.

2.6 Spatial analysis of traditional and current landuse (Figures 9 - 10)

An important landuse property that can be extracted from the current GIS is accessibility. This is determined by the availability of dry ground in the wet season, and of fresh water in the dry season. It is a property that is also constrained by land tenure and infrastructure.

An analysis of 'late wet' accessibility to grazing and to community services in the Pormpuraaw settlement was undertaken in an 834 square kilometre area of the Coastal Ridge, Edward River and Melon Hole Plain. The area is largely used for grazing by Eddie Holroyd, and on the Coastal Ridge for traditional food gathering Robert Holroyd. The extent of fencing, location of outstation sites and the current track network are shown in Figure 11.

A summary of surface water characteristics (deep, shallow, waterlogged, dry) on February 25 1992, and coincident management area boundaries, are shown in Figure 9. Figure 10 shows the changes in surface water distribution that have occurred within the case study area over a comparable four week period. Though the images are of differing years, the March image is from the preceding year, it is assumed for the sake of this present analysis that there is some constancy from year to year in surface water distribution and the rate at which it changes. A more temporally representative suite of imagery comprising additional LANDSAT TM images and NOAA AVHRR data for the 1991-1992 wet season are currently being processed. This work is being funded by a grant from the Australian Key Centre for Land Information Studies (AKCLIS).

2.6.1 A case study of current landuse

a) *Grazing regime*

The only dry areas available for cattle grazing for the 4 or 5 month period of the wet season are the Coastal Ridge, and the areas surrounding the lagoons on the Melon Hole Plain and interfluvial ridges. The latter area coincided with Eddie Holroyd's grazing lease.

A month later the floodwaters on the Tall Grass and Marine Grass Plains have receded

and the grasses and remaining shallow surface water in these management units are available to Eddie for grazing. The extent of those waterlogged areas that are drying out in February and which are accessible the following month, increases around the lagoons and water courses.

These drying 'aura' coincide with the Tall Open Woodland and areas of high biodiversity that surround the lagoons. Thompson's description of seasonal landuse identifies these lagoons as major focii of food gathering in the dry season (1939). The distribution of traditional sites that are recorded within this case study area show a high concordance with those lagoons that still contain fresh water later in the year in July.

Remotely sensed imagery of July and September also shows that burning of the Marine Grass and Tall Grass Plains is continuous throughout the dry season, and those reserves of fresh water that still remain are confined to the Melon Hole Plain and lagoons along the Edward River. Many of these places are also recorded as locations with strong traditional affiliations (Taylor 1984).

Eddie's leasehold boundary with Robert precludes his use of those permanently available fresh water reserves on the Coastal Ridge in the dry season thus stocking rates have to be kept accordingly low to about one beast for every 40 or 50 hectares.

b) *Access to Community Services*

Eddie Holroyd is building a house on his lease. Sufficient people, mainly his 'ringers', have been involved in the construction of the house and outbuildings and in the transport and erection of fencing, a power generator and a telecommunications mast, to justify its consideration as a nascent outstation settlement .

An access track to the house site is being established from the Nutwood crossing of the Edward River where an already established track continues southward to the Pormpuraaw settlement. The entire course of this track is inundated and hence inaccessible in February. Extensive areas of surface water still make the track impassable in March, and access to and from Eddie's house is not possible for at least 4 or 5 months of the wet season.

Robert has relatively unconstrained movement along the coastal ridge and beaches and can gain access to the Pormpuraaw community at any time.

The new road alignment increases access from the Pormpuraaw settlement to Musgrave and the Peninsula road. It is only partially covered by shallow water in places in February. The old road alignment is almost totally inundated in February.

2.6.2 Traditional landuse and tracts in the study area

An extensive archive of traditional landuse, sites and areas of cultural significance, language and traditional ownership have been collected for the Pormpuraaw community (Taylor 1984). A total of 400 records have been spatially referenced so far to form part of the community GIS (Tables 6 and 7).

Table 5 : Traditional Landuse Properties of each Tract

Tract Name	Traditional Landuse Properties
Tract 1	...
Tract 2	...
Tract 3	...
Tract 4	...
Tract 5	...
Tract 6	...
Tract 7	...
Tract 8	...
Tract 9	...
Tract 10	...
Tract 11	...
Tract 12	...
Tract 13	...
Tract 14	...
Tract 15	...
Tract 16	...
Tract 17	...
Tract 18	...
Tract 19	...
Tract 20	...
Tract 21	...
Tract 22	...
Tract 23	...
Tract 24	...
Tract 25	...
Tract 26	...
Tract 27	...
Tract 28	...
Tract 29	...
Tract 30	...
Tract 31	...
Tract 32	...
Tract 33	...
Tract 34	...
Tract 35	...
Tract 36	...
Tract 37	...
Tract 38	...
Tract 39	...
Tract 40	...
Tract 41	...
Tract 42	...
Tract 43	...
Tract 44	...
Tract 45	...
Tract 46	...
Tract 47	...
Tract 48	...
Tract 49	...
Tract 50	...

In terms of the management units defined in this survey these traditional sites form three groups. There are sites aligned along the coastal ridge and inter-swale strands of vine thicket. These are available all year round for food gathering and continue to be used by Robert's settlement. Another group of sites extends the length of the Tall Grass Plain. These exploit reserves of freshwater molluscs and fish left behind in extensive swamps and waterlogged areas at the end of the wet season, and wallaby, kangaroo and other wildlife that are concentrated in this area in the early dry season. As can be seen in Figure 12 the remaining group of sites are located adjacent to lagoons on the Melon Hole Plain and interfluvial ridges in the Edward River valley. These lagoons provide longer term reserves of food and water than the Tall Grass Plain and are occupied in the dry season.

The woodland areas that surround the lagoons of the Melon Hole Plain have a relatively higher NDVI response throughout the year, characteristic of greater productivity in grasses and wildlife and grazing sustenance, than any other area apart from the coastal ridge. There is also distinctly less dry season burning of this area compared to the rest of the DOGIT.

Precise information on the name, traditional ownership, natural resource use and the cultural significance of each of the above sites or tracts is recorded in the GIS (Tables 5 and 6).

One of the aims of this project is to convert the most relevant of these point referenced data into polygons or 'tracts' that define the extent of traditional land ownership. Traditional landowners within the community are assisting in the identification of tract boundaries both in the field, and with the aid of the project GIS and a digitised mosaic of the 1992 colour aerial photography.

These boundaries will represent a separate theme in the community GIS.

Table 6 : Cultural Information for each Tract

Tract ID	Name	Area (ha)	Land Use	Ownership	Notes
1
2
3
4
5
6
7
8
9
10

Another aim is to model community knowledge on the extent and seasonality of differing traditional land uses, and the size of clan groups that use them and the timing and frequency of their visits, in relation to natural resource distribution described in the current spatial model. Spatial simulation based on optimal foraging and hunter/ gatherer strategies and carrying capacity criteria, and ethnographies specific to the Pompuuraaw community (Thompson 1939, Taylor 1984) are being used to identify traditional landuse areas.

The topological and geometrical features of the waterbody, woodland and grassland areas described in the current spatial model of natural resources provide additional criteria for the representation of traditional landuse. The shape, area and fragmentation, and contiguity and temporal availability of natural resources all provide important referents for local knowledge of the landscape and for traditional landuse preferences.

In order to make the simulation more responsive to gaps in community descriptions of natural resource availability, a decision model which matches 'conditional' expectations or probabilities based on seasonal accessibility to natural resources with expected probabilities based on traditional landuse practises and resource preferences is being applied. Such models optimise and generalise the use of community heuristics so that they may be applied to other less documented areas of the Melon Hole Plain and inland Ridge, or to economic or cultural contingencies that have not been explicitly defined by traditional landowners to date.

2.6.3 Implications of current study for community management

This report is a summary of work in progress.

The project has integrated the natural resource, cultural values, current and traditional landuse, and infrastructural properties of the Pommpuraaw community into a coherent form. There are three considerations at this stage of the project that determine the procedures to be followed in converting the GIS into an operational community resource management system. These are

- ▶ Further Development Needs;
- ▶ Operational Needs; and
- ▶ Immediate Landuse Management Applications.

i) *Development Needs*

These have been identified from the above report as

- ▶ the identification of tracts and traditional landownership boundaries;
- ▶ mapping of natural resources at a scale adequate for defining their specific significance to, and use by, community members;
- ▶ spatial analysis of traditional, current and preferred future land uses; and
- ▶ monitoring of accessibility to the natural and cultural property of the community by owners, leaseholders and visitors to Pommpuraaw.

These needs are currently being addressed in ongoing research by the authors and by community officers.

ii) *Operational Needs*

The immediate need is for converting the current GIS into a resource planning and land management system that will identify community preferences in landuse, and assist in the development and implementation of appropriate land management strategies.

A simple database that allows the storage, retrieval and updating of tables and maps of the distribution of natural resources and sites and areas of cultural significance, their current use, the various forms of tenure and landuse in the DOGIT, accessibility constraints, and community policy on current and preferred landuse is going to be introduced.

Basic desktop mapping systems that allow the production of resource inventories, and the inclusion of resource use preferences or community policy in the form of 'decision trees' are readily available. Preferences can be applied to constraint mapping. For instance particular preferences such as fishing opportunities for visitors, coincident areas used by particular clan groups, and current land tenure may be identified. If there are multiple choices in deciding on appropriate locations then the criteria may be arranged hierarchically depending on how they coincide. If there are predetermined limits to the outcome of the decision then they may be arranged sequentially depending on their order

of importance. These criteria are then applied to produce a map and a report of the area and the conditions that satisfy those particular constraints.

Other criteria including preferences for the future use of tracts, or 'expert' or other land management views can be added to provide alternative 'scenarios' in community decision making.

iii) *Immediate Landuse Management Implications*

The immediate relevance of this project for current landuse can be summarised as follows

a) Outstations

More outstations are being considered for the DOGIT by community members who wish to re-establish traditional affiliation to the land. Some will be small scale cattle enterprises and the community mapping system should help determine areas of traditional ownership, evaluate dry and wet season accessibility, calculate potential cattle carrying capacity, and identify the seasonal availability of other traditional food sources.

b) Pastoralism

The community mapping system has many applications in optimising the pastoral economy of Pormpuraaw. The allocation of fencing, watering points and mustering yards; and the determination of appropriate fire management strategies for increasing grazing potential may be undertaken. The potential to develop strategies for working coastal country during the wet season when cattle may be shipped out by barge to Karumba, rather than held uneconomically over the wet season when road transport is impossible for 4 or 5 months may be explored.

c) Wilderness

The current definition of wilderness is distance from roads and tracks. The recent proliferation of tracks within the DOGIT would apparently erode wilderness quality on the basis of these criteria. Two things are important here. Tracks have proliferated largely because of the recognised need to monitor the country. Indeed those tracks that have appeared in the northern half of the DOGIT in Robert and Eddie's country, which has been previously described as ecologically significant (Stanton and Morgan 1976, McConnell Wagner 1989), do not even appear in the AHC survey of Wilderness Quality (Lesslie, Abrahams and Masslin 1992).

What is described as wilderness by the AHC is in fact an Aboriginal environment, domesticated by traditional land management practises such as regular visits and periodic firing. Clearly a land management regime that harmonises traditional, pastoral and tourism interests is required. One that involves stewardship by Community rather than National Park rangers, with community based interpretations of natural and cultural resource significance. The mapping system with appropriate updates provided by remote sensing should also provide an alternative to regular vehicle inspection as a form of monitoring.

d) Crocodile Farming

The community crocodile enterprise has suffered in the past from a need to ship 'skin trade' crocodiles to Cairns for supplementary feeding. There is a particular lack of protein in the wet season. Community officers are interested in the use of the mapping system for identifying accessible wet season refuges, particularly in inland areas, where low-grade cattle and feral pigs may be caught and slaughtered. This is a strategy which also appeals to community pastoralists who view it as a another and dependable form of income.

e) Tourism

Pormpuraaw is isolated and receives few visitors. It has high potential for recreational hunting and fishing, as well as 'ecotourism' for visitors who wish to experience wilderness and Aboriginal knowledge and use of the land. The current mapping system has the capability to identify places of interest and also assist in their interpretation and presentation to visitors. It can also schedule the location and timing of visits so that none of the above economic activities are disrupted, or community sensibilities about visits to traditional places offended.

On the whole the interests of individual community members in the GIS and in the mapping are largely cultural rather than economic. Older members of the community who have memories of pre-mission times and the early days of the settlement view it as an archive for the preservation of community knowledge and wish to see it used for the education of younger members of the community. There is a growing and active interest within Pormpuraaw youth in the their cultural heritage and in the knowledge their elders have about their natural environment. As Pormpuraaw experiences external pressure for economic change their community mapping system at least provides an instrument for expressing their own preferences in what are appropriate land uses for the future.

2.7 References

- AUSLIG 1992. 'Topo 250-K Data User Guide'. Department of Administrative Services, Canberra.
- Brett AL 1992. 'Primary Mapping for a Community Scale Resource Information System on Cape York Peninsula'. Unpublished Honours Thesis. James Cook University of North Queensland.
- Dale A 1991. 'Aboriginal Access to Land Management and Funding and Services, Case Studies: Kowanyama, Aurukun, Woorabinda and Trelawney'. Division of Environmental Studies, Griffith University, Australia.
- Galloway RW, Gunn RH & Story R 1970. 'The Lands of the Mitchell-Normanby Area, Queensland'. CSIRO Land Research Series No. 26.
- Lesslie RG, Abrahams H & Maslin M 1992. 'Wilderness Quality on Cape York Peninsula', AGPS, Canberra.
- Taylor 1984. 'Of Acts and Axes; An Ethnography of Socio-cultural Change in an Aboriginal Community, Cape York Peninsula'. Unpublished PhD Thesis. James Cook University of North Queensland.
- Thomson DF 1939. 'The Seasonal Factor in Human Culture'. Proceedings of the Prehistoric Society of East Anglia. 10, 209-221.

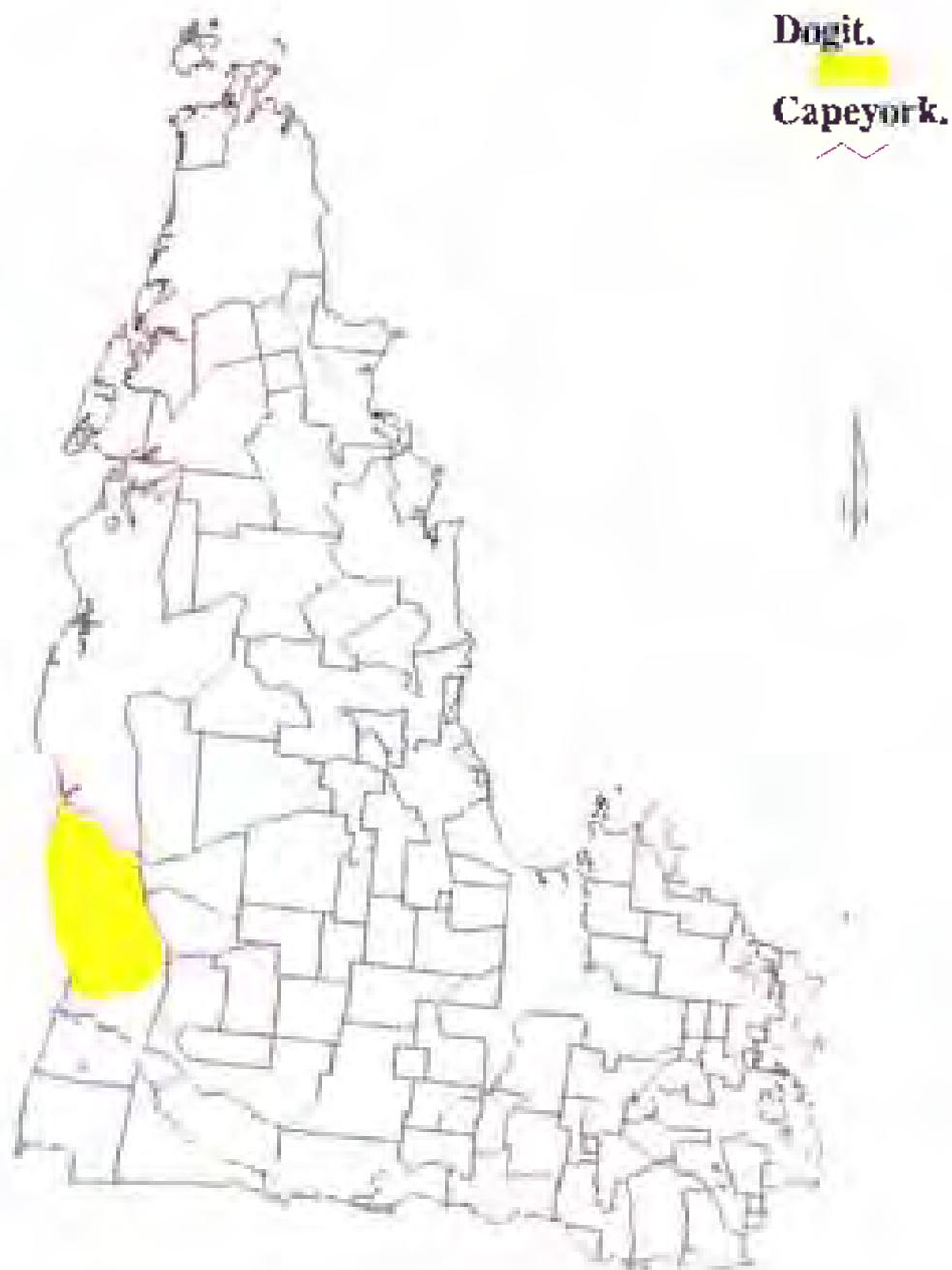


FIGURE 1 LOCATION OF POMPIRAAW COMMUNITY WITHIN CAPE YORK PENINSULA

Resource:

- Beach
- Coastal Ridge
- Coastal Woodland
- Edward River Ridge
- Eucalypt Woodland
- Grass Plain
- Inland Ridge
- Mangrove
- Marine Terae Plains
- Marine Grass and Tree Plains
- Melaleuca Woodland
- Melba Hale Plain
- Tall Woodland



FIGURE 2 RESOURCE UNITS WITHIN THE PORMPURA AW COMMUNITY

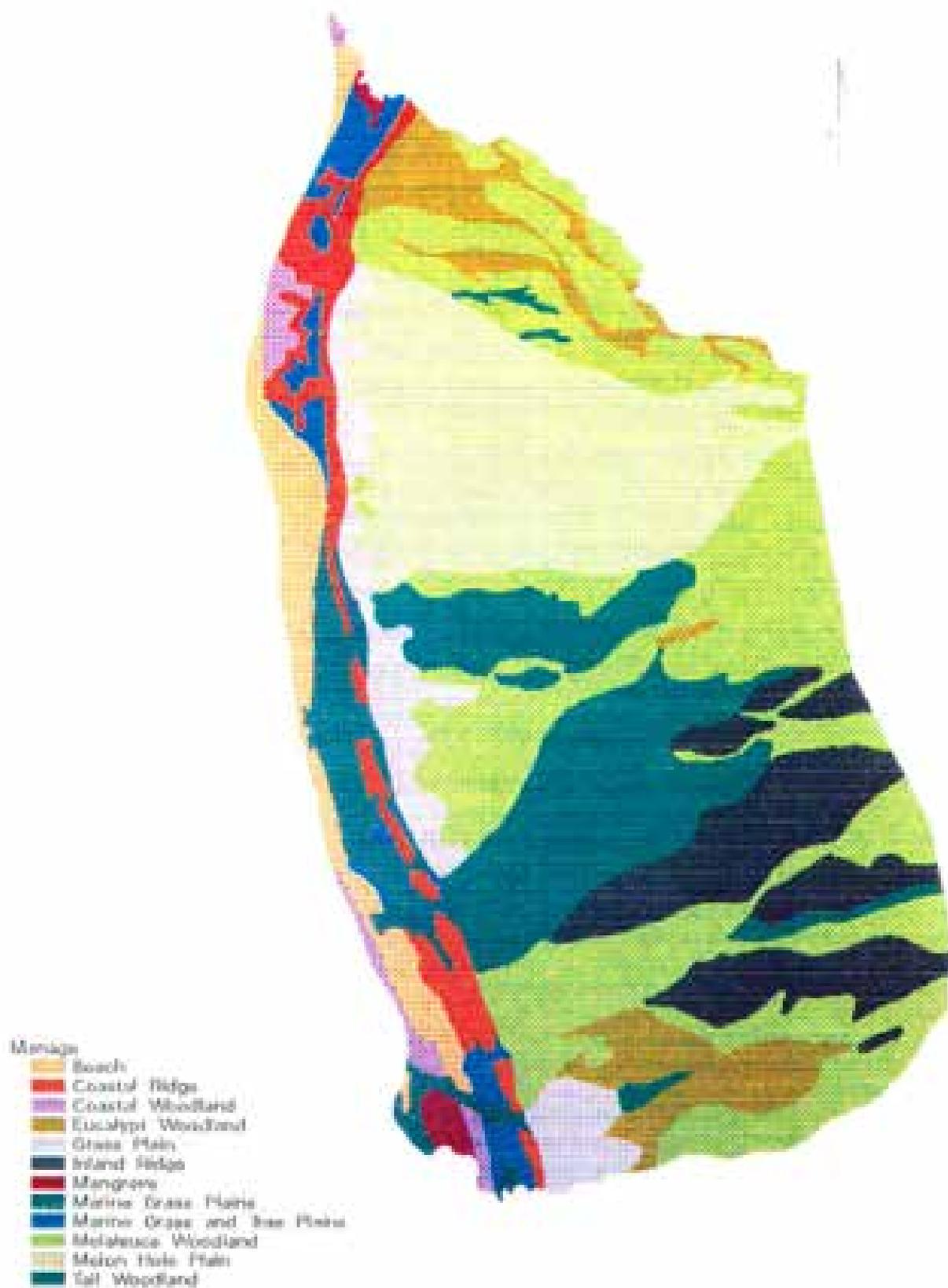


FIGURE 3 MANAGEMENT UNITS WITHIN THE PORMPURAAW COMMUNITY



FIGURE 4 NATURAL RESOURCE REGIONS WITHIN THE PORMPURAAW COMMUNITY



FIGURE 5 MANAGEMENT UNITS AND SURFACE HYDROLOGY



Figure 6: DOGIT and leasehold boundaries

Roads
Dogit
Inundate

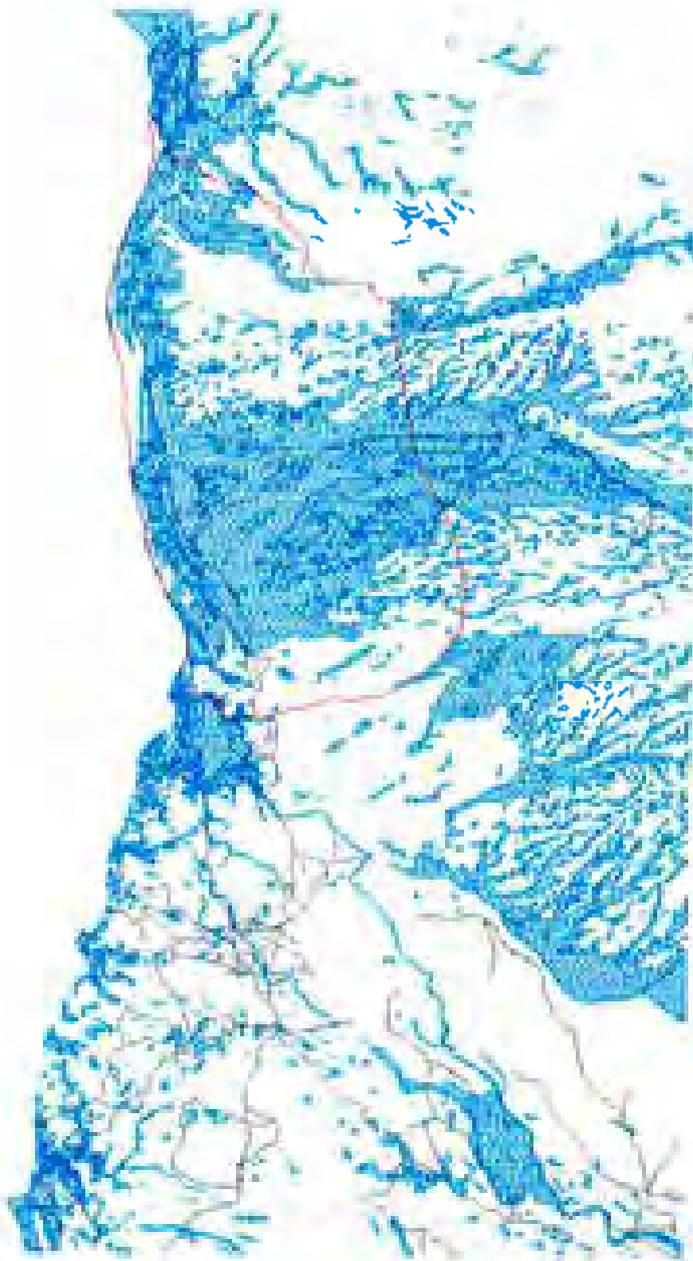


FIGURE 7 REGIONAL SCALE VIEW OF TRACKS AND ACCESSIBILITY

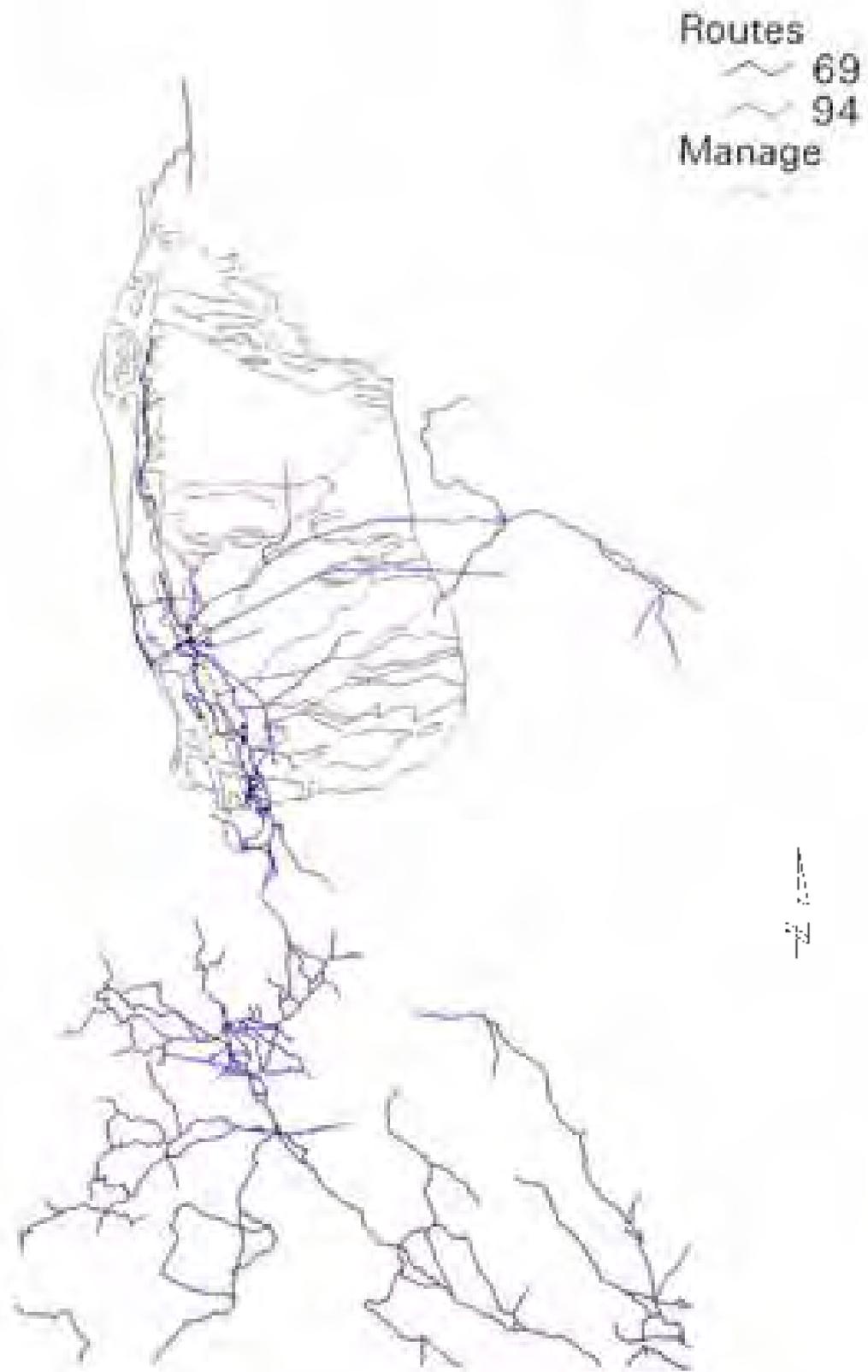


FIGURE 8 COMMUNITY INFRASTRUCTURE IN PORMPURAAW 1969 AND 1994



FIGURE 9 SURFACE WATER EXTENT FEBRUARY 25 1992

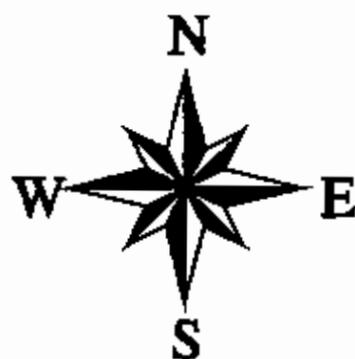
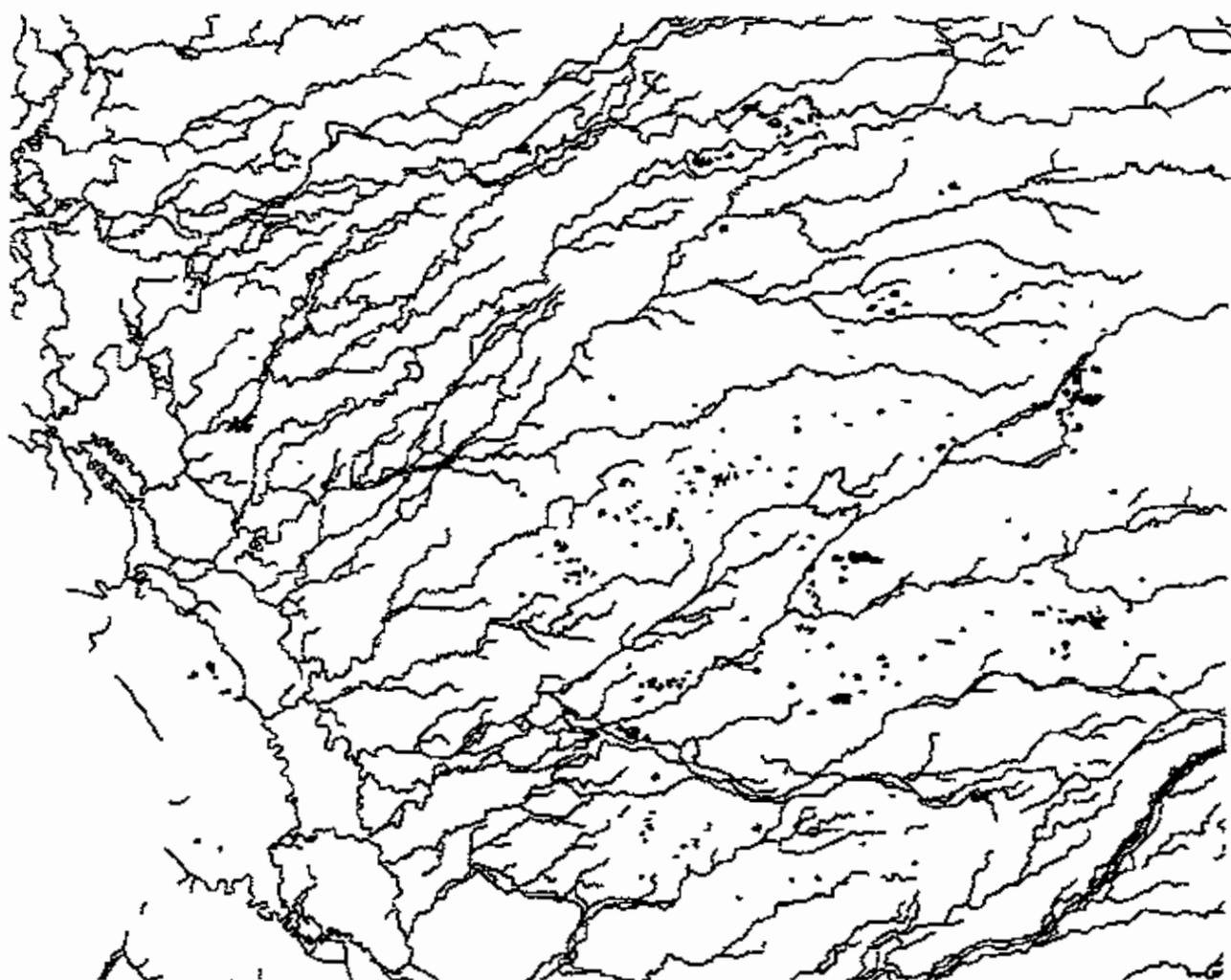


FIGURE 10 LATE WET SEASON SURFACE WATER IN CASE STUDY AREA

CHAPTER 3

**REKINDLING CULTURE THROUGH COUNTRY:
LAND AND SEA MANAGEMENT OF LOCAL LAND-OWNING FAMILIES
AT NAPRANUM**

Sandra Suchet

CHAPTER 3

REKINDLING CULTURE THROUGH COUNTRY: LAND AND SEA MANAGEMENT OF LOCAL LAND-OWNING FAMILIES AT NAPRANUM

Sandra Suchet

CONTENTS

3.1	Introduction	3-1
3.1.1	Readings of the landscape at Weipa	3-1
3.1.2	Sense of the temporal - the historical setting	3-1
3.1.3	Sense of the spatial - the geographical reading	3-6
3.2	Aboriginal resource use and management	3-9
3.2.1	Outstations	3-10
3.2.2	Resource use	3-11
3.2.3	Inter-relationships between resources	3-14
3.3	Aboriginal resource use and management aspirations	3-15
3.3.1	Outstations	3-15
3.3.2	Increased control of resources	3-15
3.4	Community initiatives	3-16
3.4.1	Transmission of cultural knowledge	3-16
3.4.2	Resource management initiatives	3-18
3.5	Opportunities for and constraints on Aboriginal resource use and management aspirations	3-20
3.5.1	Comalco	3-20
3.5.2	RAAF Base Scherger	3-24
3.5.3	Government	3-25
3.6	Conclusion	3-27
3.7	Acknowledgments and disclaimer	3-27
3.8	References	3-28
	Figure 1	3-5
	Appendix 1	3-32

**REKINDLING CULTURE THROUGH COUNTRY:
THE LAND AND SEA USE, MANAGEMENT AND ASPIRATIONS OF THE
LOCAL LAND OWNING FAMILIES AT NAPRANUM**

3.1 Introduction

Napranum, the Aboriginal 'community' located 14 kilometres south of the mining community of Weipa on the western side of Cape York Peninsula, is a diverse grouping of peoples. Approximately 800 strong, the 'community' includes local land owning groups, other Aboriginal groups, Torres Strait Islanders and Islanders. This study focuses on the land and sea use, management and aspirations of the group of people identified as having primary affiliations to country in the Weipa area¹.

Juxtaposed in the Weipa locality is the industrial resource management system of Comalco's bauxite mine and the resource management systems of the local Aboriginal landowning families. Despite a history and reality of marginalisation and alienation in regard to land and sea rights, gaining in momentum over the last five years has been the revival and re-assertion of the local Aboriginal families' cultures and identities. This re-affirmation of identities has partly come through the pursuit of local resource management strategies and aspirations. These involve a range of issues, including the return to homelands through the establishment of outstations, increased control of resource use, more effective cultural transmission and maintenance processes, and the creation of resource management initiatives and bodies.

3.1.1 Readings of the landscape at Weipa

Just as a text is read in different ways by different readers, there is more than one reading, or ways of experiencing and understanding, a landscape (Duncan and Duncan, 1988). Multiple 'ways of seeing' (Jackson, 1989:181) are influenced by social and cultural backgrounds and can intersect when different groups interact on the same landscape. Before an understanding of contemporary local Aboriginal land and sea management at Weipa can be gained, an insight into the ways the local Aboriginal groups experience and understand the historical and geographical settings of the area is necessary.

3.1.2 Sense of the temporal - the historical setting

"We have seen so many changes: mission days, white manager, currency change, Comalco, now everyone taking charge, doing their own thing" Thancoupie, fieldwork interview, 24/2/94

¹ My research is based on five and half weeks of honours fieldwork during January and February, 1994. Most of my time in Napranum was spent listening to and learning from members of the land owning families from the area, especially the "old ladies" (a local term of recognition and respect for the ladies who are the elders of the land owning families). Time constraints, seasonal factors, restricted observations of resource use, limited access, absences of important people, and an inability to speak to everyone, all limited my fieldwork. As a result this study relies on qualitative research rather than quantitative data and unfortunately lacks the inclusion of a cultural site map of the area. The incredibly dynamic nature of the area and its related issues also contributed towards the preliminary nature of this study.

The traditional groups of the Weipa area see themselves as literally coming from country². Although changes have occurred continually in the region, it was not until white exploitation of the region's resources in the late 19th century, including the establishment of the pastoral, pearling, fishing and beche-de-mer industries, that severe impacts on local cultures and peoples occurred.

Responding to the kidnappings and work conditions of the beche-de-mer and pearling industries, the Queensland government encouraged the Presbyterian church to establish a chain of missions along the west coast of Cape York Peninsula (Comalco 1993b:2). Presbyterian missions were established at Mapoon in 1891, Aurukun in 1904 and Weipa in 1898 (initially located at 20 Mile, the mission was relocated to Jessica Point in 1932). The missionaries displayed little respect for or understanding of the diversity or richness of the local Aboriginal cultures. Their aim was that the Aborigines should be "gradually, over two or three generations, assimilated into white society" (Isaacs, 1982:14). This included conversion not only to the Presbyterian version of Christianity but also its Protestant worldview, ethics, morals and values. (Kay Evans cited in Roberts et al, 1975b:24).

With the commencement of bauxite exploration in the 1950s, the previous sixty years of mission life and influence had had a profound impact on local Aboriginal culture. Disturbance of the 'traditional' lifestyle³, together with the removal of children from their home environment, meant a disruption of family life and cultural transmission processes. Despite the efforts of the missionaries to assimilate the Aboriginal people of the Weipa area into white society, the old ladies of Napranum, brought up in the missionary system, retain an astounding knowledge of and pride in their culture. The fundamental link to the land was never broken and it is a testament to their strength, and the love they have for their culture, that it survives.

² Creation stories link story places throughout the Weipa region and are integral to the local Aboriginal culture. They illustrate that the ancestors of the local Aboriginal groups did not migrate to Australia, but were created by ancestral beings on their traditional land. As Bennett states:

The world ... was not created ex nihilo, but rather ancestral beings - entities much like humans today, but with superhuman powers such as the creativity capacity to transform and give definition to the world, and the ability to change their own shape - came to an already existing world by arising out of the ground and gave definition to the face of the earth (1983:20).

Bennett goes on to describe how this creation 'time' is concurrently a "fixed period" which sets down the morals and values for Aboriginal society and a "continuous present" which constantly reaffirms and redefines these morals and values (1983:20). Both these aspects of 'the Dreamtime' were apparent in the lives of the Aboriginal people I spent time with at Napranum and its outstations. The creation stories are still reference points for their moral system (Appendix 1) and this system is constantly re-evaluated with the continuous change and new experiences of the local family groups.

³ Any knowledge we have of Aboriginal society in the Weipa region prior to European contact comes from oral history and archaeological evidence. For post-contact 'slice-in-time' data one can turn to early explorers' observations (Heeres, 1899; Jack, 1922; Mulvaney, 1989), early anthropological accounts from the 1930s (McConnel, 1930; 1936a; 1936b; Sharp, 1939; Thomson, 1939; 1972) and other missionary and early accounts (Ward, 1908; Roth, 1901).

In 1956, following exploration and sampling of bauxite from the previous year, the "Enterprise Company"⁴ came and made a big camp, they built dongas, a post office, laundry, everything" at Top Camp just east of Napranum today (Mathawanh, 31/1/94). Many new aspects of western society were introduced with the Enterprise company, as Ina Hall states "When the mine came, people found it very hard, because we're not used to the way they are, but everywhere we go, we must learn to cope with good and bad" (quoted in Taylor, 1988: 268).

By the end of 1956 Consolidated Zinc formed a new company called Commonwealth Aluminium Corporation Pty Limited (Comalco) to develop the bauxite deposits at Weipa (Comalco, 1993a:17). In December 1957 mining leases were granted to Comalco by the Queensland government under the special legislation of the *Commonwealth Aluminium Corporation Pty. Limited Agreement Act 1957 (Comalco Act)*. This Act contained the terms and conditions for the mining project and was negotiated at a time when Aboriginal people were denied both Australian citizenship and basic human rights: "Protestant missions and the Queensland state government felt they were better placed to protect Aboriginal interests than the Aboriginal people themselves" (Howitt, 1992: 226). Nowhere does the Act protect the rights of the Aboriginal people. Aboriginal voices were denied a platform and any protests ignored, as Kaynayth states "We weren't consulted the first time, they just went on ... I yelled but nobody heard me" (2/2/94).

The granting of the mining leases meant that the reserve area, consisting of 354,828 hectares, on which the mission was built, was revoked. The Aboriginal people at Weipa found themselves "simply occupying part of the mining lease" (Long, 1970:163). From the time of the lease agreements in 1957 there were seven proposals by Comalco, the Church and the Government to move the Weipa Mission Station from Jessica Point (Long, 1970:162). All proposals were opposed by the Aboriginal people at the mission. In contrast to the situation at the Mapoon Mission, where some people's wish to stay was ignored and they were eventually physically removed and the mission closed and burnt in 1963 (Rowley, 1971:137-139, Roberts et al, 1975a:8-20; Wharton, 1993), the wishes of the local Weipa Aboriginal people were finally respected. In 1963 the state government, Comalco and the Board of Missions negotiated the creation of a reserve of 308 acres (124 hectares) immediately around the mission area (Rogers, 1973:55). Responding to a request by the Presbyterian Church, Weipa South became a state government settlement in 1966 to be administered by a superintendent who represented the Department of Aboriginal and Islander Affairs (Rogers, 1973:55).

Apart from having to deal with threatened relocations, a new settlement and changes in management, the traditional land owners of the Weipa area were confronted with an influx of people, a mining settlement and the bauxite mine itself. From the early 1950s Aboriginal people had easier access to alcohol due to the presence of the Enterprise Company. Mathawanh explains how that was when "the men started sneaking grog into the village" (31/1/94). In Weipa South in the 1950s and 1960s the "demographic changes associated with the construction of the company town at Weipa North, the influx of displaced persons from Mapoon, and the increased movement of other Aboriginal and Islander people to Weipa in

⁴ Enterprise Exploration Pty Limited was a subsidiary of Consolidated Zinc.

search of work at the mine" exacerbated tensions in the 'community' (Howitt, 1992:226; Newbold, 1988:19). One of the consequences of this was an increase in violence within Napranum. Wilson identifies historical and cultural factors, such as dispossession, re-settlement, and a paternalistic system of laws and structures as responsible for this (1982:ix).

Among the most traumatic outcomes of the discovery of bauxite in the Weipa area was the physical impact of the mine. Kaynayth describes the pain the traditional land owners felt as "every blade went into the earth. We said "Oh my mother", and the earth was just like blood spurting out. The land is our best friend, that is where we come from" (2/2/94).

The sum of these impacts, as well as many others not as tangible, "were dramatic and regrettable. In many ways, within a decade of becoming operational, Weipa became an icon of the inability of mining to deliver benefits to local Aboriginal groups" (Howitt, 1994:4).

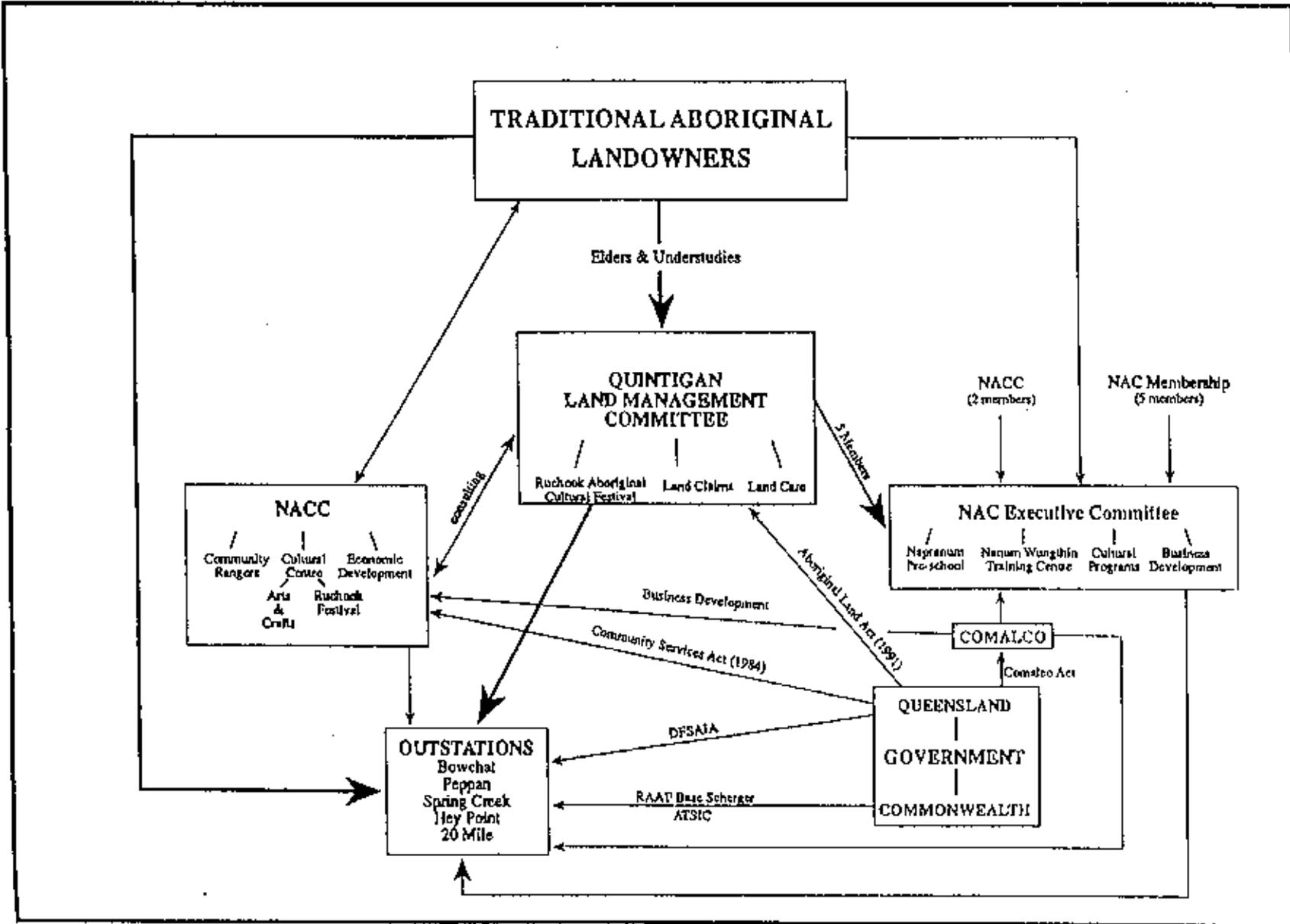
Figure 1 illustrates the institutional structure of the Napranum 'community', the position of the traditional land owners and outside influences. Although the adverse impacts of the mine on the local Aboriginal population were shadowed in mainstream eyes by its "industrial success"⁵, there was some public criticism of its performance (Howitt, 1994:4). This factor, together with other Aboriginal land rights initiatives over resource conflicts such as the Gurundji Walk-off at Wave Hill Station and the Gove Land Rights Case, was the impetus for Comalco to form the Weipa Aborigines Society (WAS) to "depoliticise and localise the problem" (Howitt, 1994:5). Established in 1973, WAS had five traditional Aboriginal land owners from Weipa on its board of directors. Jointly funded by Comalco and the governments, WAS was extremely paternalistic and marginalised Aboriginal concerns by concentrating its efforts on "a predominantly commercial and industrial model of development success" (Howitt, 1994:5). Despite some shortcomings, WAS was important for the growing relationship between Comalco and the local Aboriginal population (Howitt, 1992:230).

In 1993 the "Aboriginalisation of WAS" was initiated with the establishment of a new community organisation, Napranum Aboriginal Corporation (NAC) (Howitt, 1994:5). Concomitant with the assertion of Aboriginal priorities and 'frames of reference', Sandy Callope, chairperson, says that NAC "should be geared towards the traditional owners" (10/2/94).

Under the *Community Services (Aborigines) Act 1984* the Napranum Aboriginal Community Council (NACC) was created. NACC has contact with the traditional land owners through a variety of projects. In 1986 the community entered the Community Development Employment Program (CDEP) (Taylor, 1988:254). Through CDEP, the Council runs 'people development' projects such as arts and crafts at the Cultural Centre (Dick Namai, 18/2/94).

⁵ By the end of 1972, the Weipa operation was producing 10 million tonnes of bauxite a year. This was made possible by new treatment plants and shiploading facilities erected at Lorim Point in 1967 and the extension of the mining area to Andoom, together with a railway bridging the Mission river and Andoom Creek, from 1970-1972 (Comalco, 1993a:17).

Figure 1:
Institutional structure of Napranum



3.1.3 Sense of the spatial - the geographical reading

As far as the eye can see - the sky, the sea, the land -you know that's all yours" Thancoupie, fieldwork interview, 24/2/94

A sense of space cannot become a sense of place without some understanding of how the relevant actors see the environment. More obvious here than in the historical reading, and more relevant due to their resource management implications, are the contrasts between Aboriginal and non-Aboriginal ways of seeing the environment.

a) Relationships to place

In Napranum I was introduced to distinct families with codified relationships to discrete territories. Individual's relationships with country are not restricted to a single tribal area but overlap and network throughout the region as a result of secondary associations through marriage and relocations. However primary associations are usually based on patrilineal descent, centred on a discrete area or estate (Connell Wagner, 1989:Appendix A:6-7). This links individuals not only to physical landscapes but also to the stories and ancestors of the country. These links also involve responsibilities towards country, obliging individuals to look after the area and its interacting and interchangeable physical and spiritual components. As Roy Jingle states "the land is our mother ... we have got to look after it. We must self manage it with love and respect" (*Napranum Cha*, Special Edition, No 19, 1988:12).

Whereas Aboriginal relationships to country are "inextricably bound to the people, who 'belonged' to it", non-Aborigines generally regard land as "a commodity that can be bought, sold, altered and exploited" (Connell Wagner, 1989:Appendix A:2). Western law codifies relationships to land through the land tenure system. Differences between Aboriginal and western property systems have had implications for the traditional land owners' resource management aspirations at Weipa.

b) Western property systems in the Weipa area

i) DOGIT

Amendments to the *Land Act 1962* from 1982 to 1988⁶ provided for an Aboriginal Deed of Grant in Trust (DOGIT). At Weipa, where the reserve land of 354,828 hectares was reduced to 124 hectares with the *Comalco Act*, DOGIT title did not have much relevance (Brennan, 1984:5). It was not until October 27 1988, that after "protracted negotiations" DOGIT was granted to the NACC for an area of 200,730 hectares (Brennan, 1992:88)(Land tenure map).

⁶ Land Act (Aboriginal and Islander Land Grants) Amendment Act 1982; Land Act (Aboriginal and Islander Land Grants) Amendment Act 1984; Land Act Amendment Act 1986 (No. 2); Land Act Amendment Act 1987; Land Act and Another Act Amendment Act 1988 (Brennan, 1992:80).

ii) Aboriginal Land Act 1991

Under the *Aboriginal Land Act 1991*, DOGIT, Aboriginal reserves and Shires, which are already Aboriginal land, do not need to be gazetted to be claimable (as does other Crown land). The DOGIT land around Weipa is claimable once it has become transferred land (Taten and Djnnabah, 1991:14). Contrary to recommendations by the Aboriginal Coordinating Council a "double process" is required for DOGIT and reserve lands to be transferred (Brennan, 1991:10). The complex nature of this claim process has resulted in a delay of claims for the DOGIT land in the Weipa area.

c) Peppan 'Deed Of Grant In Fee Simple' and the RAAF Base Scherger

A section of Aboriginal reserve land, whose traditional owners are referred to here as Peppan (Mathawanh, 31/1/94), was not included in the transfer of reserve land to DOGIT in 1988 (Department of Defence, 1990:10). The need to claim the land was fairly urgent as in 1987 the Department of Defence targeted an area, including a large part of the reserve land, as a possible site to complete a chain of airfields across northern Australia (Department of Defence, 1990:9).

Negotiations between the Peppan traditional land owners and the Defence Department began in 1987. Initially the traditional land owners of that area were not bargaining from a position of power having no European title over their land. However, with the transferral of land on 13 November 1992 under the *Aboriginal Land Act 1991* to the Peppan Land Trust (PLT) as freehold title in trust the balance of power altered (Deed of Grant in Fee Simple -DOGIFS). The PLT consists of five traditional owners and the NACC. The NACC was brought into the negotiations by the traditional land owners and it was Council's intervention which was responsible for achieving a lease arrangement rather than a \$5000 once-off payment (Dick Namai, 18/2/94). In 1992 the 99 year lease agreement was signed between the PLT and the Defence Department, with an option to extend for another 99 years. It provides for an initial payment of \$250,000 and yearly rental of \$75,000. Construction of the RAAF Base Scherger began in March 1993 and is due for completion in June 1999.

d) Wik and other claims

Conflict between the non-Aboriginal relationships to land and the Aboriginal relationships to country was highlighted by the Wik claim, lodged in the Federal Court by the Cape York Land Council in June 1993. Two other land claims in the Weipa and Mapoon areas have been lodged with the Federal Court since the Wik claim.

i) Non-Aboriginal sense of place

Harman identifies the scientific revolution of the 17th century as "one of the great watershed epochs in history" (1989:3). It was from this point that the Western world embraced objectivity, positivism and reductionism as basic assumptions for its perception of the environment (Harman, 1989:5). Suzuki describes this as

the belief that by stripping nature to its most elementary components, we can gain insights that can be fitted together like pieces in an immense jigsaw puzzle to reveal the deepest secrets of the universe (1992:xxii).

The need to separate human from nature, to objectively collect provable facts, and to classify, compartmentalise and breakdown all aspects of our environment has resulted in a "human centred" western perception of space in which "deeply embedded notions of hierarchy, centralisation, specialisation and progress" dominate (Rose, 1988:386).

Western perceptions of the environment around Weipa reflect these concerns. Scientific research around Weipa consists of studies which fragment, name and classify as many elements of the environment as possible (eg. Specht et al, 1977; CYPLUS, 1993:28). Comalco, whose objectives are to "produce the materials demanded by society and to create wealth" (Newbold, 1988:1), understandably centres on the western scientific paradigm. This reliance is reflected in the sense of place constructed by the Comalco literature and employees consulted. Comalco employees consistently referred to the environment around Weipa in terms of its scientific classification⁷, especially emphasising "land unit 2b - *Eucalyptus tetradonta*", the main area in which high grade bauxite is found (Geoff Wharton, fieldwork interview, 18/2/94).

ii) Aboriginal sense of place

The sense of place that the traditional land owners of the Weipa area introduced me to is in opposition to this scientific worldview. Instead of a fragmented, human-centred view of nature, the environment to the traditional land owners is multidimensional and intricately interconnected. There is no strict division, with the different aspects of the environment holistically integrated so that strict compartmentalisation would be hard to achieve.

What western science divides into land units, mineral resources, food resources and cultural sites are interlinked and multidimensional in Aboriginal readings. The cultural and physical environments are inseparable⁸.

My time with the traditional owners of the Weipa area introduced me to their worldview which includes not only detailed knowledge of their country, but an intimate relationship, in which the land and its resources are alive and animate.

⁷ The land units are classified according to soil type, drainage and vegetation.

⁸ This relationship is discussed in Richard Baker's exploration of the way the Yanyuwa of the Gulf country see their environment (1989:137).

One needs to be introduced to the land as "parents are not really dead, ancestors, spirits still there, still alive, listening" (Buwith, 31/1/94)⁹.

Rose found that the Ngarinman people of the Northern Territory "believe that human life exists within the broader context of a living and conscious cosmos" (1988:379). She cites examples of different agents within the cosmos sending out messages, "'telling' about the system", but emphasises that

the messages themselves are not organised into a centralised, hierarchical structure ... Specifics emerge from a background of broader categories; simultaneous emergence indicates a shared ontological status. From this perspective the cosmos cannot be seen as human-centred (1988:379).

Rose goes on to discuss the usefulness of the term 'acentred' in describing Ngarinman senses of place. In my four weeks at Napranum I was told of numerous instances of 'agents within the cosmos sending out messages':

we know when it's harvest time when we see grass seed burst and the seeds fall off (Mathawanh and Buwith, 31/1/94; Kaynayth, 21/2/94);

when dragon flies are around it's good fishing, especially salmon (Mathawanh and Buwith, 31/1/94);

when the flower [crab flower, Bu'uk] blooms the mud crabs are ready to eat (Thelma Hudson and Buwith, 21/2/94);

you know it's ready [a root that tastes like cassava] when you see white flowers (Alice Mark, 7/2/94).

Actors in the environment send out messages, much more reliable than the western calendar, yet these messages are not specifically directed towards humans. From this one can understand the relevance of the term 'acentred' when describing the way the traditional land owners in Weipa view their relationship with country. They are not superior or central, there to control nature, but as custodians they have responsibilities, equal to those of all the conscious agents in the cosmos, to ensure that country is well cared for.

3.2 Aboriginal resource use and management

"It's still here, it's still happening" Cheryl Pitt, fieldwork interview
6/2/94

⁹ When visiting Willum Swamp, Buwith identifies herself and Mathawanh, together with Bella Savo and myself, to the country and ancestors whose presence imbue it with life. She says "We are here, we your mokwi, your people". As she does so, the birds and insects which fell silent at our arrival burst back into song (Field trip, 9/2/94).

Almost a century of contact with western society has brought many changes to Aboriginal life in and around Weipa: bush foods no longer form the basis of the average diet; the landscape has been altered; traditional morals and values have been challenged and supplemented by Christianity and the presence of an industrial and materialistic culture; the community is part of the cash economy; and problems which face the Australian community as a whole - alcoholism, domestic violence, unemployment - are all present in Napranum. Despite these daunting changes and challenges, the traditional Aboriginal owners of the region have survived with a complete sense of their Aboriginal identity. As is the case elsewhere in Australia¹⁰, the foundation of Aboriginal identity at Napranum is the complex relationship between culture, people, country and resources. By understanding the present Aboriginal use and management of resources, the tenacious efforts of the traditional people of Weipa to continue practising, asserting and passing on their Aboriginality can be recognised and valued.

3.2.1 Outstations

"Let's go sit down on the land" Thancoupie, fieldwork interview
28/1/94

The recent establishment of several outstations exemplifies the efforts of the local land owners to re-assert their relationship with and interest in their land. Used predominantly in the dry season for weeks or months at a time, outstations have been established by the traditional landowning families on their respective land at Bowchat in 1990, Peppan and Spring Creek in 1992, and Hey Point and 20 Mile in the dry season of 1993.

The move to establish outstations began about five years ago when Thancoupie and Kaynayth decided it was time to re-establish stronger connections with their country. This was achieved when Thancoupie, Kaynayth and their aunt Atakani "started standing on the land" (Thancoupie, 24/2/94). Going out to Bowchat they started with "no blanket, a billy can for our tea, fish, damper, and we slept under the stars" (Kaynayth, 10/2/94).

Establishing a dry season camp on their traditional land under DOGIT tenure at Bowchat re-asserted their connection to country, and created a foundation from which they could work with the younger generations on the important tasks of cultural maintenance and transmission.

The success of Bowchat set a precedent for the establishment of the other outstations. Although initially established as semi-permanent camps, the locations of the various outstations have been known and used throughout the lives of the old ladies. Kaynayth recalls going to Bowchat as a little girl where the children would be looked after by their kuku ("big mother"), whilst their parents went hunting (12/2/94).

Many outstations are located at or near sites of significance. The creek at Bowchat was made by Warra the stingray as he swam down to the sea, and Yarra, the frigate bird created the oyster beds at Ovoolong and He'elim. They then sat together with Wellenger the flying squirrel and made a big dance to celebrate (Kaynayth, 2/2/94; Thancoupie, 24/2/94). As a

¹⁰ For example see Strehlow, 1965, 1970; Rose 1984, 1988, 1992; Myers, 1986; Williams, 1986; Baker, 1989; Young, 1992.

result, Bowchat is surrounded by plentiful food resources, permanent fresh water and material resources. Similarly Peppan and the other outstations are surrounded by resources, although of different kinds, being located in different environments.

Factors such as shelter, access and a lack of funding limit the permanent use of the camps to the dry season. Nevertheless, they are visited when possible during the wet season for day trips. The camps have strict rules. No alcohol is allowed and shooting is prohibited.

Despite the youth of the outstations, the determination of the individuals and families involved testifies to the strong links and feelings still present between the traditional people and their country. These outstations form a strong and steady foundation from which these links and feelings can be further strengthened.

3.2.2 Resource use

"Too long I've been waiting for my land, it's good to have it on the go again" Kaynayth, fieldwork interview, 2/2/94

As the Mission at 20 Mile, and later Jessica Point, became established, reliance on bush foods¹¹ and material resources diminished in the face of European material goods and agricultural produce. Disruption to systems of resource collection also occurred due to the loss of men to pastoral stations and fishing fleets over long periods of time. Therefore, although they were still used during shortages and trips out bush, food and material resources became marginalised due to infrequent usage. The need for bush foods currently seems even less due to the presence of a Woolworths supermarket and various other shops. However, the use of bush resources has never completely ceased. They have always been used as a supplement to western goods and foods. Although one reason for this is financial (a stingray is cheaper than a steak; a spear cheaper than a gun), recent increases in the use of bush resources reflects the rekindling of local culture by the establishment of the outstations and efforts at cultural maintenance and transmission.

a) Food resources

"Those foods we miss. When we came here we just eat European foods" Alice Mark, fieldwork interview, 7/2/94

Although staples such as flour and sugar, bread and cheese, will be taken to outstations on day trips and during longer stays, meals are always supplemented by bush foods. Bush food is hunted or gathered by either traditional (eg. spear, yam stick), modern (eg. cast net, rifle) or a combination of both means (eg. spear attached to a nylon fishing line). Similarly, the food is prepared in a range of ways. Although the first stingray I was treated to for lunch was fried, a later stingray was boiled to be prepared in the traditional manner called *ande*

¹¹ Bush foods is the term used by the Aboriginal people at Weipa to mean any foods collected or caught 'out bush' - not bought from shops. Although bush conjures up images of terrestrial resources it is very important to point out that the term bush food includes coastal, estuarine, sea and riverine resources (eg. dugong, turtle, stingray, fish, shellfish).

(2/2/94). Both stingrays were captured using a traditional multipronged spear, albeit with wire prongs rather than stingray barbs¹². Regardless of the exact manner of capture and preparation, traditional knowledge and techniques are firmly embedded in the resource use. I was told repeatedly that the pinker the stingray the fatter it is (Kaynayth, 26/1/94; Bella Savo, 26/1/94; Thancoupie, 24/2/94).

As I experienced the outstations during the wet season, the use of vegetable resources was at a minimum (Calendar and resources figure). However I was told of and shown many examples of the different vegetable resources used, from hairy yams to arrowroots and wild hibiscus. I was also given detailed, mouth watering descriptions of how they are gathered or dug up and prepared during the harvest season (Mathawanh and Buwith, 31/1/94; Alice Mark, 7/2/94; Kaynayth, 14/2/94). Although a lot of the bush foods are collected and used at outstations, they are also obtained from other areas of tribal land. Coastal sites and creeks nearer to Napranum, which the general population from Napranum and Weipa North has access to, are also exploited. With the use of cooler bags, fridges and freezers, foods acquired at outstations and on tribal lands are often brought back to Napranum and stored for later use.

b) Material resources

The use of bush resources for functions other than food is also significant. Springwood (gee wuudtha) is used to make spear shafts. Resin from a gum tree (chachinta) is used with bush twine to secure the four wire prongs (*Napranum Cha*, No. 16, 1988; Mathawanh, 1/2/94). Apart from being used to hunt and collect food resources, spears are also made to sell to other locals and tourists.

Arts and crafts are a growing trade in Napranum with a section at the Council's Cultural Centre set aside for this purpose. Traditional and non-traditional skills are practised using bush materials such as ironwood for clap sticks, bloodwood sap to seal stringybark canoes, stringybark for paintings, sandpaper fig leaves to smooth ironwood boomerangs, bailer shells to paint, and shells and seeds for necklaces (Richard Barkley, 17/2/94).

Arts and crafts are also practised on the outstations. Work is especially prolific at Bowchat during the holiday workshops and preparations for the Ruchook Aboriginal Cultural Festival. Banana tree bark is used for skirts, and pandanus leaves are prepared as dyes and woven as head and arm bands and as baskets, mats and other items (Kaynayth, 26/1/94; Thancoupie, 24/2/94).

¹² For descriptions of the technology used in the region from the contact period to contemporary times see McConnel, 1930, 1936a, 1936b; Thompson, 1939, 1972; Lawrence, 1969:210-213; Moore, 1972; Harris, 1976, 1977; Smith, 1985; Chase and Sutton, 1987:72.

c) Water resources

Other resources, whose presence and use are as important as that of food and materials, are not as tangible. The need for fresh, unpolluted water, especially during the dry season, is of paramount importance for the existence of outstations and many of the bush resources.

Recognition of this importance is evident in the concern expressed by the Peppan trustees that the construction and presence of the RAAF base does not pollute or affect their spring sites and creeks. At Bowchat, the freshwater creek created by Warra is carefully monitored. When news that it is running (after sufficient rains during the wet season) reaches the children at Napranum there is great excitement:

The kids love the creek, won't come out. When we tell them it's running, they all want to come. It runs 'til September (Kaynayth, 12/2/94).

d) Economic resources

With the incorporation of the land owners of the Weipa area into the cash economy, they now access aspects of their country for economic purposes. Seeds, collected for Comalco's regeneration program during the dry season, bring in cash for the local families. Other resources used by the community for cash purposes include; trees, felled by Napranum's saw mill for local timber purposes; soil, used by the block plant for pavers and bricks; and possibly the introduction of neem trees for a longer term sustainable program.

e) Cultural resources

The country is networked by story places. Even less tangible in a European sense than food, material or water resources, cultural resources form the bridge between country and people. As a resource, story places have multiple purposes. In the transmission of knowledge they teach people about how places were formed, about the relationships present between humans, animals and the landscape, about the location and proper use and preparation of resources, and importantly values, morals and laws. Story places provide a link between the present generation and ancestor spirits, as well as a medium through which contemporary events can be understood and interpreted. Story places are important as a cultural resource for they represent the ultimate connection between the landowning family and their country. A reciprocal relationship in which the 'owners' are responsible for the site and its story, whilst the site sustains, guides and gives meaning to the owner's Aboriginality.

3.2.3 Inter-relationships between resources

"Animals, they're related to us" Ernest Hall, fieldwork interview, 10/2/94

"Animals were human before" Kaynayth, fieldwork interview, 10/2/94

Based on a western paradigm, the resources used by Aboriginal people in Weipa have been conveniently categorised. However, the local people in Weipa make no such distinctions. What was made clear is that one is surrounded by and living in an animate, interconnected, multidimensional system. Everything is reliant on, related to and interchangeable with everything else.

Story sites, which have been categorised as cultural resources, are often sites of significance for a particular food or material resource, for example, the oyster beds made by Yarra at Bowchat. The stories themselves teach people morals and values. For example, Mathawanh ends the Flying Fox story by saying "That's for disobedient boys" (Mathawanh, 31/1/94)(Appendix 1d).

Stories illustrate the relationships between people and country, especially animals. Ernest Hall describes how he can not eat emu, even if someone else kills it, because the emu is his totem (10/2/94). The stories show that animals were originally humans (Appendix 1), thus creating a relationship between humans and nature whereby your responsibility to country is based on a common heritage.

Damage or disturbance to a story place can have devastating repercussions. The disturbance of pandanus trees on Gonbung Point (the trees are sacred as they are part of a story incorporating that site) caused the violent cyclone 'Mark' to hit Weipa (Bella Savo, 24/1/94; Geoff Wharton, 18/2/94). Similarly, proper use of resources and ceremonies can help control these forces. The use of a bitter type of arrowroot, together with the correct dances, songs and ceremonies can turn a cyclone away (Buwith, 31/1/94; Ernest Hall, 10/2/94; Richard Barkley, 17/2/94).

Inter-relationships are also constructed at larger scales. Primary and secondary inheritance, together with the fact that the old ladies' grandfathers - and the generations before that - had more than one wife¹³, means that responsibilities for land crisscross throughout the Weipa area and within and between family groups (Kaynayth, 14/2/94).

These inter-relationships illustrate that the classification of resources into distinct categories is a non-Aboriginal construction. Keeping in mind the preliminary nature of this study, it is precisely this lack of boundaries, the interlinked, interrelated way of seeing country, that distinguishes the resource use and management of the traditional families of Weipa from western, European use and management.

¹³ Kaynayth and Thancoupie's grandfather, Harry Mail Man, had six wives from six different clan groups and territories (Kaynayth, 14/2/94).

3.3 Aboriginal resource use and management aspirations

"I want my bush life" Kaynayth, fieldwork interview, 12/2/94

Since Bowchat's establishment there has been a resurgence in the use and management of resources by the traditional land owning families of the Weipa region, with numerous plans, dreams and goals being proposed, discussed, explored and implemented.

3.3.1 Outstations

"I'm making my choice to get away from here. All my life I've wanted to live in the bush" Kaynayth, fieldwork interview, 12/2/94

The ladies clearly express their basic goal - to live permanently on their land, together with their families, throughout the year:

I'm going to try and bring Aboriginal life to earth, make it real. For the dream to end, to live permanently at Bowchat (Kaynayth, 12/2/94)

Stay out in the bush where I can hear the birds singing, (Buwith, 31/1/94)

I'm choosing a place where I'm going to live (Alice Mark, 7/2/94)

To realise this dream, a range of practical concerns need to be addressed, including the provision of infrastructure and support services, sustainable economic activities and funding. In achieving many of these aspirations interactions with outside forces are unavoidable.

The precedents for outstation occupancy have been set. The homelands movement is well established elsewhere. Outstations exist around Aurukun, and Mapoon, 80 kilometres north of Weipa, was re-established as a decentralised community in recent years. Cheryl Pit, traditional owner of Peppan, emphasises the need to treat outstations as actual communities. She says that if the children are to survive on the outstations then they need to be more like villages (6/2/94). She says children are caught between their Aboriginal identities and the culture of the mainstream. To live on the outstation they need many aspects of the mainstream culture, which they have also been brought up with, to give them the appropriate cultural balance (6/2/94).

3.3.2 Increased control of resources

"We're just waiting patiently to get our sea rights, then we can stop them from getting too much turtle and fish" Kaynayth, fieldwork interview, 12/2/94

The way in which the traditional land owners are re-asserting their links to country through current strategies, aspirations and resource management initiatives can be viewed as the beginning of an Aboriginal-centred local development plan. The local groups seek to increase the control they exercise over local resource use and management. Apart from the control

they exert by occupying their lands and interacting with the wider community through cultural maintenance and transmission programs, the land owners discussed other plans to increase their control over resources. These plans are supported by the recent recognition of native title, which although presently ambiguous, does convey a moral recognition of the historical rights of the local land owners to manage and control their resources.

Richard Barkley, community ranger, emphasises the need to control access to and use of resources. He argues for the erection of fences around sensitive and sacred areas (Richard Barkley, 17/2/94).

Controlling access to land, sites and resources is also an issue for people on the outstations. The Peppan trustees want to erect signs at Willum Swamp (Mathawanh and Buwith, 9/2/94). Kaynayth expressed a wish to up-date the signs on the road to Bowchat (12/2/94).

Richard Barkley hopes the community rangers will be given additional powers to monitor and control the use of both land and sea resources. He cites cases of bad and wasteful resource use such as "dead carcasses of fish and baby's nappies left on the beach" (17/2/94). Kaynayth also emphasises this issue: "we're just waiting patiently to get our sea rights, then we can stop them from getting too much turtle and fish" (12/2/94).

3.4 Community initiatives

3.4.1 Transmission of cultural knowledge

"If they won't learn anything from us how will it be passed onto the next generation? Once it's dead, it's dead" Kaynayth, fieldwork interview, 12/2/94

For the development and successful achievement of long term land and sea management strategies it is necessary to stimulate the interest and actively include the younger generations, as well as educate the wider public, in regard to local use and management of country. Thus cultural transmission and maintenance programs are fundamental to the resource management aspirations of the local land owners.

a) Outstations

"I want them to read the wind, the tide, the stars, the moon"
Kaynayth, fieldwork interview, 12/2/94

The return to country and establishment of outstations by Weipa Aborigines has created a foundation for teaching the children about their culture. Once the physical connection with the land has been made, the transmission of knowledge can ensue. Kaynayth, Buwith, Mathawanh and Alice told me of the Dreamtime stories they tell the children when camping at the outstations (Kaynayth, 12/2/94; Buwith, 29/1/94; Mathawanh, 31/1/94; Alice Mark, 8/2/94). Children not only learn about their heritage through stories but also learn traditional values and morals from the lifestyles practised on the outstations. Kaynayth sees Bowchat as the base for passing knowledge on to the children. She wants them to "know that when the grass bursts it's time for harvesting. I want them

to learn about digging arrowroot" (12/2/94). At Bowchat Kaynayth not only teaches the children stories and dancing but also how to hunt, gather and prepare food, use other material resources and the skills needed for traditional arts and crafts.

b) Holiday programs

Hand-in-hand with the establishment of the outstation at Bowchat, Thancoupie, Kaynayth, and Atakani together with the help of artist/weaver Stewart Lloyd and his wife Catherine from Cairns, initiated holiday programs at Bowchat. By re-establishing the link with the land, it was possible to bring the children out of Napranum and with the stimulus of country pass on knowledge (Stewart Lloyd, 24/2/94).

The programs started in 1990 on a shoe-string budget. They continued for the next four years with very limited funding (local sponsorship and a Community Aid Abroad grant) and help from family members in Napranum. The programs appeal to children and parents from both Napranum and Weipa North and to date have included: weaving, dying, firestick making, traditional singing and dancing, food gathering and preparation, healing as well as non-traditional skills such as screen printing. The organisers have an extensive program planned for this year, the main objective to train other individuals as cultural teachers to take over the running of the programs (Thancoupie, 24/2/94).

c) Ruchook Aboriginal Cultural Festival

"If you saw those people, the effort, you could cry ... It made us feel good, we started it, it worked, the children dancing, walking with their heads up high" Thancoupie, fieldwork interview, 24/2/94

Two years ago Thancoupie embarked on another project of cultural maintenance. As chairman of a committee of traditional elders, the Ruchook Aboriginal Cultural Festival had its debut in 1992. Held annually, the festival attracts other Aboriginal communities to its dancing competitions, as well as spectators from Weipa North and tourists. Apart from dancing, the festival features many local Aboriginal skills and arts and crafts. Importantly it re-ignites the interest of the children and is a forum in which they can gain pride and self esteem by having the cultural knowledge and skills they learn at Bowchat acknowledged and enjoyed by the wider public. Thancoupie describes how

if you came oue time before the festival, the children's heads down, swearing. Today they are very careful who hears them because we're putting so much pride back into them and giving time to them (24/2/94).

d) Other initiatives

"Only my own story, Weipa story on pots ... pass it down so children can learn" (Thancoupie, 28/1/94)

Community leaders in Napranum use their skills in many ways to ensure that their culture is passed down to the next generations. Thancoupie, a potter of international repute, uses

the stories, heroes and totems from the tribal groups in the Weipa area as inspiration for her pots' abstract designs. Isaacs's biography notes:

Thancoupie's work means the black children of Weipa and all of north Queensland can 'read' their stories and history in clay, and the old women who have kept these stories alive need not fear that the tales will die with them (1982:12).

Richard Barkley, Thancoupie's nephew, is a community ranger who loves working with the children and teaching them what he knows as he continues to learn from his elders. He works at Bowchat helping with the holiday programs and takes children out to Uningan Bicentennial Nature and Recreation Reserve (17/2/94). This year he also has groups of children from Weipa North school coming to the Cultural Centre where he teaches them about different Aboriginal skills (Richard Barkley, 17/2/94).

e) Cultural programs (NAC)

With the transformation of the Weipa Aborigines Society (WAS) to the Napranum Aboriginal Corporation (NAC) the new position of Director of Cultural Programs has been created. This facilitates the active inclusion of the Aboriginal land owners of the Weipa area back into NAC, and contributes towards the implementation of the objectives of the Aboriginal model of 'people development'. As well as a data base of family histories, plans are being explored to establish a cultural museum and 'keeping place' in Napranum.

3.4.2 Resource management initiatives

a) Community Rangers

Supported by the Napranum Aboriginal Community Council a range of people from Napranum have become community rangers by completing the Cairns TAFE Community Ranger Training Program. Despite a feeling that they have insufficient powers of control over resources and lack basic equipment (troop carriers, 2-way radios etc.), the rangers have many plans for ways in which they can further involve themselves in resource use and management (Richard Barkley, 17/2/94).

b) Uningan Bicentennial Nature and Recreation Reserve

Uningan Bicentennial Nature and Recreation Reserve is a result of work by the Weipa Bicentennial Community Committee, a joint committee between Napranum and Weipa North, which aimed to produce a positive legacy for future generations (Wharton, 1988:5). The reserve is a product of different cultures and aspects of both mainstream and the local Aboriginal culture are evident in the reserve and its handbook (Wharton, 1988). The reserve is an excellent example of how increased control and management of resources can be achieved by opportunities created and adapted by both the local Aboriginal groups and Comalco.

c) Quintigan Land Management Committee

"Quintigan stands for the tribal people of Napranum" Thancoupie, fieldwork interview, 24/2/94

"Make the land work" Thancoupie, fieldwork interview 28/1/94

Quintigan Land Management Committee was formed three years ago with Thancoupie as its chairperson. A co-ordinating body for all the traditional landowning families of Napranum, Thancoupie says that she is doing Quintigan for the future, for the children (24/2/94). The committee is presently in the process of becoming incorporated. As an umbrella organisation for the tribal areas Quintigan can interact with the wider society more effectively than individual family groups. Acting like a local land council, it can place cultural concerns and land and resource management issues more formally and effectively on the community agenda.

Quintigan has advised researchers who document anthropological and linguistic data and can act as a platform to initiate moves to claim DOGIT lands under the Queensland *Aboriginal Land Act 1991* (Sandy Callope, 10/2/94). As a land management committee it can co-ordinate resource and land management programs for tribal lands and outstations and has many plans for this sort of project. It also has identified many possible initiatives for infrastructure and economic activities on the outstations.

d) Interaction with Comalco

A major initiative being forged between the local land owners and Comalco has seen the increased involvement of the local Aboriginal groups in the management and decision-making processes of the mine itself. My last morning in Weipa was spent with a group of traditional Aboriginal land owners from the Weipa area as they went on a mine tour with Paul Warren from the regeneration department (21/2/94). The tour follows on from Paul Warren's statement:

I might say in all honesty that I don't think that we've done as well as we could have in the past. I think that there needs to be more effort to involve them [the local Aboriginal people] in what happens on an annual basis (17/2/94).

It was a wonderful exercise of learning and appreciation on both sides as knowledge was shared and opinions sought. The old ladies were intent and questioning as they were shown through the regeneration department and the active mining areas. Paul Warren was similarly enthusiastic, determined to listen to what the ladies had to say and open to their opinions and suggestions. It was an extremely constructive morning as the ladies got a better understanding of the mine and where the active areas presently were (a very painful exercise for those people on whose traditional land it was), and had their opinions and aspirations heard:

- * Kaynayth expressed her wish for the road to Andoom to be kept, but the railway regenerated when the mining operations in that area ended.

- * The ladies told Paul that they were worried that they would not be any bush foods in the regenerated areas and suggested incorporating the seeds of plants such as arrowroot, wild hibiscus and yams in their seed collections.
- * The ladies also expressed their wish for more of the bigger trees, such as bloodwood and messmate, to be returned to the mined areas.
- * Kaynayth described how worried she was that the traditional names had been replaced in the mining areas. She stated that "we don't know where we are because the places are not the same ... we want the younger people to grow up knowing language names". (A workshop on Aboriginal involvement in the regeneration process has already been run (Bella Savo, pers comm., 12/4/94)).
- * Kaynayth and Atakani showed and described their land for Paul Warren so he could get a better understanding of the different areas and their importance.

3.5 Opportunities for and constraints on Aboriginal resource use and management aspirations

A variety of forces influence and impact on the resurgence of the local Aboriginal cultures at Weipa. The forces, players, processes and relationships involved are clearly different to anything past generations at Weipa have faced. The three main influences identified are Comalco, the RAAF Base Scherger and the State and Federal governments. None of these elements play unambiguous roles at Weipa, with most constructing both opportunities and constraints for local Aboriginal families.

3.5.1 Comalco

a) Constraints

"Now everything is gone - the roads, tracks, funeral places - everything is gone, only holes, like wounds, boils" Kaynayth, fieldwork interview, 2/2/94

Disruption to country is a constraint on local Aboriginal people's ability to pursue their dreams. Comalco's extraction of bauxite has direct impacts on country and its multiple layers of resources.

The strip mining not only destroys the vegetation, but the removal of 2-6 metres of bauxite lowers the ground level. Regeneration employs different flora associations (Paul Warren, 17/2/94), producing changes to the ecosystem and associated resources (Comalco, 1993c, 1993d). This alienates people from vast areas of country, as illustrated by the following comments:

one day we'll be walking through these areas and we'll want food.
We want our bush foods to grow in these areas (Kaynayth, 21/1/94);

since mining started no echidnas come around anymore...no possums either in trees (Kaynayth, 14/7/94);

can't get wild honey any more (Bella Savo, 14/2/94);

those trees [messmate and bloodwood], that's the ones we want (Kaynayth, 21/2/94).

To date Comalco has cleared and mined approximately 9000 hectares of land with 6000 hectares regenerated (Paul Warren, 17/2/94). Alteration of country is further exacerbated by Comalco's kaolin operations, which began in 1985. Drastic changes will occur as larger areas of land are mined to even lower levels.

To develop mining at Weipa, supporting infrastructure had to be built and maintained, this has altered and destroyed many resources which were important for the local Aboriginal culture in terms of interchangeable food and cultural resources. Marie Chevathan talks about the changes wrought by the presence of Comalco:

... Lorim Point used to be a beautiful beach. The old people used to camp there ... The area near Nannum is more or less a sacred swamp. We won't be able to have control over it and what will happen if they sell the blocks in Nannum [from the process of 'uormalisation' of Weipa North]. They took away our hunting grounds. People used to walk to that point for oysters and now they can't. They changed the name - Rocky Point was called Kumrunja in language. Along this way (to the southeast of Napranum) we only get mud shells and wallabies. Along the other way, women used to walk toward Kumrunja and collect arrowroot and oysters, and wild berries and all kinds of other things. Now we can't show the kids not because the kids don't want to, but because it's not there. They've taken that from us (Howitt: Fieldwork interview, Napranum, July, 1992).

Pollution is associated with both mining and settlement. This can damage and diminish aspects of the resource base underlying the Aboriginal culture. Sandy Callope cites the dredging of the Embley River and Albatross Bay together with water and noise pollution from the tankers and other boats as one of the reasons dugong and turtles "have all gone out now" (10/2/94). Richard Barkley finds that ballast water discharged from the tankers is causing algae to bloom at the water edges killing the mangroves and moving up the Embley River with the tides (17/2/94). Most urgent has been the results of a preliminary survey of environmental conditions in the Mission and Embley Rivers which found that samples of oysters and prawns near two sewerage outfalls had "levels of intestinal bacteria which exceed National Health and Medical Research Council standards for edible shellfish" (Bauxite Bulletin, 12/24/92:1).

Further impacts on the resource base has occurred as people from Weipa North, which has a population of almost 2,500, take advantage of the rich environment around Weipa. Their recreational use of resources (fishing, shooting, 4 wheel driving etc.) has had noticeable impacts on the resource base causing drops in both pig and kangaroo

populations (Cheryl Pitt, 6/2/94), disturbance of dugongs, turtles and crabs "so they hid themselves, like humans" (Kaynayth, 10/2/94) and impacts on shellfish and fish populations. With many of their resources under 'attack' from non-local usage Cheryl Pitt says with relief "Thank God that they [white people] don't know how to eat stingray yet. We still got our stingray out there, waiting for us every Sunday" (6/2/94). Tensions and conflicts are also created by a diminished resource base as people need to go further afield, often entering other family's territories, to get certain resources (Cheryl Pitt, 6/2/94).

Although these impacts range in severity, local Aboriginal families must come to terms with them. By influencing the decision-making processes within Comalco, taking advantage of areas in which they can assert their control, and adapting to and taking advantage of new landscapes, local Aboriginal land owners are creating opportunities and countering many of the physical and emotional impacts of the mine and its associated activities.

The *Comalco Act* gives Comalco the right to manage the lease area - most of the land in the locality (Paul Warren, 17/2/94). This constrains Aboriginal resource management options in terms of access. Although Geoff Wharton did not see a problem with Aboriginal usage of resources on Comalco lease land, he did go on to point out that vehicles are not allowed on haul roads and people are not allowed to enter active mining areas (28/2/94). Access is further curtailed by infrastructure such as at Lorim Point and confusion exists amongst many of the local Aboriginal people I spoke to about where they actually were allowed to go. Bella Savo describes how it is "really hard for elders to believe that Comalco is kicking them out of their own land where they're standing" (14/2/94). Constraints on residency is also a problem. As the local Aboriginal family groups do not legally have any interest in Comalco lease land, Geoff Wharton states that "any property constructed there is subject to Comalco". He finds that there is an awareness amongst local Aboriginal people that outstations must not be set up on Comalco land, but still cites problems with people not sure what title certain areas of land are (28/2/94). There is anger and resentment by local Aboriginal people who recognise the irony at having to get permission to do things on what they see as their own land: "I have to ask permission from Comalco to stay overnight with elders on Comalco lease, I can't argue against them that's why I feel so hopeless" (Bella Savo, 14/2/94). Improved communication and closer relations with mine management staff has allowed easier access and better understanding, and has increased Aboriginal utilisation of some areas.

Historically company policies have created conflict and tension. Some current policies continue to do so and actively limit Aboriginal actions. For example, Comalco does not formally recognise local Aboriginal families' prior ownership of the land (there has been no legal recognition of the traditional Aboriginal land owners by Comalco, nor of the fact that Comalco is dependent on their land. Kaynayth asks "Will they recognise us as Aboriginal people?" (2/2/94)). This restricts the company's understanding of Aboriginal views of its dependence on them and their land. This produces other policies which impact on Aboriginal people, such as the 'normalisation' of Weipa North and mine planning without consultation. Once again better communication is helping to overcome the consultation problems, while larger scale actions, such as the recognition of the

existence of native title, may pressure Comalco to recognise prior Aboriginal ownership and its implications.

Vastly different worldviews remain a fundamental obstacle between Comalco and the local Aboriginal groups. Different priorities, agendas, readings of the landscape and cultural backgrounds all contribute to situations which severely curtail the ability of the land owners of the Weipa area to achieve their aspirations. Communication and education on both sides is central in addressing this, and initiatives from both the company and the local Aboriginal groups are being developed.

b) Opportunities

"Comalco ... lots of negative stuff, lots of good stuff too" Cheryl Pitt, fieldwork interview, 6/2/94

Despite the mine's many negative impacts, and those of the mining settlement and its associated goods and values, positive aspects can also be identified. Infrastructure and services as well as increased and easier access to country, especially because of drill-lines, are examples of the 'good stuff' Comalco has brought. They have the potential to assist Aboriginal aspirations and many have already been utilised.

Comalco has also created opportunities through economic developments, such as seed collecting, and joint ventures, such as at Uningan Bicentennial Nature and Recreation Reserve. Although some of these initiatives are not solely directed at Aboriginal people, they do take advantage of opportunities presented to them. By taking advantage of ventures based on local resource use and management, local Aboriginal people are continuing ways of "surviving with cultural integrity and social quality" (Richard Howitt, 12/1/94).

A slow shift has been identified in the corporate culture of Comalco over the last ten years from one of exclusion and marginalisation to a more open and positive one (Richard Howitt, 12/1/94; Dennis Bourke, 1/3/94). Largely attributed to close personal relationships, this shift in attitude has led to increased respect for Aboriginal culture, support of cultural maintenance programs and Aboriginal resource management strategies, and the Aboriginalisation of WAS.

Perhaps the most exciting and dynamic opportunities becoming available to local Aboriginal groups is through their increased involvement in the industrial resource management system. Better communication and respect on both 'sides', together with empowerment of the local Aboriginal groups, has resulted in increased involvement by the local families in the mine's decision-making processes. This involvement, inclusion and increasing respect contributes towards the foundations from which co-management

structures can be built¹⁴. This potential for joint management of resources in an environment dominated by a non-renewable resource development is not only rare in Australia, but is all the more important when one considers that local Aboriginal voices were excluded and silenced when exploration began forty years ago. This is just one illustration of the great strides Aboriginal people at Weipa have made by taking full advantage of the opportunities described above. The determination and creativity of the local people should ensure the effective pursuit of their resource management aspirations despite constraints caused by Comalco's presence.

3.5.2 RAAF Base Scherger

a) Constraints

"We must go by the rules - mustn't burn, even though before we burnt the grass with matches" Mathawanh, fieldwork interview, 31/1/94

The large proportion of Peppan land leased to the Defence Department for the base's buffer and core zones constrains the land owners' access to their land. Although access is not restricted to either the buffer or core zone (the site of the new Peppan is in the buffer zone) an area within the core zone is fenced off and access restricted. This has implications on resource use, especially as a number of spring sites occur within the fenced off zone.

The proximity of the base to their outstation, and RAAF policies and management strategies, constrain Peppan management plans. The RAAF Base is implementing its own fire regime (Department of Defence, 1993:9-10). As a result Mathawanh and Buwith say that they were given books and told by the base that they "are not allowed to burn because ... it may damage the base" (31/1/94). Environmental impacts from the construction and presence of the base will also affect local resources.

b) Opportunities

"Really working good with us" Mathawanh, fieldwork interview, 1/2/94

Despite difficulties in the initial negotiations, relations between Peppan and Base staff have evolved in ways which can benefit the Peppan people. Through financial benefits and employment opportunities, a source of income may partly assist the Peppan land owners to fund infrastructure and transport. Respectful and inclusionist policies have resulted in situations of knowledge sharing and the creation of circumstances which contribute

¹⁴ For co-management precedents between indigenous peoples and national parks see Yapp, 1989; Baker and the Mutitjulu Community, 1992; Birkhead et al, 1992; Reid, et al, 1992; Fenge, 1993. Works which also identify the potential for co-management structures in areas other than national parks come from north America and include Berkes et al, 1991 and Gedicks, 1993.

towards cultural maintenance and recognition. Finally the actual negotiations, and their outcomes, could have implications for other Aboriginal groups throughout Australia

3.5.3 Government

Despite variations in the degree of influence, government policies and attitudes have had direct impacts on the people at Weipa since white settlement of Queensland. The current state and federal governments offer opportunities for and constraints on local Aboriginal resource management through their policy making processes, policies, and programs and funding opportunities (or lack thereof).

a) Queensland Government

"I can't understand why it is that my land has been mined and even after thirty years there is still no compensation" Gladys Claremont, Howitt: Fieldwork interview, Napranum, September, 1992.

Despite the ALP's commitment to full consultation with indigenous peoples on matters affecting them, Holden shows that the policy making processes of Labor in government have been "structured and resourced so as to covertly perpetuate Aboriginal and Islander powerlessness" (1993:75).

The marginalised and powerless position of Aboriginal people in the policy making processes of the Goss government has produced a lack of policies, programs and funding opportunities for those areas which Aboriginal people identify as necessary for the achievement of self-determination and autonomy. This acts as a major constraint on options available to Aboriginal groups at Weipa.

Despite the marginalisation, pressure from Aboriginal interests and sympathetic bureaucrats has resulted in limited support opportunities for Aboriginal resource management aspirations. In the last State government budget, outstations were considered for the first time by the Queensland government and over the next three years \$7.4 million is earmarked for outstation development and infrastructure, and a dam on Palm Island (Warren Smith, 23/2/94). Of the allocated money, \$0.9 million is to fund about 24 outstations across Cape York Peninsula before July 1994. However, as funding is limited, Peppan outstation is the only candidate to receive some of the money in the Weipa area (Warren Smith could not explain the guidelines used for funding allocations). A new program, aimed at more appropriate governing structures for Aboriginal communities, the Alternative Government Structures Program (AGSP), started in late 1993 with the funding of a consultancy group in Aurukun. Through this sort of research it is hoped that there will be "increased participation in community management activities by local indigenous peoples and [that there will be] the establishment of alternative structures and processes for self management" (DFSAIA:1).

A major issue which the Aboriginal land owners find constraining their plans is the State government's failure to compensate them for the loss of their land, and the absence of a legislative link to ensure that any of Comalco's royalty payments to the Queensland government flow to the affected people at Weipa:

They say we will get royalties, but only out of mouth, not on paper. Still get nothing ... The Government should look at the traditional owners and the land first - where people used camp and hunt for traditional food is now all ripped up (Bella Savo, 14/2/94).

Howitt estimates that if Weipa was in the Northern Territory, due to the *Aboriginal Land Rights (NT) Act 1976*, the local native title holders would have received an income of more than \$62 million since 1973 (Howitt, pers comm.). The denial of discretionary income at this level, and lack of recognition of land rights, continue to act as major moral and financial constraints on many of the local Aboriginal resource management aspirations.

b) Commonwealth Government

The Aboriginal and Torres Strait Islander Commission (ATSIC) is the Federal body dealing directly with the Aboriginal people at Weipa. A lack of interaction and coordination of policy frameworks and support programs between the State and Federal governments creates conflicts and tensions and acts as a constraint on Aboriginal aspirations. Structural differences, ATSIC is an elected body whereas DFSAIA has a departmental profile, are cited as one of the reasons for the lack of communication between bureaucratic bodies (Les Malezer, 27/2/94).

The policy making processes and bureaucratic structures of ATSIC are seen as creating their own constraints on Aboriginal self-determination. Aboriginal people expect support from governments in pursuing their aspirations, not shaping them. Yet ATSIC is seen as just another bureaucratic barrier for getting funds (Dick Namai, 18/2/94). There is not enough money to go around, the NACC gets between \$25,000 and \$30,000 from ATSIC and they have to divide that between 5 and 6 outstations (Dick Namai, 18/2/94). There are no set guide-lines for receiving funds and there are no specific resource management programs (Bill White, 25/2/94). Until these problems are addressed, local Aboriginal people at Weipa will have to find alternate funding sources and programs to support their aspirations.

Although the Federal government does not have specific programs to support Aboriginal resource management aspirations, it has acknowledged the need for support in this area. ATSIC is developing an environmental policy paper, apart from cultural heritage and environmental issues, the paper will look at the problem of how to resource Aboriginal groups so that they can get into resource management areas (Bill White, 25/2/94). ATSIC is also funding a consultancy report looking at the practicalities of outstation support and resourcing. The potential and practicality of establishing small resource centres within each community is being examined (Bill White, 25/2/94). In Weipa, facilities such as the Nanum Wungthin Training Centre and other NAC programs are ideal for this. The problem is that Napranum's success in securing funds from Comalco will probably reduce their access to government funds. As a result, NAC is investigating ways of providing some regional as well as local services (eg. TAFE programs). Through these initiatives, ATSIC may eventually offer Aboriginal people some support in the pursuit of their aspirations.

As has been shown, the main forces which impact on local Aboriginal resource management options come from Comalco, the RAAF Base Scherger and the State and Federal governments. The opportunities and constraints from Comalco and the governments have seen a shift over time. Historically, constraints constructed in Comalco's corporate domain have been the dominant limitation on Aboriginal actions. However, it has shown that currently, constraints constructed in the government domain, are more important. The most dramatic shift is not only that constraints from Comalco have lessened, but active opportunities are now available. The fact that opportunities now exist in both the Comalco and RAAF domains means that there is a very real potential for progress towards grassroot goals for land and sea management and self-determination.

3.6 Conclusion

This study has shown that Aboriginal groups at Weipa are rekindling their cultures through tenacious resource management strategies and aspirations. They are doing this despite historical and contemporary conflicts resulting from the presence of an industrial resource management system and hostile political structures in the locality. The establishment of outstations, increased control and use of resources, transmission and maintenance of cultural knowledge and the creation of resource management initiatives and bodies, have all been identified as indicators of this re-affirmation of cultural identities. These factors interact and support each other in the formation and formulation of land and sea management strategies and aspirations.

However, many wider forces impact on the local resource management options, creating a dynamic framework of influences within which the local people have to work. Comalco, the RAAF Base Scherger and the State and Federal governments have the most direct influence. Following an historical shift, Comalco's constraining influences have decreased, whilst opportunities from both Comalco and the RAAF base have been created. At the same time, the State and Federal governments are the major current constraint on aspirations. The local groups are pursuing their aspirations more effectively by countering these constraints, and creating and taking advantage of the opportunities.

3.7 Acknowledgments and disclaimer

I must acknowledge the people with whom I worked in Napranum. Bella, Kaynayth, Burwith, Thancoupie, Mathawanh, Alice, Irene, Arakani, Florence, Ernest and Thelma all gave their time and voices to help me gain an insight into their lives, accomplishments, struggles and dreams. These people welcomed me to their country, watched over me and showed me different ways of seeing life and land. I learnt so much from them and try to convey that to you. However, everything written here comes directly from me. Any misunderstandings or mistaken facts are a result of my own misinterpretations. I presume to speak for no-one but myself.

I would also like to thank Dr Richard Howitt for his friendship and help in supervising the honours thesis which formed the basis for this study. Access to his field notes from Weipa provided another avenue through which I could explore the voices of Napranum.

3.8 References

- Baker, L.M. and Mutijulu Community. 1992. "Comparing Two Views of the Landscape: Aboriginal Traditional Ecological Knowledge and Modern Scientific Knowledge". *Rangeland Journal*. 14(2):174-189.
- Baker, R. 1989. *Land is Life: Continuity through change for the Yanyuwa from the Northern Territory of Australia*. PhD Thesis, University of Adelaide.
- Bennett, D.H. 1983. "Some aspects of Aboriginal and non-Aboriginal notions of responsibility to non-human animals". *Australian Aboriginal Studies*. 2:19-24.
- Berkes, F., George, P. and Preston, R.J. 1991. "Co-management: The Evolution in Theory and Practice of the Joint Administration of Living Resources". *Alternatives*. 18(2):12-18.
- Birckhead, J., De Lacy, T. and Smith, L. (eds) 1992. *Aboriginal Involvement in Parks and Protected Areas*. Aboriginal Studies Press, Canberra.
- Brennan, F. 1984. "Queensland Land Rights". *Aboriginal Law Bulletin*. 10:4-5,9.
- Brennan, F. 1991. "The Queensland Aboriginal Land Act 1991". *Aboriginal Law Bulletin*. 2(50):10-12.
- Brennan, F. 1992. *Land Rights Queensland Style: The Struggle for Aboriginal Self-Management*. University of Queensland Press, St.Lucia.
- Comalco Minerals and Alumina. 1993a. *Weipa: The Mine and its People*. 6th Edition. Comalco Aluminium Limited, Weipa.
- Comalco Minerals and Alumina (in conjunction with the Napranum Aboriginal Community Council). 1993b. *Initiatives in Aboriginal/Resource Sector-Cooperation*. Submission for the Common Ground Award, October.
- Comalco Minerals and Alumina. 1993c. *Comalco-Regeneration: a comprehensive overview of the Weipa bauxite mine regeneration program*. [Video recording], Comalco Aluminium Limited, Brisbane, 22 minutes.
- Comalco Minerals and Alumina. 1993d. *Regeneration: a birds eye view*. [Video recording], Comalco Aluminium Limited, Brisbane, 14 minutes.
- Connell Wagner. 1989. *Cape York Peninsula Resource Analysis*. Prepared for Queensland Premier's Department, Cairns.
- CYPLUS (Cape York Peninsula Land Use Strategy). 1993. *CYPLUS Talkback*. Issue 4. December 1993.

Department of Defence. 1990. *Proposed Airfield for the Royal Australian Air Force Cape York Peninsula North Queensland*. Draft Environmental Impact Statement. Gutteridge Haskins and Davey Pty Ltd for Australian Construction Services.

Department of Defence. 1993. *Development of RAAF Base Scherger at Peppan, Cape York Peninsula*. Construction Phase Environmental Management Plan. Centre for Environmental Management.

Duncan, J. and Duncan, N. 1988. "(Re)reading the landscape". *Environment and Planning D: Society and Space*. 6:117-126.

Fenge, T. 1993. "National Parks in the Canadian Arctic: the case of the Nunavut land claim agreement", in Cant. G., Overton, J. and Pawsou, E. (eds):195-207.

Gedicks, A. 1993. *The New Resource Wars: Native and Environmental Struggles Against Multinational Corporations*. South End Press, Boston.

Harman, W.W. 1989. *Reclaiming Traditional Wisdom for the Needs of Modern Society*, paper presented to the Indigenous Science Conference, University of Calgary, July 1989.

Heeres, J.E. 1899. *The Port Bourne by the Dutch in the Discovery of Australia 1606-1765*. Luzac, London.

Holden, A. 1993. "Dispossession 1990s Style: Aborigines, Islanders and the Policy Making Process of the Goss Labor Government". *Australian Journal of Political Science*. 28:74-82.

Howitt, R. 1992. "Weipa: Industrialisation and Indigenous Rights in a Remote Australian Mining Area". *Geography*. 77(3):223-235.

Howitt, R. 1994. "Aborigines, Bauxite and Gold: land, resources and identity in a rapidly changing context". Paper presented to *Mabo and Native Titles Seminar*, Sydney, April 14-15, 1994.

Isaacs, J. 1982. *Thancoupe the Potter*. The Aboriginal Artists Agency, Sydney.

Jack, R.L. 1922. *Northernmost Australia: 3 Centuries of exploration, discovery and adventure in and around Cape York Peninsula*. 2 volumes. Simpkin, London.

Jackson, P. 1989. *Maps of Meaning*. Unwin Hyman, London.

Long, J.P.M. 1970. *Aboriginal Settlements: A survey of institutional communities in eastern Australia*. Australian National University Press, Canberra.

McConnel, U. 1930. "The Wik-Munkan Tribe of Cape York Peninsula". *Oceania*. 1:97-103, 181-205.

- McConnel, U. 1936a. "Totemic Hero-Cults in Cape York Peninsula, North Queensland". *Oceania*. 6:452-477, 7:69-105.
- McConnel, U. 1936b. "Illustration of the Myth of Shiveri and Nyunggu". *Oceania*. 7:217-219.
- Mulvaney, D.J. 1989. *Encounters in Place: Outsiders and Aboriginal Australians 1606-1985*. University of Queensland Press, St.Lucia.
- Newbold, L. 1988. "Weipa: Managing the impact of a Major Mining Project on the Physical and Social Environment of a Remote Area". Proceedings from *Major Projects and the Environment*, one day conference, 14 November, 1988. Royal Geographic Society and the Major Projects Association, London.
- Reid, J., Baker, L., Morton, S.R. and Mutitjulu Community. 1992. "Traditional Knowledge + Ecological Survey = Better Land Management". *Search*. 23(8):249-251.
- Roberts, J., Parsons, M. and Russell, B. (eds) 1975a. *The Mapoon Story by The Mapoon People. Book One*. International Development Action, Fitzroy.
- Roberts, J., Parsons, M. and Russell, B. (eds) 1975b. *The Mapoon Story according to the Invaders: Church Mission, Queensland Government and Mining Company. Book Two*. International Development Action, Fitzroy.
- Rogers, P.H. 1973. *The Industrialists and The Aborigines: A Study of Aboriginal Employment in the Australian Mining Industry*. Angus and Robertson, Sydney.
- Rose, D.B. 1988. "Exploring an Aboriginal Land Ethic". *Meanjin*. 47(3):378-386.
- Roth, W.E. 1901. "Food, its search, capture and preparation". *North Queensland Ethnographer*, 3 and 6, Government Printer, Brisbane.
- Rowley, C.D. 1971. *The Remote Aborigines: Aboriginal Policy and Practice - Volume III*. Australian National University Press, Canberra.
- Sharp, L. 1939. "Tribes and totemism in North-east Australia". *Oceania*. 9:254-275; 439-461.
- Specht, R.L., Salt, R.B., and Reynolds, S.T. 1977. "Vegetation in the Vicinity of Weipa, North Queensland". *Proceedings of the Royal Society of Queensland*. 88:17-38.
- Suzuki, D. 1992. "A Personal Foreword: The Value of Native Ecologies", in Knudtson, P. and Suzuki, D. (eds) *Wisdom of the Elders*. Allen and Unwin, Sydney.
- Tatten, R. and Djnnabah. 1991. "Queensland Land Rights: - an illusion floating on rhetoric". *Aboriginal Law Bulletin*. 2(52):13-15.

- Taylor, P. 1988. *After 200 years: Photographic Essays of Aboriginal and Islander Australia Today*. Aboriginal Studies Press, Canberra.
- Thomson, D.F. 1939. "The Seasonal Factor in Human Culture: Illustrated from the Life of a Contemporary Nomadic group". *Proceedings of the Prehistoric Society*. New series 5(2):209-221.
- Thomson, D.F. 1972. *Kinship and Behaviour in North Queensland: A Preliminary Account of Kinship and Social Organisation on Cape York Peninsula*. Foreword, afterword and editing by Scheffler, H.W. Australian Institute of Aboriginal Studies, Canberra.
- Ward, A. 1908. *The Miracle of Mapoon: or from Native Camp to Christian Village*. S.W. Partridge and Company, London.
- Wharton, G. (ed) 1988. *Uningan Guide - A Handbook to the Uningan Bicentennial Nature and Recreation Reserve*. Weipa Bicentennial Community Committee and the Priority Country Area Program - Northern Region, Weipa.
- Wharton, G. 1993. *A Brief History of the Closure and Re-establishment of the Mapoon Aboriginal Community 1954-1993*. Comalco Aluminium Limited, Brisbane. Unpublished.
- Wilson, P.R. 1982. *Black Death, White Hands*. George, Allen and Unwin, Sydney.
- Yapp, G. 1989. "Wilderness in Kakadu National Park: Aboriginal and other interests". *Natural Resources Journal*. 29:170-184.

Appendix 1

1a: The Story of the Boys who Turned into Turtles

Buwith, 31/1/94

Two boys went out hunting with their Aunty and Uncle, Mum and Dad, to dig yams. They told the boys to stay home because its dangerous because of snakes etc. They told them to stay at the beach and spear fish. The boys got nothing so they were hungry. The youngest said to the oldest, "I'm hungry". The oldest said "you know what Mum and Dad said, we must stay here and not take any of the one lot of yams already collected and in the fire. We must stay hungry until they come back". The little boy said "I can't help my tummy, I must look in the bush for food". So he went looking in the bush and found arrowroot with red berries (the one used to keep cyclones away). He called and showed the oldest boy who said "Don't eat it, it might be poisonous". The little boy said "I'm hungry, I must eat it". So the oldest said "Then I must eat it too so we both have the same". So both boys ate the arrowroot, it had a bitter taste.

Aunty and Uncle came back and there were no boys. So they followed the tracks which led them to the boys. They told them not to eat the arrowroot but it was too late. The boys were already turning into turtles; their hands into flippers, their backs into shells and so on. Tears were running down their eyes, they couldn't talk. They decided to go down to the river, where they turned back and gave the 'hwoa' sound of a turtle, then dived down into the water, popped up in the middle of the river and made the sound again, then dived down and went away.

Aunty got stuck into the Mother for stopping the boys from eating the cooked yam that was under the fire. Also there was some sugar bag, bush honey, and she wouldn't let them eat that either.

Today the tough mothers are like the mother then.

1b: The Dog Story

Mathawanh, 31/2/94

People were camping, it was a big camp and they all decided to go hunting wallaby by burning the grass. Some people stand by the mangroves with spears, others go and burn the grass. The kangaroos run away from the fire towards the mangroves were they get speared. They got enough so they went to the camp and roasted the kangaroos over the fire. When cooked everyone was eating BUT no meat was given to the dogs.

Dogs just like people in early days, they could talk to each other. So they went home with their tails between their legs because they were sad because their bosses gave them no meat. They had helped them for nothing.

When the people settled down at night they heard hooves like horses. But it was the dogs running towards the camp. Dad says the dogs were with fires in their feet and they put the camp to fire. Burned it down.

That's the punishment for not giving the dogs meat after they went hunting with them.

1c: The Stork Story
 Alice Mark, 8/2/94

Father and Mother went out hunting with their baby. They left their eldest boy behind with stork. (They were real humans and then they turned into a bird, the Crow).

Stork said to his cousin the Crow (Aka) "Let's go and get some white fruits (ooyam)". So they got a dilly bag (made from bush vine). Stork said to Crow "Keep that bag ready for me while I knock the fruit down from the tree".

Crow looked up at Stork and saw he had a red bottom. So Crow teased the Stork about the red bottom. Stork said "What did you say?" Crow said "No, nothing. I was telling you about the bush apple (ooyam)".

So the Stork kept knocking the fruit down and knocking the Crow on the head. So the naughty Crow kept being rude. And so the Stork kept stoning him.

They then decided to go and cross the river. The punishment for the Crow for being rude and laughing at the Stork was that he had to carry the dilly bag with the fruits. So he crossed the river, but he slipped in the mud when climbing up the bank and the fruit went everywhere.

So the Stork killed the Crow, he choked him. The Stork then made a bon fire. He cut the Crow in pieces and lay it in the fire and covered it. Then he left him and went to get sugar bag (wild honey - ityah) and hairy yam (poinap) for lunch.

Then he went to build a nest in three trees very close together. He built a big nest - cross ways - so his Aunty and Uncle (the Crows) couldn't get him. He then took the cooked meat from the crow to his nest. Then he cut a didjeridoo and he rested and ate his cousin while blowing the didjeridoo on top.

Stork then went with the Father, Mother and little boy to his camp to get his belongings. On the way they came back to the place where they picked the white fruit - the fruit was floating everywhere by the river side, which is where it grows today.

When getting the belongings the Father and Mother noticed something was wrong. They called out to the Crow "where are you?". The Stork slipped away to his nest.

Mr and Mrs Crow then cut a long stick and poked it through the Stork's nest until they found where he was sleeping. They poked him and knocked him down, pushed him from the nest. They hit him until they thought he was dead. But he was only half dead, not breathing. The Stork's the doctor, so he healed himself and lives forever more until today, when every time the sun goes down you see him there looking for fish. And that's the story of the Stork and Crow.

Id: The Flying Fox Story
Mathawanh, 31/12/94

Young, teenage boys (13-17 years old), are not allowed to eat flying fox.

One day they all went out to hunt flying fox. They hit them from the mangrove trees with a piece of wood, then made a big ground oven to cook it in. Two young boys were minding the oven. When the meat was cooked they took it out and when it cooled down they took it into the bush and ate it.

At nightfall they all sat around the fire place and saw, for the only time ever, the flying foxes come in a big, long line. They grabbed the two boys and took them up. Today they're in the sky.

That's for disobedient boys, they ate the flying fox before they were grown men.

CHAPTER 4

A TANGLED WEB: MANAGEMENT OF LAND AND SEA AT OLD MAPOON

Peter Cooke and Ricky Guivarra

CHAPTER 4

A TANGLED WEB: MANAGEMENT OF LAND AND SEA AT OLD MAPOON

Peter Cooke and Ricky Guivarra

CONTENTS

4.1	Location and extent of land and sea under discussion	4-1
4.2	Archaeology and history	4-2
4.3	Management issues involving primarily Aboriginal people	4-7
4.3.1	Resource use by "visiting" Aboriginal people	4-7
4.3.2	Aboriginal people and native title issues	4-9
4.4	Management issues primarily involving non-Aboriginal people	4-10
4.4.1	Non-Aboriginal recreational visitors	4-10
4.4.2	Commercial fishers	4-11
4.4.3	Mining companies	4-12
4.4.4	Government	4-14
4.4.5	Adjoining non-Aboriginal land-holders	4-15
4.5	Additional general land management issues	4-15
4.5.1	Feral pigs: pest and provender	4-15
4.5.2	Other feral species	4-16
4.5.3	Control of dangerous native species	4-16
4.5.4	Fire management	4-17
4.5.5	Community timber use	4-17
4.6	Traditional relationship to land and sea and associated resources	4-17
4.7	The local mixed economy	4-21
4.8	Conclusion	4-22
4.9	References	4-23

Maps

Map 1	4-25
Map 2	4-26
Map 3	4-26

CHAPTER 4

A TANGLED WEB: MANAGEMENT OF LAND AND SEA AT OLD MAPOON

4.1 Location and extent of land & sea under discussion

The focus of this paper is the small Aboriginal community of Mapoon¹ located on the western shores of Port Musgrave, Western Cape York. While discussion primarily relates to land and sea issues, most directly concerning people resident at Mapoon, there are many more Aboriginal people at widely separated locations on Cape York Peninsula and throughout Australia who have historical and traditional interests centering on Mapoon and associated areas of land and sea.

Further, within the Mapoon community, are people whose primary land interests lie outside of the areas of Aboriginal land delineated by the Mapoon DOGIT (Deed of Grant In Trust Areas)² and the areas subject to a current native title claim lodged with the High Court of Australia on behalf of the Tjungundji, Yurpangath', Thanikwith', Warangu and Taepadhigi peoples. A separate native title claim on behalf of the Alngith people in respect of land areas around Weipa and held currently under official tenure by the Napranum DOGIT trustees (Weipa DOGIT) and Comalco (parts of ML 7024) has also been lodged with the High Court. Although some senior claimants are Mapoon residents this paper does not examine in detail land management issues in respect of those lands subject to the Alngith claim.

This paper therefore is limited to a brief account of land and sea management issues from the perspective of the residents of Mapoon in relation to areas of Mapoon DOGIT and the first mentioned High Court action as well as sea territories associated with that claim. (Map 1). Descriptions of resource use and management focus on the Mapoon DOGIT lands and associated seas. Constraints of time and availability have limited reference to the full body of relevant literature concerning Mapoon.

¹ The name Mapoon requires comment. In the most widely accepted of several local views, it represents the English rendering of the Aboriginal locality name Mapunumu (Frank McKeown, pers. comm). The development of New Mapoon required that the former mission needed to be referred to as Old Mapoon in order to distinguish it from the Northern Peninsula Area Community. With the naming of the principal community structure the Marpuna Community Aboriginal Corporation it is moving back towards its original local name. However in the text of this paper Mapoon is used, because that seems to be the most commonly used name locally and regionally.

² The Mapoon DOGIT was issued in December 1988 and comprises an area of about 183,960 hectares. The title is a form of Aboriginal freehold in which various rights including those to minerals, forest and quarry products, petroleum are reserved to Crown along with rights of access. It also provides for reversion to Crown ownership and possession if trust conditions are deemed to have been breached or unfulfilled. While other DOGITs state the purpose of those land grants is for the benefit of the Aboriginal inhabitants, the Mapoon DOGIT is distinguished by being "held in trust for Aboriginal reserve purposes". The reason for this unique, enigmatic and apparently contradictory prescription is unclear.

4.2 Archaeology and history

The people of Mapoon consider themselves to be the first Aboriginal people in Australia to have been visited by Europeans. This assertion is variously supported and disputed in other non-Aboriginal and Aboriginal views. Godwin (1985) cited in Yates Heritage Consultants and Quartermaine Consultants (1993:10) asserts that a crew member of a Dutch East Indiaman, captained by Willem Janszoon, was speared by natives in 1606 at Skardon River, which forms the northern boundary of the present Mapoon DOGIT. Horton (1994:XIII) proposes the group responsible for the killing were the Tjungundji, but if the location is correct as Skardon River, the incident happened on country most likely associated with northern neighbours of the Tjungundji. Frank McKeown, an anthropological researcher who has worked closely with the Mapoon community, believes it likely that the incident happened in Port Musgrave, which reinserts the Tjungundji into the historical frame (Frank McKeown, pers. comm.). However, Aboriginal people from the Cape Keerweer area some 200km south of Mapoon, assert that a mutually fatal encounter between their ancestors and the Dutch was the first interaction between Aborigines and Europeans (Jacob Wolmby, pers. comm. Fitzgerald (1982), cited by May in a paper prepared for this project).

Yates et al. (ibid) note that relatively little archaeological work has been conducted on the west coast of Cape York Peninsula and none, particular to Mapoon lands until surveys in 1993 regarding mining development on the northern parcel of the Mapoon DOGIT. However, the Mapoon area generally might be expected to have had a comparatively large Aboriginal population by Australian standards in pre-contact times, given the present rich hunter-gatherer resource base associated with coast, mangroves, swamps, large estuaries and significant large river and smaller creek systems.

From the 1860s the west coast of CYP was a centre of recruitment of Aboriginal labor into the pearling and beche de mer industries operating out of Thursday Island. Boys between the ages of 10 and 14 were often preferred as workers and girls too were illegally recruited or kidnapped to work on the boats, owned, or crewed by Malays, South Sea Islanders, Philippine Islanders, Chinese and Japanese as well as Europeans (Bos 1991). In 1891 the Presbyterian Church of Australia established the first mission on the west coast of Cape York Peninsula at Mapoon. The mission reserve covered an area of 866,360 hectares (Wharton 1990; Map 2).

One of the founding missionaries was Nicholas Hey, whose policies were based on three principles:

1. A solid Christian foundation.
2. Following the introduction of diseases by contact with "civilisation", to bring in "new blood", namely people of mixed race descent.
3. Because of the ravages of disease and exploitation, separation and isolation from the outside world. (ibid)

The decision to bring in "new blood" brought in South Sea Islanders as well as Aboriginal people of mixed descent forcibly removed from their parents from groups as distant as the

Waanyi, on the Queensland-Northern Territory border. Descendants of these groups, together with descendants of the Tjungundji, Yurpangath', Thanikwith', Waranggu and Taepadhigi make up the present population of Mapoon and its diaspora.

The mission established farms for subsistence and export. Mission labour produced copra, cattle, sandalwood and beche de mer (known locally as chalk fish). A school was established and women became proficient in making crochet work of the highest quality, some of which was sent as gifts to the British royal family (*ibid*). Children were removed from their parents at the age of three and placed into dormitories where they were forbidden to speak their language (Mrs Jean Jimmy, *International Development Action* 1975:6). Marriages were controlled by the missionaries who insisted that men earn money through activities like crocodile shooting to buy materials from which to build a house before they were allowed to marry.

After the Second World War the Presbyterian Church Mission Board began to consider abandoning the Mapoon Mission. These considerations were going on at the same time as moves were being made to secure large bauxite deposits by the mining company Comalco. It is argued widely that the two processes were connected, but this view is opposed in a number of publications from Comalco "refuting any connection between the closure of Mapoon and its mining operations" (Frank McKeown, pers. comm.. See also Brennan, 1992: 87). The Board wrote in 1963:

Soon after World War II the Government and the church recognised that the site of Mapoon was not really suitable for a mission, owing to poor accessibility in loading and unloading boats, poor communication on land because of heavy sand and indifferent soil for gardening (Australian Presbyterian Board of Missions, 1963:7, quoted in Wharton 1990).

There had already been a movement of some families away from Mapoon around the time of the World War II with fear of invasion. Commenting on the events surrounding the closure, Wharton notes with some understatement:

The Mapoon people were largely unsympathetic to the possibility of the closure of their homes and community. In June 1962, Mapoon's population was 176 and departures had reduced this to 144 by June 1963. The people who remained were not interested in living elsewhere and persistently refused to move. Finally, in November 1963, the Queensland Department of Native Affairs sent in a party of police to remove the last residents to Bamaga.

McKeown (pers. comm.) says that official correspondence indicates clearly that the police were sent not to remove the last residents but to remove six "ringleaders". With one exception, the privately owned houses built by the men of Mapoon were burned to the

ground to prevent the people's return.³ Mapoon — Book One (Roberts, Russell & Parsons: 1975) records the story of this incident and the feelings of the dispossessed, not only towards the perpetrators but also towards the land they left behind:

Removal from the land of our inheritance, from the land of our fathers and fathers before them — this is the truth before the eyes of God and man — Mrs Jean Jimmy (ibid).

Here is the best hunting ground from Cloncurry to the tip of Cape York — I've travelled all over. Here is swamp and sea — Jerry Hudson (ibid).

A group of 48 stayed on through the wet season of 1963-1964 but they were forced to leave early in 1964. (ibid). Those removed to Hidden Valley (New Mapoon) found their new location three miles distant from the sea compared badly to Mapoon where they had lived on a bountiful shoreline backed by resource rich swamps, vine thickets and forest where wallabies and yams were plentiful. Some Mapoon people moved back immediately and regularly returned for extended periods to exploit the area for food. By 1974 people were back at Mapoon, mainly from Weipa South (Napranum) and New Mapoon, on a more permanent basis (Frank McKeown, pers. comm.). They continued their struggle to remain, despite opposition from the State Government and fainthearted words of support from the Federal Government under Whitlam.

The struggle of the Mapoon people to go on living around the site of the old mission must be seen as a contest over land and resource management — a struggle in which the determination of the Mapoon people and their attachment to land and sea was pitted against the power of the mission, the Queensland Government, the Commonwealth Government and the mining companies Comalco and Alcan.

The Queensland *Comalco Act* 1957 gave Comalco 5,780 square km of Aboriginal reserve land (including Mapoon lands) and 5,135 square kilometres of land not designated as Aboriginal reserve on the west coast of CYP. Of this 2,590 square km could be retained by the company for a minimum of 105 years, with 3,190 square km to be relinquished over a period of 20 years (Roberts, Russell & Parsons: 1975). Comalco has current mining operations for bauxite and kaolin on only a small area of these leases. The Queensland *Alcan Act* 1965, two years after the burning of Mapoon, gave Alcan 1,388 square kilometres of former Mapoon reserve land (ibid). No mining operations are underway on the Alcan lease. Neither Act, nor subsequent government action or mining company largesse has provided the Mapoon people with compensation for these losses of land nor a significant role in the management of those lands, even those which may not be mined or otherwise developed until well into the 21st century.

³ McKeown says (pers. comm.) that this local view of events is contradicted by material collected by Wharton and held as part of the Weipa South History Project. He also notes that the then Director of Native Affairs, P. Killoran, sent "departmental carpenters to Mapoon with instructions to pull down the dwellings".

But despite immense difficulties, since 1974 the Mapoon people have progressively worked toward implementing Aboriginal management over their remaining lands and more recently bringing actions for the return of land held under the Comalco and Alcan leases. By 1993 the core population of Mapoon, living mostly in improvised housing stretching from near Cullen Point to Thungu, was about 130, with many more members of the Mapoon diaspora increasingly returning for holidays or longer periods,⁴ (CYLC 1994). The Mapoon community has thus returned to the size it was in 1963 and continues to grow steadily.

While in law the Aboriginal trustees of the Mapoon DOGIT areas are the holders of title to these lands, the Marpuna Aboriginal Corporation, established in 1984 under the *Commonwealth Aboriginal Councils and Associations Act 1976*, has the role of day to day management of the Mapoon lands as well as that of developing and improving infrastructure and service for the people of Mapoon. It is a key structure in the complex web of social, legal and administrative relationships involving people with traditional and historical affiliations to land as individuals and families, the DOGIT trustees, non-Aboriginal residents, visitors on the land, outside commercial interests and government.

The administrative arrangements for Mapoon DOGIT lands differ significantly from all other DOGIT arrangements on CYP. The legislative basis for the DOGIT areas was the *Land Act (Aboriginal and Islander Land Grants) Amendment Act 1982 (Qld)*. The *Community Services (Aborigines) Act 1984* allows residents of other DOGIT areas to elect community councils with recognised powers to make by-laws concerning a large range of issues and otherwise effectively manage the DOGIT lands with which they are associated. However, no such quasi local government structure exists at Mapoon under the State legislation, indeed McKeown (1994:3) maintains that Minister Warner "while expressing sympathy for the determination of the Mapoon people to resettle their homelands, has been singularly reluctant to form a community council..."

As well as being used by residents as their day-to-day political and administrative structure, the Marpuna Aboriginal Corporation is also recognised by ATSIC and other bodies as the appropriate channel for community development and support funding. But in some areas of its administration the Corporation must act with *de facto* rather than *de jure* authority. This is particularly the case in respect of management of land and resources — at least that is how it appears on the face of it, given that it has no particular status in respect of land. However, with regard to some issues, the Corporation could be said to be using powers derived not from its own legal status, but acting as an agent on behalf of the native title holders (and thereby deriving power from their authority). However, at this point in the evolution of recognition of native title, that authority is not readily backed by easily available and quickly enforceable sanctions (such as calling in the police in the event of trespass). Similarly, the corporation might also be said to be acting in some instances on behalf of the DOGIT trustees, appointed by the State government concomitant with the issue of the DOGIT. The fact that the surviving DOGIT trustees are split between Mapoon and New Mapoon further complicates and hinders effective administration utilising the power of the trustees. Yet another complication is that, unlike other DOGIT areas, the Mapoon DOGIT areas are

⁴ Based on Cape York Outstations Project demographic survey

nominally, but ineffectively, under the local government administration of the Cook Shire Council.

Thus the people of Mapoon have less authority over lands ostensibly under their control than other CYP Aboriginal communities associated with DOGIT lands. This affects not only day-to-day issues but also diminishes the community's capacity to plan effectively for the future, whether in respect of management of lands and sea or of development of community infrastructure and services.

Nevertheless, through the Marpuna Corporation the people continue to take management initiatives. Through a planning project sponsored by the Tropical Public Health Unit (TPHU) and involving the Centre for Appropriate Technology, Mapoon people are endeavouring to assert local perspectives of appropriate land use in town planning in order to protect cultural and lifestyle priorities. The resettlement of Mapoon since 1974 has generally followed land use patterns established in mission times and focussing on "blocks", associated with particular families, which spread along the arc of coastline stretching some 12 kilometres from near the Old Mission House in the north to the southernmost household at Thungu. People have a strong sense of individual family space, not only around their houses, but also along the beaches or cliffs in front of their blocks where they fish, gather oysters or catch crabs. Contrasting with this pattern of settlement is a town plan proposed by State Government planners and focussing on a tight urban block comprised of three streets of houses on standard-sized house blocks in the central Red Beach area. The planning project aims at providing opportunity for development of a plan which allows people to continue occupying their present sites while providing access to improved water, power and housing and other basic infrastructure.

As well as this planning process directed at community land use and infrastructure development, the Marpuna Corporation is also moving to work through the maze of cross-cutting Aboriginal and non-Aboriginal power structures in order to develop governing structures which are appropriate socially and culturally, as well as endowed with sufficient power as to be effective in practical ways. The community has applied for and received a grant under the State government's Alternative Governing Structures Program (AGSP) which will provide support for a community development planning process in which the various groups with interests or responsibilities for various aspects of local governance will consider their position in the longer term in relation to one another. But despite the apparent opportunity for improvement of the capacity for self-management inherent in this program, the question remains: to what extent will Government be prepared to invest a locally determined governing structure with the power it needs to achieve meaningful self governance? Through the Marpuna Corporation, the community is still considering how best to utilise AGSP.

It is clear that complexity in the web of roles of various stakeholders in management creates a difficult context for community management, including management of land and sea territories and resources. An examination of some of the issues affecting the community and of the particular way various stakeholders are involved adds to this picture of complexity — it is not merely a complex web but also a tangled one. A number of categories of issue can be identified, although it is difficult to isolate any from the overall situation in which something which happens in one area does not affect process or outcome in other areas. Thus

when one thread is pulled alone, the tangle may become tighter, rather than bringing an order in which everything and everyone has its proper and discernible place.

4.3 Management issues involving primarily Aboriginal people

4.3.1 Resource use by "visiting" Aboriginal people

The resources of land and sea territories associated with the people who live at Mapoon are used not only by residents, but also by Aboriginal people who normally live at other places and who visit from time to time, primarily to hunt. These are principally people from Weipa, Napranum or New Mapoon or other members of the Mapoon diaspora who return for holidays or more extended visits. Their rights to visit and use resources are based on traditional or historical connections to the land. Occasionally visitors may also come from places such as Lockhart River, Hopevale or other centres.

A significant number of visits from former Mapoon residents, or their descendants, now living at New Mapoon are to hunt geese (*Anseranas semi-palmata*) or freshwater turtles (long and short necked) which are not available locally in the Northern Peninsula Area. Their hunting activities focus on swamp areas mostly in the main Mapoon DOGIT area where magpie geese feed on the corms of *panja*, the spike rush (*Eleocharis sp*) in large numbers. Geese are present during the dry season from about June to as late as mid-December, when they head south, apparently to the wetlands south of Aurukun to breed in the late wet season.⁵ Women hunt freshwater turtles in the same locations. Some geese and turtles are consumed during the visit but geese may be frozen (in freezers owned by relatives or the community) and together with live turtles transported back to Mapoon for other relatives, particularly those too frail to make the journey. Most visits are made by sea — a four hour trip in good conditions from Seisia down the west coast in fast dinghies. Given the costs involved in making the trips, there is little basis to conclude that the trips are economically profitable from a subsistence point of view. More importantly they are to satisfy cultural needs — an epicurean passion for geese and turtles and an opportunity to renew deeper ancestral connections as well as enjoying the company of relatives and friends at Mapoon. Most people at Mapoon feel that these visits do not create any significant increase in hunting pressure on the geese or turtles and feel comfortable about the presence of Aboriginal "visitors" on the land, reassured by a belief that Aboriginal protocols for access and resource use are generally observed.

Very few visits are made in the reverse direction by Mapoon people, who generally do not have suitable watercraft for the journey. However, reciprocity is achieved by the northern visitors stopping along the way from New Mapoon to hunt dugong or turtle or gather turtle eggs for relatives at Mapoon. Sometimes the visitors bring clam meat, not available around Mapoon, and particularly highly prized by those Mapoon residents with Islander ancestry. On some trips New Mapoon people bring friends from the primarily Islander community of Bamaga, but these people would not presume to visit independently. They are accepted generously as guests. Neither the Bamaga visitors or unrelated Aboriginal visitors are

⁵ Hunters at Mapoon say they have taken birds banded in the Northern Territory.

expected to pay the camping fees levied on non-Aboriginal visitors to Mapoon lands because "we wouldn't do that because it would be rude and next time they might want to charge us if we visited them at their place".

Aboriginal people living at Napranum or Weipa may also visit to gather native seed to sell to Comalco for regeneration of mined areas. Locally used common English names of the main species gathered are: grevillea, various wattles, bushman's peg, boxwood, bloodwood, messmate, ironwood, milky pine, ti-tree, nonda and beer nut. Similarly people from Mapoon may travel to parts of the Weipa (Napranum) DOGIT or further afield to gather seed. Seed gathering provides one of the very few opportunities in both communities for people to earn cash other than through CDEP⁶ employment. For the few months of the year when seeds are ready for gathering, comparatively large sums of money can be made by those who have suitable transport to get to seed areas. People at Mapoon, where as many as 15 families may be involved with varying degrees of intensity, say that two people working hard can earn between \$400 and \$800 in a day. However, aggregate earnings from seed gathering are limited, less than \$30,000 for Mapoon people for a season (Paul Warren, Comalco, pers. comm.). The process of seed gathering usually involves stripping seeds by hand from smaller species *in situ*, but for larger species the tree is often felled. Local seed gatherers say that impact on resources has not so far created any scarcity but there is an awareness that if tree felling were to continue as a primary means of gathering over an extended period, some species might be under threat, at least in particular areas. It is an issue of which the community is aware, and monitoring in an informal way.

We have referred to issues concerning land use by residential and non-residential Aboriginal groups. Another issue exists with regard to Aboriginal land users generally and traditional owners of particular areas of land, as distinct from the aggregated Mapoon population and its diaspora. Some areas within the main Mapoon DOGIT are particularly rich in resources and because they are relatively close to the main areas of settlement come under relatively intense use. It would be reasonable to assume that resource use would have been more balanced in pre-contact times, on the basis of the general ethnographic records for northern Australia — that at certain times of the year there would be larger gatherings of groups to utilise seasonal plenty in particular locations, but that some kind of balance and reciprocity existed. The contemporary situation in which people range outwards from permanently fixed locations (their houses at Mapoon) and in which movements are constrained by scarcity of vehicle or boat transport results in some areas (closer to Mapoon) being far more intensely utilised than in pre-mission times. Thus it is reasonable for the traditional owners of these areas to feel that they are carrying a heavy burden, involving a loss, by degree, of exclusive amenity and possible impairment of resource sustainability. At least some traditional owners of the goose and turtle hunting areas on the main DOGIT are beginning to express concern at the numbers of geese being taken. As one land owner said: "people should get five or six — enough for their family, but some people are taking 30 or more". The issue has not so far

⁶ CDEP (Community Development Employment Projects scheme) is a Commonwealth funded scheme operating in most Aboriginal communities and in which communities, rather than individuals, receive the equivalent of per capita welfare entitlements, plus support costs, in order to provide jobs in remote areas of low employment opportunity.

been particularly contentious but it is there nevertheless as yet another factor in the complex local social and political scene.

4.3.2 Aboriginal people and native title issues

The High Court native title claim by the Tjungundji, Yurpangath', Thanikwith', Warangu and Taepadhigi peoples involves Aboriginal people both as plaintiffs and as codefendants together with the State of Queensland, the Commonwealth, Comalco and Alcan. Napranum Aboriginal Community Council and the Trustees for Old Mapoon are both included as codefendants to the claim. This situation highlights the difficult distinctions people must make between Aboriginal people as individuals, families and larger groups within a "natural" Aboriginal social and cultural context and the "artificial" corporate institutions which represent them in various ways or which have been given legislatively based authority in respect of land under state delimited forms of Aboriginal tenure. There is great potential for local misunderstanding of the motives and objectives of the claimants by non-claimant Aboriginal individuals or institutions. Claimants want to communicate the message that they are not attacking the Aboriginal people who make up communities or the corporate bodies which represent them, rather that the legal conflict is over the supremacy of "natural" Aboriginal law and institutions vs. "artificial" State law and its institutional systems. There is a need for consciousness raising and public relations strategies by plaintiffs and their advisers in ensuring understanding that the desired end results of claims need not be damaging to continuing good relations between the various Aboriginal parties, and are not about Aboriginal claimant groups gaining superordinate power to be used at the expense of neighbours or other community members. It is a difficult task, given the social, cultural and geographic remoteness from community life and institutions of the legal process involved.

A similar but reverse situation in which the Mapoon people might feel their interests are excluded or not fully recognised exists in respect of the negotiations by the Seven Rivers Tribes for a settlement of land tenure issues for that part of CYP north of the Mapoon DOGIT lands ⁷. Again, if good inter-community and inter-group relations are to be preserved, the Mapoon people must be assured that what individual or community interests they have in resources are recognised within the negotiated settlement of native title issues. For example, at least some Mapoon people see themselves as having traditional rights to hunt turtle around the Jackson River and dugong around the mouth of the Macdonald River. However, it appears that the Northern Peninsula settlement is unlikely to address native title issues in respect of sea territories.

⁷ An option for settlement of native title issues provided by the Commonwealth *Native Title Act* 1993.

4.4 Management issues primarily involving non-Aboriginal people

4.4.1 Non-Aboriginal recreational visitors

The main recreational destinations for the non-Aboriginal people of the Comalco mining town of Weipa⁸ are on Aboriginal land either within the Mapoon or Napranum DOGIT areas (or adjoining seas). The company varies its intensity of labour use but the mine may be worked up to 16 hours a day, six days per week. Therefore some staff, particularly single workers, may have time available during the week for recreational hunting or fishing. Family recreational use of Aboriginal lands tends to be more concentrated on week-end activities as children are at school during the week. For many Comalco workers the main attraction of living at Weipa (apart from the wages) is the lifestyle, in which the richness of the marine environment and availability of good camping spots are significant elements. The relatively high mine wages provide the means to acquire fishing and camping equipment, such as 4WD vehicles and aluminium boats and outboard motors. Non-Aboriginal recreational fishers increasingly use sophisticated aids such as Global Positioning System (GPS) units built into depth sounders which allow them to return unerringly to favoured sites and share information with other friends. The contrast between the level of technical sophistication of non-Aboriginal recreational land/sea users and Aboriginal subsistence land/sea users is marked.

Non-Aboriginal "locals" from Weipa are thought to comprise about a third of visitors obtaining camping permits for the Mapoon DOGIT areas. The permit system, introduced and administered by the Marpuna Corporation since the mid-1980s, previously generated only a very small income with a fee fixed at \$5 per vehicle per week. The fee was reviewed at the beginning of the 1994 dry season and increased to \$10 per vehicle per day (or overnight) and \$5 per person for any part of a week. Income from camping permits goes into a special fund administered by the trustees. In the past the trust has made small grants for funeral costs and other community events. In conjunction with the decision to increase camping fees a decision was also made to direct \$12,000 into improvement of camping facilities, such as providing pit toilets and improved water supplies at principal camping areas. The permit document advises visitors that shooting is not permitted, taking of flora and fauna is not permitted other than fishing as allowed under the State's recreational fishing laws.

Unauthorised shooting on the DOGIT by non-Aboriginal visitors was a primary reason for the establishment of the permit system. Mapoon residents were outraged by a "massacre" of feral horses. Aboriginal people at Mapoon do not shoot horses, except perhaps under the most extreme circumstance where a rogue stallion has been unwise enough to attack locals out hunting. The view of people at Mapoon is that the permit system, depending on goodwill for its effectiveness, has worked and that Weipa non-Aboriginal "locals" now generally respect the no-shooting rules, at least around Mapoon. A horse was found shot dead (with one leg removed) in the swamps on the main DOGIT in October 1994. Mapoon people suspect the meat was taken by long distance visitors (rather than non-Aboriginal "locals") and the meat used to bait crab pots or for meat to feed pig hunting dogs.

⁸ Population of Weipa ABS 1991 census 2,510, ABS estimated residential population at 30 June 1994 2,391 (ABS Information Service, Brisbane).

A true measure of the effectiveness of the permit system in parts of the DOGIT other than around Mapoon itself, is difficult to gauge. The community has literally only a few vehicles and these are engaged full-time on work at Mapoon or transporting people along the main track between Mapoon and Weipa. Thus there is no regular patrolling of the DOGIT areas to the north, east and south-east. Wild cattle descended from mission herds are found on all the DOGIT areas and it would be naive to presume that some Weipa residents are not "knocking over the occasional killer" in areas where they are unlikely to be noticed. The permit system clearly works most effectively for those areas which can only be accessed by passing through Mapoon. These happen to include some of the most highly valued resource areas used by Aboriginal people at Mapoon. Staff from the Marpuna Corporation are, however, aware of a number of "regulars" who use the northerly and easterly DOGIT areas. Amongst these are a number of seasonal workers who migrate to Mapoon lands at the end of the canecutting season and live there in bush camps during the off-season.

While long distance visitors comprise the majority using the main DOGIT area, Weipa non-Aboriginal "locals" are the main users of areas around the southern shores of the Pennefather⁹ River's extended estuary, located on the Weipa DOGIT, but within the area over which recognition of native title is sought in the High Court by the Tjungundji, Yurpangath', Thanikwith', Waranggu and Taepadhigi peoples. The tracks which lead into the area are not easily apparent and neither Aboriginal people nor Weipa non-Aborigines would want to see signage improved with an inevitable increase in usage by long distance travellers. Being outside the Mapoon DOGIT area, the southern shores of the Pennefather are outside the ambit of the Mapoon permit system. The high level of use of this area by non-Aboriginal people constrains usage by its traditional owners who are further hampered by the lack of transport in the Mapoon community and the fact that access tracks into the area leave the main Mapoon Weipa Road well south of the "block fence" which delimits the southern boundary of the main Mapoon DOGIT area.

One of the most intensely used areas within the main Mapoon DOGIT area, both for non-Aboriginal recreation and Aboriginal subsistence, is Janie Creek, which enters the Gulf on the coast south of Cullen Point. It is a favourite destination for fishers, particularly those lured by the Australian obsession with pursuit of the barramundi. In this location Mapoon people do feel an increasing sense of resource competition with non-Aboriginal visitors. Among Mapoon people, traditional owners of this area feel even more intensely their alienation from exclusive use of the resources of their ancestors. The areas remain open, but the question of closure or restriction is raised from time to time and with increasing pressure will continue to be considered. The situation at this location raises the issue of whether traditional owners (as distinct from the Mapoon community, trustees or corporation) should receive particular payments as compensation for the intense use of their areas. It may be that in time a proportion of permit fees might be reserved for such compensation purposes.

4.4.2 Commercial fishers

The main area where the activities of commercial fishers impinge on the lives and livelihood of Mapoon residents is Port Musgrave. Within this area the most intense conflict is in

⁹ Locally the river is known as Coen River and pronounced "kon" river.

relation to the areas of beach which lie in front of the scattered households from near the Old Mission House in the north to Thungu in the south. On a number of occasions barramundi fishers have set fixed gill nets out from these beaches. These are areas where people fish or glean littoral food species on the mudflats daily. They consider them their "front yards" and have always done so. During the mission times families were expected to keep those areas clean. Each family had its own area of beach from which to gather sea weed to use as fertiliser in their gardens. Nets have been cut or burned with battery acid by angry Mapoon people and the fishers have become less provocative, although nets are still sometimes found running out from less conspicuous areas.

The people of Mapoon, like hunter-gathering people across northern Australia, have other objections to the operations of commercial fishers, particularly those targeting particular species only. The main cause for complaint is collateral damage to non-target species. Rays, sharks, catfish, turtles, dugong, bonefish, trevally and crocodiles are all usually cast aside dead or dying by specialist commercial fishers. It is common for mud crabs in gill nets to be smashed and discarded by commercial fishers gathering their catch. The volume of waste is considerable and is found rotting on the beaches by local people. To Aboriginal people this is deeply offensive. It is an essential part of the Aboriginal hunter-gatherer ethos to take only what can be used by one's immediate or extended family and to use all useable parts of any catch. The level of conflict has reached dangerous heights from time to time. Fishers have threatened local people with guns. Outside of Port Musgrave there have been reports of mackerel fishers in larger boats attempting to run down small recreational or subsistence watercraft.

4.4.3 Mining companies

The circumstances under which the mining companies Alcan and Comalco came to hold mineral leases over the lands identified by the anthropologist Thompson (Thomson 1934) and others as traditionally associated with the Tjungundji, and other groups and more latterly managed under the Mapoon mission cattle project, have been described briefly. The Mapoon writ remains unserved on the various defendants. The plaintiffs have been granted an extension of time in which to serve their High Court writ until April 1995 on the basis that they needed to preserve the position of Mapoon (and Alngith in respect of Weipa lands) until the judgment has been given in the West Australian High Court challenge to the Native Title Act (Anne English, pers. comm.).

While the specific declarations sought through the writ may be changed before service, the current claims in respect of the operations of Comalco and Alcan illustrate the land management issues involved. Principally, declarations are sought that in respect of land leased to each of the companies:

- the Aboriginal title and possessory title of the plaintiffs are neither extinguished nor impaired;
- the *Comalco Act* and *Alcan Act* and agreements between the companies and the Queensland government which led to the issue of leases ML 7024 and ML 7031 are invalid and injunctions should prevent the companies from continued use of the lease areas;

- the Queensland government and mining companies owe compensation and damages to the plaintiffs.

Thus the plaintiffs seek to establish in law, recognition not only of them as "owners" in some abstract sense but of their right to manage traditional lands superior to rights assigned to others in leases granted by the State of Queensland.

As well as the larger contest for control over Comalco and Alcan's lease areas, there is also community concern and a certain amount of confusion concerning exploration by Comalco for kaolin on the main Mapoon DOGIT. The community view is that Comalco conducted kaolin exploration last dry season on the basis of an ill-informed agreement to the exploration by trustees. There was little knowledge of the exploration program until it came close to the community after which permission to explore was withdrawn.

A further mining venture affects Mapoon lands, but the company involved, Venture Exploration Pty Ltd, is not named as a co-defendant in the current High Court native title claim. Rather than resorting to litigation, the community and Venture are currently involved in negotiations for a compensation agreement which may provide various benefits to the Mapoon community and traditional owners as well as specific undertakings for minimising environmental damage to archaeological and cultural sites identified by survey in 1993. Venture holds three mining lease applications for a total of 5792.18 ha in the northern DOGIT area and has developed a 20-year plan for the extraction of high grade kaolin from a deposit 5.5km long and 250-600m wide, estimated to hold a reserve of 27 million dry tonnes (Vern Pty Ltd 1993). The company applied for an authority to prospect in part of the present area under discussion three years before the issue of the DOGIT and in 1993 the Queensland Mining Warden's Court ruled that no compensation was necessary. However, Venture later found that additional areas were required for processing and infrastructure facilities and applied for an additional lease, ML 40069, in May 1993. This lease would come under the *Mineral Resources Act* 1989, and the company agreed to undertake compensation negotiations with the trustees in relation to two areas as part of single negotiation exercise. The company applied for a third lease (ML 40082) in November 1993 (Holden and O'Faircheallaigh 1994:5) The leases will not be granted until trustees and traditional owners give their consent and that will come with the compensation agreement (Anne English, pers. comm.).

While active mining or infrastructure areas within Venture's Skardon operation may eventually be unavailable for hunting and gathering by Mapoon people, the undeveloped Alcan lease and relevant Comalco areas are still accessed for subsistence and seed-gathering. As well as the legal challenge to Comalco and Alcan over all lease areas, the Marpuna Corporation asserts day-to-day management responsibility for those portions of the Alcan and Comalco leases which lie west of the Wenlock River and north of an extension of the "block fence" separating Mapoon and Weipa DOGIT areas to the point where it joins Tent Pole Creek, a major southern tributary of the lower Wenlock.¹⁰ Thus included is Batavia, site of

¹⁰ The 1994-96 Management Program for the Conservation and Management of *Crocodylus porosus* in Queensland (DEH 1994:57) identifies swamps around Tent Pole Creek and the Wenlock River as major breeding areas for the north west Peninsula area.

an abandoned mission outstation which Mapoon people wish to reoccupy and develop. A simple boat ramp at Batavia provides access to the Wenlock for recreational fishers.

4.4.4 Government

The State of Queensland and Commonwealth of Australia are both named as co-defendants in the Mapoon native title claim lodged with the High Court. As well as challenging the State's actions in issuing leases to Comalco and Alcan, the writ also challenges the ownership of tidal land, seas, sea beds and waterways by the State as provided by s. 4(2) (a) of the *Commonwealth Coastal Waters (State Title) Act* 1980, which specifies State and Territory ownership of submerged lands and seas out to three nautical miles from shore, after which the Commonwealth asserts ownership of submerged lands and seas out to the Australian Territorial Limit. The writ however asserts that this Act did not dispose of Aboriginal title, possessory title or other Aboriginal traditional rights of the plaintiffs or that if the High Court finds that this Act had impaired these rights, then the Act is invalid by virtue of s. 51 (xxxi) of the Australian Constitution which requires acquisition of property by the Commonwealth only on just terms. Similarly, the writ challenges the power of the Commonwealth under the *Petroleum (Submerged Lands) Act* 1967 which established an offshore regime for exploration and development of petroleum resources. The writ also challenges the power of Queensland under the *Mineral Resource Act* 1989 (Qld), alleging that this law is inconsistent with the *Commonwealth Racial Discrimination Act* 1975.

Claims to sea territories within the hastily drawn map (Map 3) submitted with the initial application to the High Court appear to be exclusively within the State territorial boundaries. However, this map might well be amended before the case proceeds, in which circumstance it would be likely that Kerr Reef,¹¹ extending seaward from a point about 12 km offshore from the mouth of the Skardon River, and another reef, Tjwama, a similar distance west of Cullen Point might be included in the claim. Both areas have been, and, depending on availability of suitable craft, continue to be, visited for fish and turtle. The now normally submerged reef of Tjwama would appear be the site of an island known in oral history and spiritual lore.

Another item of Queensland legislation that presents management problems for the local community is the *Cultural Records (Landscape Queensland and Queensland Estate) Act* 1987, which is unique in Australia in implicitly denying the special relationship Queensland's Aboriginal and Torres Strait Islander people have with pre-contact, non-European cultural heritage. This legislation has attracted widespread criticism from Aboriginal people and organisations as well as academics and officers within the Department of Environment and Heritage which is charged with administering the Act. While 'sites' on areas may be declared as "Landscape Queensland" the provisions for achieving this have proved cumbersome and unworkable and items or relics enjoy scant protection as "Queensland Estate" (Roger Cribb, pers. comm.). Aboriginal people have no control over the administration of the legislation. Yet while the legislation exists it prevents interim protective measures from being put in place at a local level, for example in trying to deal with tourists camping near traditional burial sites, which is an issue of concern at Mapoon. This problem is compounded at Mapoon

¹¹ In fact a series of discrete reefs covered by normal tidal events.

where, unlike other DOGIT areas over which councils have some capacity for management through by-law, the Marpuna Corporation is unable to create by-laws concerning land management and site protection, which would give community rangers some powers in these matters. This, together with the *Cultural Records Act* 1987, means that decision-making about sites of significance to Aboriginal land owners, even if these are on Aboriginal land, lies not in their hands but largely with bureaucrats. The current legal situation appears to be that even the mission cemetery, which is still used today, would be difficult to protect.¹²

The community has made submissions to the Australian Heritage Commission (AHC) concerning protection of areas of natural and cultural significance, particularly in the Janie Creek area (McKeown pers. comm.). However, an enquiry to the Commission on 9 December 1994 failed to locate records of this submission.

4.4.5 Adjoining non-Aboriginal land-holders

The north-eastern portion of DOGIT adjoins Bertiehaugh station on its eastern boundary. There is little contact between the lessee and the Marpuna Corporation. No arrangements exist for joint mustering of the common unfenced boundary. The future of Bertiehaugh has been of intense interest to Mapoon people since it was first proposed as a possible site for a CYP space base. The general feeling amongst Mapoon residents is that such a development would threaten their lifestyle or well being in various ways.

4.5 Additional general land management issues

4.5.1 Feral pigs: pest and provender

Feral pigs present a management dilemma for Aboriginal people at Mapoon. Indeed, this dilemma is recognised broadly by Aboriginal groups on CYP. Throughout the Peninsula area Aboriginal and non-Aboriginal people hunt wild pigs. Some non-Aboriginal people hunt them for food but primarily for sport. Sporting shooting is generally antithetical to Aboriginal resource use ethics but reliance on pigs as a food resource by Aboriginal people is widespread. At Mapoon, as seems to be the case elsewhere on CYP, wild pigs have not become the important, albeit small-scale, economic resource that they have become for some Aboriginal people in the Top End of the Northern Territory, where there is an embryonic export market of wild pig meat to Europe, particularly to Germany.¹³

While almost all Aboriginal people recognise the value of pigs as relatively easy game, a growing number increasingly see them as threats to the environment particularly to other native food species. Included within the omnivorous diet of pigs are many species of wild tubers, including yams, the corms of the spike rush, bush onion (local name for nutgrass-like plant found along sandridges and swamp margins), the large mangrove mud mussell/clam,

¹² The authors are grateful to archaeologist Roger Cribb for perspective and fact on issues of site protection dealt with in this section.

¹³ Ironically, Queensland companies harvesting in the NT export from Queensland.

freshwater tortoises and increasingly on the west coast, sea turtles. By mid dry season each year the rush swamps close to Mapoon which are heavily utilised hunting areas for magpie geese and freshwater turtles have been extensively turned over by wild pigs. Crushed shells of freshwater turtles attest to predation by pigs. Hunters regularly observe the remains of the robust mangrove clams crushed by the jaws of pigs. Evidence of pigs rooting out yams are found in vine thickets and around springs, where some hunters also believe that pigs are destroying the pitcher plants (a non-food species) endemic to the more northerly areas of CYP. On the beaches, nests of sea turtles are increasingly found raided by pigs, guided unerringly by the acute sense of smell demonstrated in Europe where pigs sniff out truffles, the edible underground fungus. Numbers of pigs are said to be particularly high on the northern DOGIT area.

Some Aboriginal people say pigs should be culled by whatever means necessary to reduce their impact on the environment. Others recognise that limited culling may improve the overall success of the species. Some propose domestication, but consider again when pondering the effort and resources needed to feed and manage pigs behind wire compared to their position as easy wild game. Others oppose killing, either with the aim of elimination or merely population reduction, for reasons of basic subsistence economics as well as the ethic of killing only to eat. Some doubt the long term negative effects of pigs on food species, for example one of the community's senior gatherers says that pigs do not destroy yams, that there is always enough of the root left in the ground to ensure that the new vines emerge with the hot humid conditions of the pre-wet to begin producing new yams during the wet for the next dry season's harvest. The same person asserts that the round yams are too bitter and toxic for the pigs. A male traditional owner from the swamp areas also asserts that the pigs miss sufficient spike rush corms to allow annual regeneration.

4.5.2 Other feral species

Horses and cattle ping down native soils around water places.¹⁴ Horses also damage shallow water sources by playing around in the water, digging holes to roll in. Cane toads are said to have been in the area for six or seven years. There are significant populations of feral cats. These are not hunted for food as they are by Aboriginal people in some other parts of Australia. Visitors are believed to have introduced khaki burr, three-sided burr and bindiyi into the Janie Creek area. Bindiyi is said to give children boils. Increasingly as families re-establish themselves at Mapoon, non-indigenous species are being brought into the area. Some are ornamental garden species, such as crotons or hibiscus. Some people would like to introduce bamboo, which has many utilitarian uses, including spear shafts. There is at least some awareness of the danger that runaway domestic species may cause in the bush.

4.5.3 Control of dangerous native species

As estuarine people the Mapoon community are used to living with crocodiles which are occasionally taken from the wild for meat, but decreasingly. However, with the beaches and mudflats in front of their houses being considered as their front yards and where people

¹⁴ There have been at least several attempts to bring cattle in the area back under management, but various factors including the BTEC program have thwarted this (Frank McKeown, pers comm).

spend a lot of time hunting and cooking, there are concerns about crocodiles, particularly with small children. When crocodiles show themselves to be "cheeky", that is not keeping their distance from people on the beaches, they may be shot. These are not necessarily the particularly large beasts — crocodiles under two metres may still be considered a threat to children.

4.5.4 Fire management

Fire remains an important land management tool at Mapoon. A number of beneficial effects are observed apart from direct use in fire-drive hunting — the country is cleaned so that people can see snakes or other danger when walking around, the burn is followed by growth of fresh new shoots which attracts wallabies and other animals. Larger forest fires are prevented by reduction of fuel in regular burns and by the fire-break effect of mosaic burning. The key fire strategy is "burn early", which results in low intensity patch-burning. On the grassy plains it is considered particularly important to back burn to reduce fire intensity. Traditionally plains burning was an important seasonal event, the timing of which was controlled by senior members of particular land owning clans. While the such protocols are still known, they are not always observed. Plains burning was traditionally an event in which landowners invited neighbouring groups to participate in a rich harvest. Tjungundji people used to travel (by invitation) from the coast, inland to plains east of Batavia (site of the old mission outstation) to join in fire hunting there for snake and goanna. These reciprocal hunting relationships no longer exist with such formality. People at Mapoon are conscious of the contrasting fire strategies within Aboriginal and non-Aboriginal land management regimes and that at least some non-Aborigines consider Aboriginal burning practices irresponsible. Nevertheless, they remain convinced that Aboriginal fire management is the most appropriate for the country.

4.5.5 Community timber use

The corporation operates a small sawmill from time to time to produce timber for community use in building. Production figures are not available. The main species processed are: ironwood, messmate, milky pine and two species of bloodwood. Note also earlier remarks concerning seed gathering.

4.6 Traditional relationship to land and sea and associated resources

In previous sections we have outlined some management issues facing the Mapoon people, as well as providing a brief history of the community. This section focuses on indigenous knowledge which underpins the consideration of the issues already outlined. Information provided is limited and highly selective, for various reasons including limitations of space and time.

The mission at Mapoon was established on the territory of the Tjungundji. Over time the mission also become a place of permanent residence for neighbours of the Tjungundji, as well as the South Sea and Torres Strait Island families and the mixed race people removed from their families around the Gulf and elsewhere to the mission. With questions of native title ownership before the High Court it would be inappropriate to attempt to discuss in detail questions of territorial responsibility here. The anthropologist Donald Thomson visited

Mapoon in 1934 (Thomson 1934:222) and provides a picture of the general locations of groups in the Mapoon area which is not inconsistent with broadly accepted understandings of traditional ownership in the community today. Thomson's most detailed records of land ownership relate to the Tjungundji, within whose overall territory he understood there to exist smaller (named) parcels of land associated with particular (unnamed) clans.

Thomson noted a system in which each of the clans was associated with a number of totemic beings, some being considered of greater significance than others. He provides by example, a description of the relationship between the people of Ripana estate and *traha* (the barramundi) and its totemic centre at the eponymous location of Trattalarrukwana, a rocky outcrop inside Port Musgrave and a short distance from Ripana, or Cullen point. People at Mapoon continue to express their identity through reference to a totemic affiliation. The barramundi is credited with the creation of Port Musgrave. The story places associated with such beings may be endowed with spiritual power that may be harmful to people. People quote several examples of people with physical deformities caused by their pregnant mothers visiting, or eating food gathered near, story places. In other places particular resources (such as oysters) may not be gathered by anyone. As well as the great creator beings, other lesser spirit beings are recognised, such as an elusive and usually invisible community of "little people" with whom the landscape is shared.

A local culture hero, Sivirri from Langannamma, near Janie Creek is credited in local belief with the invention of the outrigger canoe (Thomson *ibid*). Sivirri is said to have taken the skills of outrigger canoe building to the Torres Straits where his exploits are sometimes linked with the Straits hero Kwoiam. Older people at Mapoon remember both outrigger and single hull canoes being used up until after the Second World War when they began to be replaced by dinghies. The kapok tree (*Bombax sp*) is still known as a favourite traditional medium for canoe making. Thomson noted the position of the Tjungundji as recognised master canoe craftsmen, achieving a particularly high degree of craft specialisation in relation to other areas on CYP. While dug-out canoes were used for off-shore voyaging and turtle and dugong hunting, canoes made from folded and sewn sheets of the messmate (*Eucalyptus tetradonta*) were employed chiefly as river craft (Thomson *ibid*). Today, dugong and turtles are hunted from aluminium dinghies, but few people can afford to own their own craft. The corporation owns a dinghy which is available for hire. As well as dugong and turtle hunting this craft may take people up the Ducie River into the eastern DOGIT area to "knock over a killer" from the feral cattle descended from the mission herd. Occasionally, on very low tides people travel to Kerr Reef, well seaward to the north-west of the mouth of Port Musgrave to hunt turtle which are also sought along the reef system which runs parallel to the shore south of Cullen Point. This area includes Dog Reef, important for hunting and also as a story place.

An important turtle hunting area historically was located at Janie Creek, at the southern end of Dog Reef, an area referred to earlier in relation to heavy resource exploitation by locals and visitors. As well as direct hunting pressure on barramundi, the increased use of outboard-powered dinghies is said to have caused turtle, frightened by the sounds of the outboards, to move away from the area. Only a few people at Mapoon eat the hawksbill turtle, which must be prepared by a master butcher to remove poisonous glands. All other species of turtle and their eggs are consumed. Most Mapoon people will not eat turtle eggs once the young turtles have taken shape within the eggs, a culinary reservation not shared

by many people of Islander culture. Disinclination to eat the more developed turtle eggs, has obvious conservation implications. However, the high level of non-human competition for the eggs probably makes the positive effect of this culinary preference negligible. Turtle eggs are sought out by goannas and most recently by pigs.

Some hunting and gathering exploits are still recognised as important rites of passage. A young boy/man who catches his first big game is not allowed to eat from his kill, which is shared primarily amongst older relatives. In the Cullen Point area this custom is particularly strongly related to a youth's taking of his first large bonefish (*chakkarra*, *Albula vulpes*) by spear. Bonefish resemble a giant whiting, growing to over 100cm. Bonefish hunters stand on partially submerged sandbars to spear the bonefish as they pass. When seen in the context of the associated danger (eg crocodiles) the exploit is an apt symbol of passage towards manhood. The custom however may also apply to other species including turtles, emus or kangaroos. The bonefish run in the late dry season was an important regional event, with other groups joining in the seasonal plenty as guests of the Cullen point groups. The time for the beginning of the bonefish run is still signalled by the flowering of native apple known locally in English as red fruit or lady apple. Other floral species are indicators of seasons and species specific events. The blooming of a particular wattle indicates that turtles are fat. The appearance of white leaves, which look more like flowers, on a particular shrub indicates that oysters are fat. Game is generally judged on its degree of fatness, taken in the season when it is most heavily fattened and left alone at the times when it is considered to be poor.

As well as a general notion of the importance of fatness, the oil content of some species is highly regarded for semi-medicinal or medicinal properties. Fat goannas with oily flesh as well as generous deposits of tail fat, emu fat and flesh, fat and flesh of the freshwater shark, the oilier parts of the dugong (especially the nose) are regarded as foods with particularly healthful effect. Other animal foods may have more specific medicinal applications — mangrove worm is prescribed for coughing, flying fox is beneficial to asthmatics. Some people at Mapoon believe eating the short-necked tortoise can produce headaches — others say they eat both short and long-necked species without any ill effect. Particular plants are used to treat a wide range of complaints, from scabies, sores and other skin diseases to toothache and traumatic injuries such as catfish barb wounds. A root is chewed for relief of toothache. Medicinal uses of some introduced species are also recognised — for example, the extreme pain associated with stingray barb or catfish spine wounds can be relieved with the juice of the frangipanni applied externally. People propose that in their pharmacopoeia are many cures but they are cautious about sharing this knowledge, fearing that their intellectual property may be utilised for the profit of others. In explaining this fear, reference is often made to that modern Australian icon of bushmanship, the Bush Tucker Man and his use of Aboriginal techniques of resource harvesting and utilisation in rising to some form of antipodean media stardom.

Asked by outsiders about traditional environmental knowledge even middle-aged people may say "I can't say about that — you'll have to ask my mother (or some other older person)". The general role of the oldest generation as active custodians of traditional environmental knowledge is widely acknowledged. The oldest generation, particular senior women, worry about the passing of knowledge to the youngest generations.

We live off this land. The old people from here taught us everything about how to do that — foster children at the mission and all. I should talk to the Corporation about taking the children out more and teaching them how to live off the land like we did during the war when we had no flour, no sugar. Sugar bag (honey of the native bee) was our tea — Suzy Madua, pers. comm.

Those aspects of traditional environmental knowledge perhaps most in danger of being lost relate to processing of carbohydrate staples which have largely been replaced by use of rice, flour and baked bread. An example is the tuber (unidentified sp) Kuthay. Kuthay produces a vine. The tuber is round with yellow flesh and an agreeable smell. It is cut up and boiled in fresh water, washed clean and the wash water thrown away. Remaining skin is removed and it is smashed up with the hands. The pulp is put in a net bag and placed in a running stream or under a running tap. It is washed three times like this to remove bitterness and toxicity. The resulting mash can be served in many ways — with coconut milk added, with sugar, with salt or eaten with meat like mashed potato. Another is arrowroot. The arrowroots are traditionally grated against rough wattle bark after an initial washing. The pulp is placed in a dish and water added. Fibrous parts are removed after the "milk" is squeezed from them. Three or four times the starch is allowed to settle, water poured off, new water added and the process repeated. Finally the starch is set to dry until it can be reduced to a cornflour like powder.

Panja, the corms of the spike rush, is a bush food closely associated with the community. The shop sells T shirts declaring Mapoon residents to be "*panja* people". But few young people today are interested in digging *panja* from the swamps or preparing it in the traditional way. Hunters do however avail themselves of *panja* found in the necks of geese they shoot. Traditional preparation of *panja* involved roasting the corms very briefly in extremely hot ashes or sand before beating them, one at a time, with a special mallet on a special wooden base. As the hot *panja* paste accumulates, it rises like dough. A loaf-like preparation with a sweet nutty taste and called *burga* results. *Panja* was also preserved for some time by packing harvested nuts inside swamp mud which was then wrapped in paperbark and kept moist. In this state it could be kept for a long time (Suzy Madua, pers. comm.).

While the menu may be changing at Mapoon, the underlying cultural significance of food continues to reflect traditional values. Some of these cultural values may be expressed in behavioural codes: food should not be wasted, people should take only what they need, surplus catch should be distributed to friends and extended family, people who are greedy are held in low esteem. The reciprocal sharing of food between individuals or families affirms alliances and other relationships.

Food is also an important signifier of elements of personal or family identity and an important channel for expressions of "style". As well as the knowledge of traditional harvesting and preparation of bush foods, older people also are the custodians of the mission traditions of cooking and can "whip up" Christmas puddings, various custards and desserts "just like that". The Island traditions, with their integration of Asian cuisine, are evident. Ginger, garlic and chilli are in common use as well as the dried prawn paste *blachan* which

gives its name to the distinctive hot side dish served with a main course and rice. Introduced species such as mango and coconut are well blended into the local cuisine. Some foods still "must" be cooked in a traditional way. Bone fish must be prepared in a *kap mari*, a continuation of cooking practices which Thomson observed in 1934. Other traditional food restrictions remain extant. Pregnant women should not eat the flesh of the "file" sting-ray, one of the most common local sea foods, or the flesh of particularly large animals, such as a very big barramundi lest the child they are carrying be born sick or deformed. Similarly, they may not eat flesh of emu or brolga.

4.7 The local mixed economy

At Mapoon as elsewhere on Cape York Peninsula, the local cash economy revolves almost exclusively around CDEP scheme employment, through the Marpuna Corporation. The small, short lasting annual burst of cash from seed collection is really the only significant other cash source. While numbers of CDEP employment varies from time to time, a work roster from 1994 shows 50 percent of people of all ages at Mapoon employed either full-time or part-time through CDEP. Of 65 employees listed on this roster, 47 worked two days per week, a further eight picked up their dependant spouse's allotted time and worked four days per week and 12 people were employed between four and five days per week as "staff". In theory, each CDEP participant (non-working spouses are classed as participants) entitles the scheme to about \$8500 in wages grant from ATSIC. Each participant should also attract around \$2400 in support funds, for materials, tools, administrative and other costs, but in 1994 the Marpuna Corporation was receiving funds considerably less on a per capita basis. The take home pay of a two-day worker is therefore around \$150 — \$160 per week, the equivalent of a weekly welfare allocation. The non-office CDEP workforce of Marpuna Corporation and other Aboriginal Councils are treated as equivalent to mainstream council workers in the calculation of worker's compensation premiums which by law in Queensland must be paid to the State insurer, the Workers' Compensation Board. CDEP employers in Queensland thus pay a standard premium of about 4.75 percent of wages while similar schemes, engaged in the same work, in the Northern Territory are able to secure rates as low as 1 percent in a free compensation insurance market. The difference between Queensland premiums and Northern Territory premiums results in CYP paying more than \$1 million more per year than they would if they could insure in the Northern Territory.

Much individual and family income is cycled through the small general store operated by the Corporation. Staffed by workers on CDEP the store marks up goods only 10 per cent and some lines may be remarkably cheap when the store is able to get a good wholesale deal. The main external beneficiary from Mapoon's cash income are alcohol outlets in Weipa. The community has neither its own canteen nor restrictions on personal freedom to purchase alcohol.

With more than half the workforce on two days per week CDEP employment, most people have plenty of time to supplement cash income through hunting and gathering.

Data on actual bush food consumption are not available for Mapoon. But on the basis of observations and statements from people at Mapoon it is estimated that no less than 50 percent of protein consumed comes from subsistence activities. The level obviously varies with seasonal factors such as when species such as salmon or bonefish are running. It also

varies with availability of land or sea transport. While the whole community is generally living close to the "bread line" in terms of cash income, the pursuit of bush foods is more than a quest for survival. It is fun, it provides intellectual stimulation, as a shared experience it is a bonding mechanism for families, amongst friends and for the whole community.

There are of course costs associated with subsistence income. Like most modern hunter-gatherers, the Mapoon people utilise modern technology. While spears are still used widely for fishing, synthetic fishing lines and standard hooks, lures and sinkers are also essential tackle. Those who can afford to, use aluminium boats and outboard motors for fishing and pursuit of dugong, turtle and fish or travelling up the Ducie River to shoot feral cattle. Only a few people have private dinghies, others rely on hiring the Corporation dinghy. For terrestrial game, a variety of firearms replace spears. Again, only a few families have 4WD vehicles. Good pig dogs are highly valued but they are often killed or badly injured in the hunt.

Domestic costs also relate to subsistence activities. While the Corporation attempts to maintain a large freezer for general use most families aspire to having at least a normal capacity household freezer to preserve surplus game. As power is not reticulated beyond the Red Beach area, individuals or families purchase small portable generators, or in one case an 8KVA unit is shared by three households. Small generators are not robust and sometimes are not worth repairing in case of a major malfunction. The current community planning project is examining the relative costs and benefits of continuing the tradition of stand-alone power generation or persuading the State electricity utility to run power to the outlying households from a central generation point. At present only half the Mapoon households have power on site.

4.8 Conclusion

While the context in which Aboriginal people at Mapoon must attempt to re-establish their role as owners and managers of traditional lands is indeed a tangled web of conflicting and overlapping roles and responsibilities, opportunities, threats and constraints, the determination of the Mapoon people to make a future for their families by the waters of Port Musgrave is clear and uncomplicated. They have overcome one of the most brutal acts of administrative injustice in Australian history to rebuild their community to the size it was in 1963 and establish an active and forward looking interim administrative structure. The pace at which the Mapoon diaspora returns is increasing. Despite the complications, bureaucratic, legal and local social obstacles there is a strong feeling of community and purpose. There is also an immense frustration with continuing denial of the power needed to enable locally-based control over day to day and longer term aspects of management of land and sea.

The authors:

Peter Cooke is a Darwin-based consultant primarily involved with Aboriginal community development planning, and documentation of Aboriginal land and sea interests.

Ricky Guivarra is currently the chief executive officer of the Marpuna Corporation. His grandmother was a Waanyi woman brought to the mission in 1901 as a very small child. She is still living.

Acknowledgment:

The authors gratefully acknowledge the comments on this paper made by Anne English, Annie Holden and Frank McKeown.

4.9 References

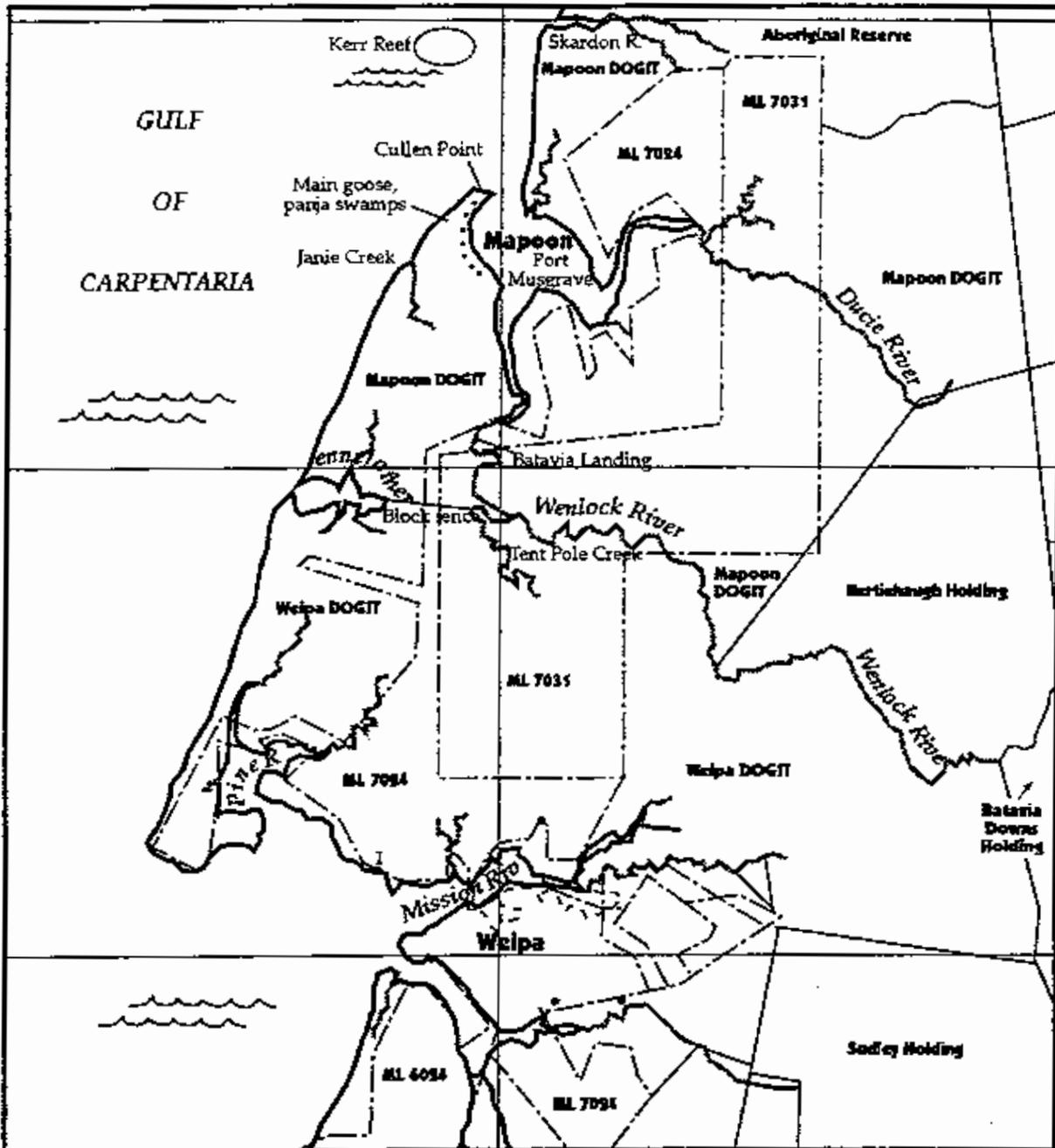
- Australian Presbyterian Board of Missions, 1963. Australian Aborigines.
- Bos, R 1991. Mapoon 100 years. Calvary Presbytery. Thuringowa.
- Brennan, F. 1992. *Land Rights Queensland Style*. University Queensland Press. Brisbane.
- Cooke, P. 1994 (a) Planning a future at Cape York Outstations: Report one from the Cape York Outstations Project . CYLC. Cairns
- Cooke, P. 1994 (b) Cape York Peninsula Outstation Strategy: Summary, recommendations and proposed action. CYLC Cairns.
- Department of Environment and Heritage. 1994. (Draft) 1994-95 Management Program for the Conservation and Management of *Crocodylus porosus* in Queensland. Qld Government. Brisbane.
- Fitzgerald, R. *A History of Queensland: From the Dreaming to 1915*. University of Queensland Press.
- Holden, A and O'Faircheallaigh. 1994. An assessment of the economic and social impact of the Venture Exploration Ltd Kaolin Project on the Mapoon peoples, with particular reference to the Warangku and Tjungundji (manuscript).
- Horton, D (general editor). 1994. *Encyclopaedia of Aboriginal Australia*. AIATSIS. Canberra.
- McKeown, F. 1994. Background paper on current circumstances of the Aboriginal community of Old Mapoon, Cape York Peninsula. Prepared for the Aboriginal Torres Strait Islander Social Justice Commissioner by F. McKeown on behalf of the Marpuna Community Aboriginal Corporation.
- Roberts, JP, Russell, B & Parsons, M. 1975 (a) *The Mopoon Story by the Mapoon people*. International Development Action: Fitzroy
- Roberts, JP, Russell, B & Parsons, M. 1975 (b) *The Mapoon story according to the invaders*. International development action: Fitzroy
- Thomson, Donald F. 1934. Notes on a hero cult from the Gulf of Carpentaria, North Queensland. *Royal Anthropological Institute Journal*. v64: 217 - 235.

Vern Pty Ltd 1993. Skardon Kaolin Project ML 6025, ML 40069 & ML 40082.

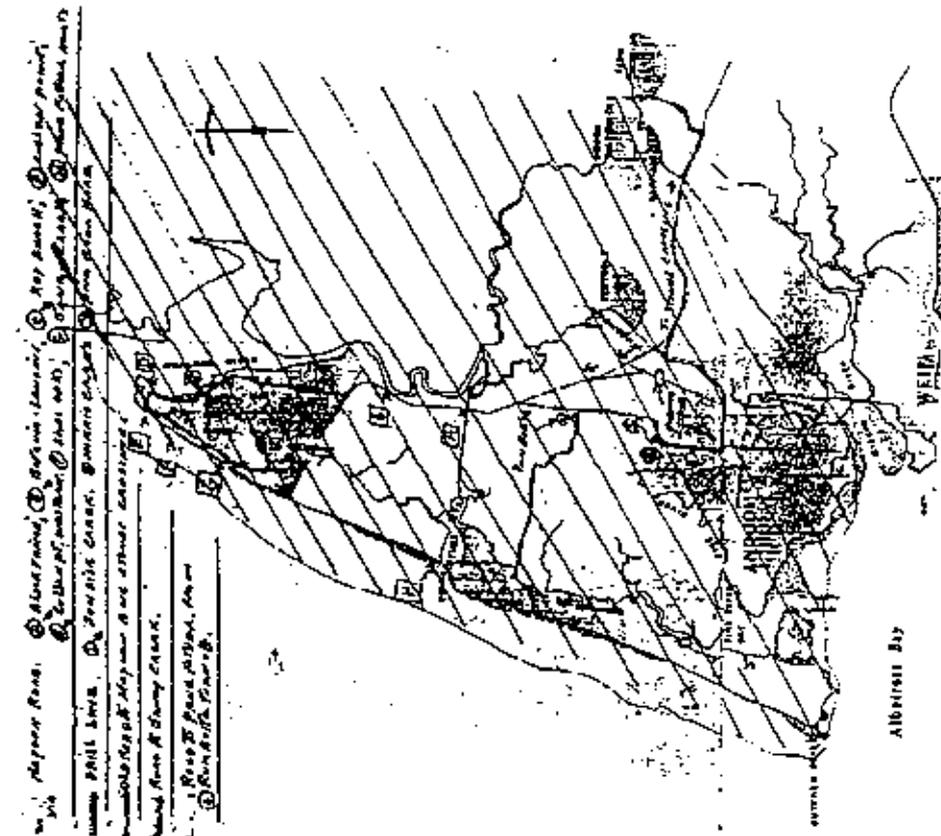
Wharton, G. 1990. Bibliography of Mapoon, Cape York Peninsula. Comalco, Weipa.

Yates Heritage Consultants and Quartermaine Consultants 1993 A report on an archaeological site survey of the Skardon Kaolin Project, Cape York Peninsula.

MAPOON MAP 1: General location, areas referred to in text

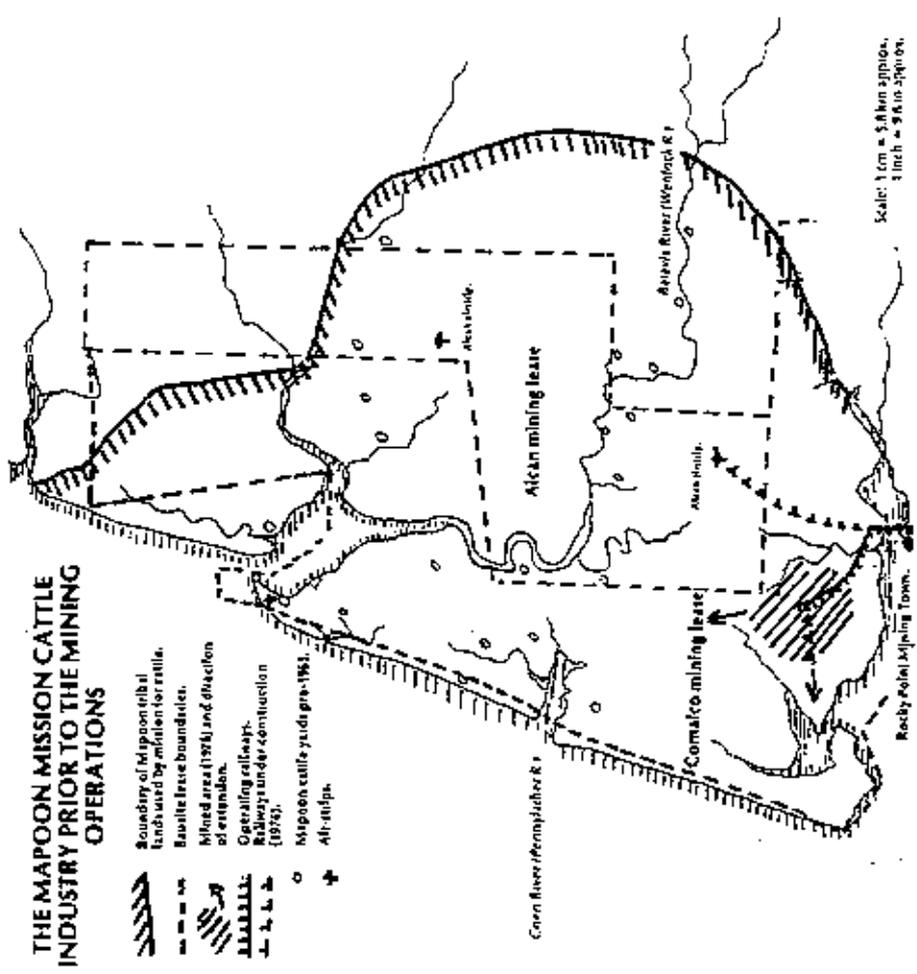


Source: Base map redrawn from land tenure map supplied to authors by Comalco. Other information, the authors or DOD map 1501: SD-54-3 ed 2.



MAPOON MAP 3: Map submitted to the High Court by Tjungundji, Yurpangath, Thankwith, Waranggu and Taepadhi people indicating general area of claim.

Source: Attachment to copy of writ



MAPOON MAP 2: Extent of former Mapoon mission management area.

Source: Roberts, JP, Russell, B & Parsons, M. 1975 (b) The Mapoon story according to the invaders. International Development Action: Fitzroy

CHAPTER 5

THE COMMUNITIES OF NORTHERN CAPE YORK (NPA)

Susan McIntyre and Shelley Greer

CHAPTER 5

THE COMMUNITIES OF NORTHERN CAPE YORK

Susan McIntyre and Shelley Greer

CONTENTS

5.1	Community profiles	5-1
5.1.1	The communities of northern Cape York	5-1
5.1.2	The establishment of the Northern Peninsula Area Reserve	5-1
5.2	Injinoo community profile	5-2
5.2.1	Introduction	5-2
5.2.2	Historical backdrop to Injinoo	5-3
5.2.3	Threats to places and resources	5-9
5.2.4	Resource depletion	5-11
5.2.5	Community management strategies	5-12
5.3	Bamaga and Seisia community profiles	5-13
5.3.1	Introduction	5-13
5.3.2	Contemporary use of natural resources in Bamaga and Seisia	5-15
5.4	Community profile - New Mapoon	5-18
5.4.1	Introduction	5-18
5.4.2	Specific strategies	5-21
5.5	Community profile - Umagico	5-22
5.5.1	Introduction	5-22
5.5.2	Historical backdrop to Umagico	5-22
5.6	Recommendations	5-24
5.7	References	5-25

CHAPTER 5

THE COMMUNITIES OF NORTHERN CAPE YORK

5.1 Community profiles

5.1.1 The communities of northern Cape York

There are five communities in northern Cape York. Of these the oldest is Cowal Creek (now known as Injinoo) which was established around the first half of the nineteenth century. Since the late 1940s, four other communities have been established in the area. The first of these to be set up were Bamaga and Seisia. In 1947, a group of people from Saibai island (just off the Papuan coast) are said to have voluntarily moved to the mainland. They initially settled at Muttee Head. Mugai Elu asked permission of the local people at Cowal Creek to stay and asked their advice regarding where to set up a permanent settlement. They were advised that near Red Island Point would be a good spot as there were reliable springs behind the beach and the site would also provide a berth for their pearling luggers. The bulk of the Saibai people however were advised by a Department of Native Affairs (DNA) surveyor and Jomen Tamwoy (a Badu Island Schoolteacher living at Cowal Creek) to move to 'Bamaga' (or Ichuru as local people knew it), which they did in 1949.

In the 1960s, two further groups of people were 'relocated' to this part of northern Cape York by the Queensland government. Firstly, some of the people from Mapoon were shipped to Red Island Point, settled temporarily at Bamaga and then taken to the present site of New Mapoon (previously known as Charcoal Burner). Others from Mapoon had already been relocated to Weipa. This incident has been widely reported (see Roberts, 1975). Through this action the Queensland government hoped to facilitate bauxite mining in the Mapoon area. Mapoon men who were at that time working for the prospecting company "Enterprise" report that they weren't told that their families had been moved but returned to find them gone and the village burnt.

At approximately the same time, people from Port Stewart on the east coast of Cape York, just north of Princess Charlotte Bay were relocated to a new settlement called 'Umagico' which lies roughly between Bamaga and Cowal Creek.

In the late 1960s there was an attempt by the government to close the settlement at Lockhart River. Some of the people were at that time relocated to Umagico. Instead of closing Lockhart, the settlement was eventually moved from "old site" to the present location closer to the Iron Range air strip. As Lockhart River continued as a community at the new site many of the people in Umagico have made their way back home in recent years.

5.1.2 The establishment of the Northern Peninsula Area Reserve

It was also during this period that the Queensland government formed the Northern Peninsula Area, a reserve of some 39,462 hectares that encompassed all of these peoples. The reserve was administered and run by Queensland government staff based at Bamaga. Each of the smaller communities except Seisia (which was seen as a dormitory community of Bamaga)

had a community council and representatives from each of these formed the Combined Northern Peninsula Area Council which was nominally the voice of local people in administrative matters. Bamaga became the focus of government intervention, with government offices, schools, housing, a farm, a sawmill and other light 'industries' located here. This was because Queensland government policy had long favoured Island people over Aboriginal people. Today all residences for government-employed non-Aboriginal people are located here.

All of these communities are bound together by familial ties and intermarriage. However, different cultural backgrounds and experience exacerbated by governmental favouritism resulted in the emergence of antagonisms and grievances. Today, while the spectre of the "Manager" has faded and there is generally greater movement between communities, old tensions and suspicions sometimes arise to complicate matters.

5.2 Injinoo community profile

5.2.1 Introduction

This profile of the Injinoo Aboriginal community of northern Cape York aims to present a community perspective on the natural resources located on traditional lands and used by the community. All resources are culturally defined and management of such resources must take into account a number of factors which include the traditional cultural base of the community as well as its colonial history. It is particularly important to have an understanding of this perspective when formulating policy in relation to Cape York communities.

Firstly, a concept of 'indigenous management' must begin with the cultural definition of what constitutes a 'resource', or more broadly, how people within the community primarily view the landscape. In addition, the historical treatment of people in northern Cape York is an important factor in understanding contemporary notions of 'community' and its needs in terms of resource management. Secondly, such an understanding, allows an appreciation for the cultural complexity of many of these communities and the way in which this complexity must be reflected in processes related to decision-making.

This chapter details the traditional affiliations of members of the Injinoo community, European colonisation and settlement of the area, the history of the settlement at Injinoo and significant periods following its establishment. In addition, it includes a section outlining contemporary use of natural resources within the community. This defines places that are particularly associated with such resources and where relevant, any threats that can be defined. These 'lists' are then placed within a context which defines the way in which the landscape is culturally perceived within the community. This perception is drawn from stories, beliefs and cosmological associations which are drawn for one particular area, however the implication is that such an analysis is essential to an understanding of landscape and use of resources throughout the area of traditional lands of the people at Injinoo.

The material in this report has been largely drawn from fieldnotes and research in Greer¹, Greer (1994), Fuary (1993), Fuary and Greer (1993), McIntyre² and McIntyre (1994). In addition, the authors visited the community in early November 1994 to discuss this project.

5.2.2 Historical backdrop to Injinoo

In the following sections, English names have been used to define pre-contact tribal groupings as these are the terms used by people in the community today. 'Aboriginal' names for groups were recorded by early observers (see Moore 1979 and Sharp 1992) however exactly linking the two sets of terms is not possible. More importantly, it is the English terms which have been handed down to contemporary community members and therefore have cultural 'value' today (see also Fuary and Greer 1993: 3-4).

a) Traditional affiliations

The community of Injinoo defines itself as an Aboriginal community. Aboriginal people are descended from three major 'tribes'³ that were the traditional occupiers of northern Cape York. In addition, there is a traditional association with Torres Strait Island people. In fact, the artificial distinction between 'Aboriginal people' and 'Torres Strait Island' people is perhaps nowhere better illustrated than at Injinoo and it is unlikely that traditionally this broad distinction was ever made. Nonetheless, groups were differentiated, and the distinctions were probably based on affiliations at a particular point in time or for a particular purpose. Like most neighbouring groups in the area, affiliations were almost certainly contextual.

The people of Northern Cape York are placed in the Northern Paman Language family which has several dialects. Within the broader language group, the three major tribal groupings were:

1. The Seven Rivers people who occupied the west coast between the Jardine and Ducie Rivers;
2. The Sand Beach people who occupied the long narrow strip bounded in large part by the lengthy course of the Jardine River, and extending up into the northern most part to Cape York itself. The southern boundary may have been as far as Cape Grenville, but certainly was located south of Cairncross Island;
3. The McDonnell River people who occupied the inland territory which was sandwiched between the other two.

¹ Greer S. Northern directions: Towards a reconciliation between archaeologists and Aboriginal people. PhD thesis in preparation, James Cook University, Townsville.

² McIntyre S. It's all there in black and white: the history and archaeology of white settlement in northern Cape York. PhD thesis in preparation, James Cook University, Townsville.

³ People in the community use the term 'tribe' to define these precontact groups. Thus, this is the term used here, although it is acknowledged that the term may not correspond to anthropological definitions.

These larger groups were further broken into smaller local and economic units, particularly in the case of the Sand Beach people where there seems to be at least a clear distinction between a southern group, the 'Whitesand' people (a reference to the huge dunefields at Shelburne Bay) and the people occupying the strip north of Cairncross Island. This northern group can be broken into Red Island, Somerset and Kingcross subdivisions, who appear to have had close relations. However the Somerset people were also closely connected with people from Muri (Mt Adolphus Island) and through them with the Kaurareg of Muralag (Prince of Wales Island) in the Torres Strait.

b) European colonisation and settlement

Fuery and Greer (1993) and Greer (1994) have outlined some of the problems suffered by Aboriginal groups in Northern Cape York, following European invasion. The earliest and perhaps the most notable were the direct effects of the beche-de-mer and pearling industries which operated along the coasts of Cape York from the mid 19th century. These included the kidnapping of men and women, the spread of disease and the unavoidable interruption and deterioration of traditional patterns of life. This was compounded by the expansion of the cattle industry which robbed people of access to and use of their traditional lands.

Within the study area, there were several major European establishments. The first of these was a government settlement established in 1864 at Somerset by the Jardine family. Within the space of a decade, the government post had shifted to Thursday Island while the original settlement on the mainland was taken over by the son of Frank Jardine, the first government resident. McIntyre² provides a detailed account of European settlement in the area.

c) The establishment of Cowal Creek

Cowal Creek, now known as Injinoo, was established in the early part of the century by Aboriginal people, in response to the drastic effects of the European presence in the region. Population numbers had dwindled significantly and there was a need for protection from the exploitation and losses associated with successive waves of beche-de-mer, pearling and cattle industries. More specifically, Frank Jardine at Somerset is said to have been responsible for at least two large massacres of people in the area and countless other incidents of homicide. At about this time, a group of people were working with Jack McLaren to establish a coconut plantation at Samson Bay (McLaren 1926). These people were living a semi-permanent existence and were involved in building, planting coconuts and growing vegetables for domestic use. Given the problems faced by coastal peoples and the experience of some of these people at the settlement at Simpson Bay, a permanent settlement must have been an attractive option in terms of providing greater security and improved chances of survival.

The village was set up by people from the Seven Rivers country, the Sandbeach people and the McDonnell or 'inland' people whose country shared boundaries with both the Seven Rivers and the Sandbeach people. Those original groups who settled in the village were not necessarily well disposed towards one another at all times; tensions and alliances (largely based on pre-contact relations) between the groups existed.

In 1936, a government teacher was sent to the settlement. Jomen Tamwoy was an Island man from Badu who spent the rest of his life at Injinoo. His descendants as well as his wife's

family have married into the community establishing a strong link between Injinoo and the western islands of the Torres Strait. This reinforced links that may have existed prior to European colonisation.

d) World War II

During World War II, northern Cape York was the focus of a huge build up of Allied Forces. Higginsfield aerodrome was built by the U.S Engineer Corps, the base housed both U.S and Australian personnel. Many local men were involved in the transport of goods and services between Torres Strait and the mainland, and for those who were not directly involved, everyday life was transformed. At times people were evacuated from the village, forming small satellite settlements, based on tribal affiliations, in the bush. The large number of military personnel increased the area's population enormously and the interactions that resulted were sometimes good and sometimes bad. The war brought the 'pictures' to Cowal Creek for the first time and roads were built in this period for military purposes; on the other hand, it also brought alcohol, in the form of methylated spirits, which the soldiers taught locals how to drink.

It was also during the war that Islander people from Saibai, Boigu and Duan, who were working in the Don Company Battalion, observed the bountiful natural resources of the mainland and conceived the idea of relocating (McIntyre²).

There are many World War II sites in the northern Cape York area and these have become part of a rich and diverse social landscape. Crash sites are particularly respected.

e) The era of government control

Following the war, the people of Injinoo came increasingly under Government control. The Government consolidated its administrative influence from the 1960s onwards. During this period Injinoo people witnessed the establishment of other Aboriginal and Islander communities on Injinoo land. Consequently control of local affairs must now be shared with these more recent settlers.

f) Contemporary Injinoo identity

In 1985, under the Community Services Act, the Injinoo Community along with other communities in Queensland, was given the right to re-establish self administration, they could also enter into business activities and thereby create employment and profits. Partial control of some of Injinoo people's custodial land was returned to the community through Deed of Grant in Trust (DOGIT). The highly successful Injinoo Store was established in 1987. In 1988, the community joined the Federal Government's Community Development & Employment Program (CEDP). In so doing the community members voted to forego unemployment benefits in favor of their Council receiving the equivalent in funds to employ community members.

Injinoo has also engaged in a number of other commercial enterprise, for example they established the Injinoo Aboriginal Corporation which owns and operates the Pajinka Wilderness Lodge and is developing other enterprises. With the development of economic

enterprises and the expansion of community infrastructure, there has been a growing awareness of the complexity of the task facing the community in fulfilling their custodial responsibilities in relation to the land. In response to this, the community has established the Injinoo Apudhama Association which has responsibility for overseeing the care and management of land in accordance with contemporary needs and traditional requirements. The Apudhanma Association includes all the custodial land owners of the northern Cape York Peninsula. It is responsible for the Injinoo ranger service and includes responsibility for the development of camp facilities, erosion control, visitor facility management, fire management and feral animal control, protection of flora and fauna. Importantly, it also responsible for overseeing the development of culturally appropriate visitor information and the protection of cultural sites.

While the people of Injinoo still have a strong sense of which 'tribe' they belong to and therefore how they relate to the country, there is also a strong sense of belonging to "Injinoo". Younger people now speak 'Broken' (Cape York Creole) as their principal language but small colloquialism and peculiarities of language allow people to immediately identify someone as being from Injinoo⁴

g) Contemporary use of natural resources at Injinoo

A broad range of coastal and inland or 'inside' resources are currently used by the people of Injinoo. These resources include plant and animal foods which supplement store-bought goods; materials used to make artefacts for personal use or sale to tourists; and materials used to make artefacts for personal use or sale to tourists; and materials used in personal decoration or for use in dance or ceremonies.

There are many places that are identified as being 'good for' these resources. In some cases, these are too far away for community members to regularly access. This is changing however, as the community requires more vehicles and dinghies, and as outstations on custodial homelands are established. To identify all such places, over such a vast area, would require extensive consultation and fieldwork. Rather, a sample of regularly used places is included here. It should be stressed that the places indicated here are not the only places of such importance to the community.

Fishing is an important activity for both men and women within the community. Important fishing places include Escape River, Jackey Jackey Estuary, Injinoo sandbeach, Jardine River mouth, the reefs which are adjacent to small islands, and 'outside mouth' of Cowal Creek.

Turtle hunting is an important activity which is associated with the spring months immediately prior to the rough seas of the 'norwest'. This time is referred to as 'solwol' or 'tortle pas' This activity is undertaken by men and important places for turtle hunting include Simpson Bay, Bower and Y reef. In addition, turtle eggs are collected and important places for this are Crab Island, Turtle Island, Jardine River to Crab Island, Muttee head to Jardine River. Turtle eggs are collected by men and women in late spring and into the wet season.

⁴ McIntyre recalls that in the early stages of fieldwork in the late 1980s after having learnt only a smattering of Creole she was asked by an Islander person 'Where do you come from? You talk like an Injinoo girl'.

Dugong hunting is also a prevalent male activity. There are close ties between some community members and Lockhart people and dugong may be brought from Lockhart River for ceremonies and some feasting. Increase sites for turtle and dugong are used to ensure good hunting.

Other resources drawn from coastal environments include crayfish and stingray, and are hunted by man. A range of shellfish including rock oyster, akhul, clams, penniwinkle (same as perriwinkle), sealell (small pippis), pippi shell, mussel, long-arse shell. Both men and women collect shellfish and places that are 'good for' this include Marin, Red (Vrilya) Point, Escape River for oysters; the reefs around Muri, Escape River for clams; Fishbone and Jardine River swamps for akhul and long-arse shell (the later are also found upstream 'inside' Cowal creek); and Injinoo sandbeach for sealell. Stingray can be found at Jardine River mouth, Crab Island, Pudegah, Sandago and places along the 'East Coast' (Newcastle Bay).

Torres Strait pigeons are caught while on their flight south. This is a male activity which uses offshore islands such as Mangrove Island, outside Marin, and Big and Small Woody Islands. Ducks and waterbirds are also valued and are found in swamps, especially Gadhinya. This is largely a male activity.

Pig, wallaby and emu are also hunted by men. Both pig and wallaby are found 'everywhere', however, emu has a more restricted distribution. They can be found at 'Butter tin', which is on the old telegraph line road. Bullock is also found at Sandago, Somerset, mud bay and 'inside scrub' at Backwater.

Wild plant foods used in the community include yams (*Dioscorea* sp.), which are collected mostly by women but sometimes by men, and a range of seasonal fruit. Good yam places include the Peak Point-Punsand Bay area, along the short-cut road between new Mapoon and the Bamaga-Injinoo road, behind Injinoo sandbeach, at Muttee Head and Gel Point, on the southern side of Cowal Creek and inside the scrub along the west coast from Cowal Creek to the Jardine River mouth. Fruits from the bush include: loongyuen or black fruit (*Buchanania arborescens*), wongai (*Manilkara kauki*), kowai apple, nonda plum (*Parinari nonda*), white fruits (various including *Syzygium* sp.), sorbee and bush peanut. Fruits tend to be collected opportunistically, by both men and women and many of these are found in the Lockerbie and Cape York scrubs. Pudegah, Tuckenoo and Muri are important wongai places and there is a large historic wongai tree at Somerset.

Plant materials are also used for a range of cultural activities. Pandanus and coconut palms are used to make dance skirts or *jajee* for both men and women and palms and other plants are used to decorate *jarrajarr* or feasting sheds. Pandanus are commonly collected in the Cape York scrub or on the east coast. Some men make artefacts such as spear, boomerangs and woomeras out of local materials and feathers and plants are used by men in ceremonies. Ochre's and clays are used to 'paint up' for dancing.

In addition to wild plants and animals, many people have house gardens and grow a variety of foods. These include cassava, bananas, pawpaws, mangoes, pumpkins, gaggabear (bell fruit), star fruit (five corner fruit) etc.

h) Resources as part of a social landscape

It is impossible to talk of resources as isolated parts of the environment. Resources are elements within a social landscape. A clear example of this relationship is provided by the east coast strip of land. In the previous section, a number of resources were outlined. This 'list' has been drawn from the authors field experiences in this country and from discussions with members of the community as to those natural resources which are currently used. This contrasts with a natural resource orientation which surveys all resources that can be located within a designated area. The qualitative difference is that those items or elements that are considered to be a resource to the community have been filtered through the mesh of culture. This process suggests that any definition of the landscape that aims at a community perspective must be similarly filtered and that the landscape only has meaning within a cultural context. In this section, this idea is developed using a particular area of northern Cape York known to Injinoos as simply "the east coast". Much of this work has been taken from Greer¹ (1994).

The east coast strip extends from Somerset in the north to Jackey Jackey Creek, along the hinterland and beaches associated with Newcastle Bay. This broad area is associated with a major creation event for Injinoos people. In this story, the main character journeys from south to north across the landscape creating its features and providing a context for historical events. In addition (and perhaps related to this), there are strong beliefs related to the presence of powerful and dangerous supernatural beings that are said to inhabit this area. There are also more specific stories which relate to the large middens which are found at a number of beaches along Newcastle Bay and which relate them to other sites located at freshwater lakes along this strip. These places (i.e. the sites) are considered to be the homes of spirits or people who have died. They live at the Lake sites by day, returning to the coast at night. Certain practices, such as the 'calling out' of language and the proffering of gifts (such as the first catch of fish or other food, cigarettes etc.) are carried out when in such areas. During wet season, the east coast is an important area for hunting, fishing and gathering; and there is a need therefore for such parties to include someone who feels comfortable there and who has language for this area. In this sense hunting, gathering and fishing must be seen not only as an economic activity but as social practice, however, as Injinoos people are drawn from a number of northern Cape York groups, there are only certain individuals who have these skills. In addition to cosmological associations the middens on the coast have strong historical connections. According to local story, Jardine massacred the last people to occupy these sites and these people are said to be buried close by.

It is thus apparent that this strip of land is layered with traditional, cosmological and historical associations. These explain the origin of landscape features, the problems and constraints under which people operate when in this area and within which particular places (such as sites) serve as text for a bloody period of colonial history. This is the 'social landscape' and these stories, beliefs, practices and associations are part of the everyday cognitive schema of Injinoos people. While the specifics of the stories and beliefs may stem from the traditions of a particular group within the community, the widespread adherence and acceptance of these beliefs unite all Injinoos people. As such, they are an important source of 'identity' and empowerment for the community, confirming the sense of what it is to be from Injinoos.

5.2.3 Threats to places and resources

The range of potential threats to places utilised for such resources is limitless. Currently the greatest likely threats are from tourism and infrastructure development and tenure held by other parties.

Tourism is still largely uncontrolled within this area. Although Injinoo has by-laws which are binding on visitors, as well as residents, the mechanisms for educating tourists and then enforcing these by-laws are still under developed.

There is still a feeling that the annual and increasing influx of tourists cannot be checked. This has sometimes resulted in tourism management decisions which focus on provisioning adhoc tourism rather than evaluating its worth and targeting appropriate tourism. To assist future tourism management, Injinoo is currently preparing a Plan of Management for Injinoo Custodial Lands. This document will include a Tourism Management Plan.

One site which is particularly affected by high visitor numbers during tourist season is Somerset Historic Site. Injinoo community has recently prepared a Conservation Plan for this site. This Conservation Plan attempts to focus on the longterm conservation of culturally significant features and the education of visitors (McIntyre 1994).

a) Loss of tenure

Some places which Injinoo people may have used in the past now included the DOGITs of other communities or are within other forms of land tenure. It is rare that places of special importance were included in other DOGITs and generally there is a feeling that low impact activities such as hand line fishing etc. are not confined by ownership by other communities. This is reciprocated and as long as appropriate etiquette is followed other communities are not prevented from such activities on Injinoo DOGIT lands and marine areas.

An example of one such site however, is Lockerbie Homestead Site. This site is associated with the Jardine and later the Holland family. Only one generation ago people worked for Frank Jardine here and many of the older people in Injinoo and their parents were involved in working for the Hollands. Lockerbie is also one of the places where Wymara is said to have concentrated his guerrilla warfare on the Jardine family (McIntyre²).

The Jardine family established an experimental farm at Lockerbie which grew a wide variety of crops including tea, rubber, several varieties of mangos, limes etc. The area is well watered by a permanent spring. The Holland family later ran cattle here. People from the community used to often visit the site to look at the stone edged gardens and collect mangos. Unfortunately the site was included in the Bamaga DOGIT and is now leased to a non-Aboriginal person who has destroyed parts of the site and has constructed an unsympathetic cluster of structures in the middle of the site as a "tourist" snack bar. This ad hoc development was not preceded by a Review of Environmental Factors nor was it developed within the context of a Conservation Plan for the site despite the site having been listed with the Dept. of Environment and Heritage. It returns no economic benefit to any of the communities in this area. Its potential for future cultural tourism development which was previously very high has now been significantly compromised.

Another such area is Utingu. This is the site of Jack McLaren's coconut plantation and is an important place to the custodial owners. It is currently part of a privately held lease and there is some concern over the future development of this area.

Albany Island was an important ceremonial and specialised resource area at the time of initial contact, however not all of the island is accessible to the custodial owners as it is part of a private pearling lease. There are important 'Beportaim' sites on the island and several important historic events took place here e.g. the slaying of Somerset people, the burial of some of Kennedy's party.

The third major threat to places which are important resource areas for Injinoo people is community infrastructure development (including such development by Injinoo council and the other neighbouring councils). To date those who stand to lose the most from decisions relating to infrastructure expansion, are the elderly and less materially resourced people. These are the people most closely confined to the immediate village area either due to lack of transport (dinghy or vehicle), or lack of physical strength to travel distances. As the community expands and the village requires more facilities including housing, roads, recreation etc. the chance that local natural and cultural resources will be lost or damaged increases. For example, the most accessible source of pipeclay for use in dancing used to be Hospital Point (Injinoo Lookout). This resource was often used to paint up the children and men practicing for dance festivals and ceremonies. This source is no longer available as the area has been filled in to extend the look out/ recreation area. People (now only in their mid thirties) remember often collecting Loongnyuen and other fruits in the scrub area known as "water tank". However this area has now been cleared. It is one of the responsibilities and challenges facing the Injinoo Council to balance these competing interests in the development of their village. Close liaison between the Council and the recently formed Apudhama Association should assist in this area.

b) Feral animals

Feral animals are not seen by Injinoo people to be a problem. Pigs and bullock are not viewed by people as being 'feral' as they are an important food source.

Cats, Dogs and Cane Toads:

While some people have cats, the numbers are not great. Saibai people have an extreme aversion to cats and this may explain why generally speaking they are not a popular pet in any of the five communities. However, feral cats have been noted in close proximity to communities and may later become a problem.

Feral dogs are not currently a problem. This may be due to recent DPI practices of laying 1080 baits. As a result of this, dog numbers dropped, including dingoes which used to be common. On Injinoo land 1080 baiting ceased around 1989 after the community refused permission for DPI to lay baits due to concerns regarding the health effects if the poison got into the food chain. The status of wild dogs and the impact on the environment will need to be monitored.

Of greater concern is the arrival of the cane toad into the area. Cane toads reached the tip of Cape York in 1994. It may be expected that some of the smaller carnivores, such as quolls and goannas, will be affected. The first known casualty appears to be the large pet goanna at the Pajinka Wilderness Lodge.

Overall it must be said that to date, feral animals do not appear to have had a serious impact on the available resources (at least in historic times).

5.2.4 Resource depletion

Resource depletion may occur through local activities or the activities of outsiders. Resource depletion from the Aboriginal communities point of view may also occur as a result of changes in land management practices e.g a reduction of regular fires in National Parks may alter the habitat of particular food sources.

There is evidence of localised resource depletion within the immediate environs of Injinoo. This is due to the concentration of people in one area, all seeking to supplement their diet with traditional foods. Many people, particularly the elderly, do not have vehicles or dinghies and so cannot access the resource of areas distant to the community. The Apudhama Association could assist in this regard by providing opportunities for people to access the resources of their home country. Along these lines the Apudhama Association have begun to establish outstations.

a) Illegal commercial fishing

Illegal fishing is a major concern to the community. State Fisheries and the Coast Guard do not have the resources to adequately manage this problem. If illegal fishing activities are noted close to the mainland the authorities have to come from Thursday Island by which time the offenders have absconded.

It is imperative that community rangers are resources and empowered to enforce regulations regarding commercial fishing. A dramatic example of the problem occurred in 1991 when local men arrived at the Jardine River mouth intending to dive for barramundi. The water was full of rotting shark carcasses. On going down to Crab Island they found turtle, which had been returning to water after laying eggs, shot through the head and lying in the shallow water. Apparently fishermen had shot the turtle so that the blood would attract sharks. When the shark were caught they were only wanted for their fins. These were removed and the carcasses were dumped in the water. This event caused great consternation in the community. Not only were people outraged at the waste of shooting the turtle but the area was unsafe for diving and fishing for some time because of the increased risk of crocodiles.

b) Burning practices

Injinoo and neighbouring communities all 'burn-off' during the dry. This is commonly referred to as 'burn grass' time. As all communities carry out this practice it is obviously no longer controlled by traditional checks and balances. This activity is seen as necessary to clean up the country as well as encourage new growth. However there is no longer any real

control measures as to when and how often areas are burnt off. Children often light fires during this period. Communities need to discuss the possibility of restricting rights to burn off to community elders and/or rangers. These people would have the knowledge and responsibility of caring for land through 'burn grass'.

5.2.5 Community management strategies

Any assessment and management of resources in this area must be filtered through a knowledge of these associations. Injinoo has sought to ensure this through several specific strategies:

- * Cowal Creek Country Survey: comprising a collection of genealogies, life histories, traditional affiliations, & history of the community (Fuary 1993; Fuary & Greer 1993)
- * Language program: a collection of information relating to language words (several dialects), place names etc.(Harper 1992)
- * Ranger Training Program: training for rangers specifically includes training in traditional resource management delivered by community elders.
- * Somerset Conservation Plan: this plan recommends that Injinoo Council establish a Conservation Zone to protect and manage this area. It specifically takes into account the beliefs and practices described in Greer (1994) relating to this landscape and the complex interweaving of historical events and features (McIntyre 1994).
- * Apudhama Association: developed by Injinoo in recognition of the complexity of traditional ownership when overlain by colonial history, i.e. different 'tribal' groupings that were drawn together at Injinoo and acknowledges the fact that people from the same 'tribal' groups may be found in other communities.
- * Plan of Management - Injinoo Custodial Lands. This project is currently underway. To date a natural issues scoping study has been completed to draft stage (Roberts 1994).
- * Regional Agreement proposal: this is one option for the resolution of Native Title issues being explored by Injinoo community. Such an agreement would need the support of all neighbouring communities and would require the development and implementation of a management strategy which takes into account the aspirations of local Aboriginal and Islander people, conservation issue, the concerns of developers, the tourism industry and government. There would be considerable benefit to the neighbouring communities in such an agreement as it would resolve issues relating to the long term access to resources and allow for each community's input in the management of resources. It should be stressed, however, that this is one option for the resolution of these issues.

a) Implications for resource management

Little has been done to document and understand the use of marine resources and the affiliation with the marine environment apart from a recent study by Smyth (1993), which was preliminary, due to constraints of time and funding. Considerable work remains to be done in this area.

b) Consultation procedures: Apudhama Association

The formation of this group has great potential to ensure that traditional natural and cultural aspects of land and resource management are taken into account in the day to day activities of Injinoo. This body is the logical starting point for developing principles to guide research undertaken in Injinoo Lands. Consultation regarding research should begin with this association.

5.3 Bamaga and Seisia community profiles

5.3.1 Introduction

The origin of Bamaga and Seisia on the mainland is similar for both communities. However, while their profiles have been combined due to a shared history they should in no way be regarded as a single entity in terms of resource needs or utilisation. They form two discrete communities with separate land tenures.

Both Bamaga and Seisia are relocated communities. Most residents do not traditionally come from this area, although the communities now have tenure over their lands through the DOGIT. Both identify as Islander communities and are presently members of the ICC. While many Bamaga and Seisia residents have now been born and lived their entire lives on the mainland, their Island origin is an important part of community identity.

In contrast to Bamaga where individual community members are affiliated through marriage or descended from the traditional owners who have married into the community. Generally the Bamaga and Seisia communities have little traditional affiliations to the land over which they now have tenure. Concern focuses on resource exploitation without much concern for the knowledge about and cosmological aspects of the landscape.

a) Historical backdrop to Bamaga and Seisia

The people of Bamaga and Seisia are originally from Saibai Island, a low lying island off the coast of New Guinea where freshwater and arable land is scarce. They relocated to the mainland in 1947 in the post war era. It was during the war, while enlisted in the army, that several Island men conceived the idea of returning and settling on the mainland (McIntyre²). It is highly possible that the decision to move was made in collaboration with the Queensland government.

Originally the idea was developed by men from three different islands: Boigu, Saibai and Duan. However only Saibai followed through with the move and not all Saibai people relocated because they could not bear to leave their homeland.

The new settlers set up a settlement at Muttee Head. The substantial army jetty there would have provided a good berth for their luggers. The army had also left a fairly large water tank constructed of timber bitumen and concrete. However, the freshwater still had to be carried by bucket for some distance to the homes and gardens.

In about 1948 discussions were held with the Department of Native Affairs, and the Saibai community (McIntyre²). As a result a person described as a Queensland land Inspector (probably a surveyor) was sent to assist in finding a suitable site for the relocation of the community. Representatives of the Saibai people, the Queensland Land Inspector, Jomen Tamwoy, Canon Bowie and a representative of the traditional landowners - Mr. Pablo set out to look at suitable areas. They went right down to Red Island Point and up to Ichuru. The advice from traditional owners was that Red Island Point was a good place close to the sea which would suit Island people. There are natural springs immediately behind the beach which are very reliable.

The Land Inspector, however, favoured Ichuru (the current site of Bamaga) as he said it provided a more abundant source of water. No doubt the more arable soil was also a factor as government later encouraged agriculture in this area. The government determined that the community would relocate to Bamaga⁵, however, not everyone was happy with being so far from the water especially as they operated two luggers. Mugai Elu determined to set up a small settlement at Red Island Point as advised by the traditional owners. This settlement formed the nucleus of the settlement known today as Seisia.

b) The era of government control

On the mainland these communities came into existence at the onset of this period. They arrived from Saibai in 1947, the Cape York Reserve was established in 1948 and they were relocated to the government selected site of Bamaga in 1949. These communities along with Injinoo came under increasingly tight governmental control, culminating in the 20 year period between 1960-1980. It is interesting to note, however, that each of the communities fared quite differently.

Bamaga was the site for the establishment of the government infrastructure in the Cape York Reserve area. This meant that hospitals, schools, the shopping centre and other light industries were all centred here. Consequently, employment opportunities were higher and housing was better than all the other communities.

Bamaga had a significant white population although for the most part the turnover in this sector of the population was high. Schoolteachers, nurses and departmental employees all lodged and worked in Bamaga. It is interesting to speculate on the longterm effects of this.

⁵ The village Bamaga was named after a member of the Saibai Island settlers who had worked for the DNA for many years.

Initially the community benefited through increased access to resources such as education, housing and employment. However the reserve life had overtones of clear paternalism and Bamaga people now feel they have learnt more in the last few years of independence than they did throughout the entire era of government control.

Seisia did not fare as well. Continuous pressure was applied by government for these people to move to Bamaga. In particular the community was denied housing in an effort to squeeze them out, until the 1980s when the government finally recognised Seisia as a community rather than a renegade camp of Bamaga people.

c) Contemporary identity

Each community identifies as an independent but familiarly related Islander community. Both Seisia and Bamaga have established CDEP programs although Bamaga's program does not enjoy as wide a community support.

Their location on the mainland means that these communities occupy a unique position in the ICC and probably leads to added difficulties in gaining support and resources as a result of their differences from the other island communities.

The legacy of the operation of the Department of Native Affairs (now restructured into the Department of Family Services and Aboriginal and Islander Affairs) is conflict between the Saibai Island communities on the mainland and their Aboriginal neighbours. While it is likely that this behaviour has roots in the pre-contact times, it is clear the Queensland government exacerbated the problem. This tension may sometimes be over-emphasised by outside observers and government officials who fail to recognise, however, that there has been a degree of intermarriage since co-existence on the mainland which allows some members of each community to move and interact quite freely in either community.

5.3.2 Contemporary use of natural resources in Bamaga and Seisia

a) Resources used

Seisia's DOGIT lands are extremely small. As a result, most resources (including hunting and fishing camps) used by the people of Seisia have been from outside the land over which they have tenure. For example, they used to regularly camp at Vriiya Point and Capt. Billy for oysters and fishing. There is some concern that this may no longer be allowed because these areas are part of Injinoo's DOGIT⁶. Seisia residents utilise many of the same resources, at some of the same locations as their neighbours. The same activities are carried out by members of the Bamaga community. At both Seisia and Bamaga there is a greater emphasis on the craft activities (such as carving and weaving) than in the other three Aboriginal communities. Craft items are made for personal use and sale to tourists. Some

⁶This matter can easily be resolved and has been in some instances by people asking the traditional owners of these areas for permission. In most cases such permission is gladly extended. The existence of Apudhama Association should make it easier for people to be sure that they have permission from the appropriate landowners. Current negotiations over the proposed regional agreement may also resolve such issues.

items such as spears and bows and arrows are bought from New Guinea on occasions. Activities pursued include:

Fishing (both men and women); shellfish (men and women); crayfishing (men); turtle hunting (men); dugong hunting (men); pig hunting (men); house gardens (men & women); yams (women); carving (men); weaving mats/baskets etc. (women); trade with Papua New Guinea (men).

Generally speaking, Seisia people access a wide range of resources via sea transport. They have maintained traditional trading links with Papua New Guinea which predate their relocation to the mainland. It should be noted that people do not like to reveal their favourite fishing, hunting and gathering places and speak rather in general terms. Therefore, the following list of places may be regarded as typical but in no way exhaustive.

Oysters: Possession (in the past - now no longer good for oyster), east coast, Escape River.

Wild Hibiscus: used in grass skirts for dancing is sometimes gathered locally but mainly traded with New Guinea.

Feathers: used for ceremonies/dances are also traded with New Guinea.

Pandanus: The pandanus used grows in the thick scrub. Used to get these from Galloways (now Mapoon DOGIT and access denied); Lockerbie scrub through to the Lodge; east coast (not preferred can only be harvested at certain times of the year).

Craft wood: Used to get trees from behind Galloways (approx. 4 trees per year). This area is now within Mapoon DOGIT and the resource is no longer available to Seisia.

Yams: around Galloways and the Sesia side of Umagico.

Coconuts: In the past when Sesia had luggers coconuts were gathered from distant islands. All the older coconuts around Seisia came from Boy Donkey (East coast way). Today coconuts are gathered from the original stock planted around Seisia.

Fishing: Patterson and Red Island (mainly women); Possession Island (men), beach north of Galloways where Tuckenoo and Laradynia Creek come out (men). Men fish at a wide range of places accessible by dinghy. Seisia also runs tourist fishing expeditions (specific locations unknown).

Mangos/gardens/springs: When the Saibai people first settled at Seisia they did so because there were reliable springs. These springs are located behind the beach, close to the current Council office (marked by large paperbark trees) and wells are located just south of the area known as Trallee and along the backroad to Umagico. At the latter two sites, the people of Seisia planted gardens and mango trees. None of these old wells have been included in Seisia's DOGIT.

While these springs and wells are a resource they are also seen as part of the communities identity. This is not surprising when one considers the importance of springs and wells in

Island culture where water is scarce and such places are normally associated with spiritual beings.

b) Places associated with resources - Bamaga

Bamaga's DOGIT is larger than that of Seisia and infrastructure is more substantial, however the sea is equally important to them. Currently the main access to the sea for Bamaga people is Seisia/Red Island Point.

During the operation of the NPA Reserve, Bamaga people established a number of camps around the coast line primarily for use on weekends etc. Some of these camps are still used. Small daytime and weekend camps have also been established on various small islands. Most of these camps are not included in Bamaga's DOGIT.

Pig hunting and bullock hunting are carried out over much the same land as used by Injinoo for this purpose.

The old reserve farm and orchards are located close to Bamaga township and are still utilised as a source of food.

c) Threats to these places

Potential threats to these places fall into the following categories:

Damage through infrastructure expansion, visitor damage, isolation due to other land tenure, environmental loss or damage due to a concentration of activities within small DOGIT areas.

Given the small size of Seisia's DOGIT, this community's resources require special attention. The threat of isolation of resources due to other land tenure for instance is particularly strong. In practice, northern Cape York is not a place where people would ever go hungry because of delineation of land tenure. Subsistence hunting and gathering is not challenged on the two largest land holdings i.e. Injinoo and Bamaga. However conflict over access to resources have arisen over exploitation of resources for economic gain. Seisia has several tourism based projects which require some use of resources not included in their DOGIT i.e. fishing tours and craft works such as carving. New Mapoon has recently refused permission for Seisia to remove trees for carving, in the past Injinoo has denied access to certain places for fishing tours. It is important that such issues be resolved as they are currently contributing to tensions between the communities. The matter is further complicated by the provocative and interventionist behaviour of some white contractors/employees who run such enterprises. Such individuals have in the past given media interviews which relate in headlines such as "Cape Fear" and urge tourists to get in quick to visit Cape York because if Injinoo has their way the area will be closed to whites etc. Such scare mongering does not benefit any of the communities in the long run.

Consideration should be given to holding workshops between all communities to commence discussions regarding resource use. This information would also be useful in the exploration of the option proposed for resolving Native Title issues through a regional agreement. To

allow people to freely discuss issues important to them, it would be preferable if white residents/advisors/employees did not attend.

d) Community management strategies

Seisia is currently preparing a tourism management plan to identify viable economic tourism activities. Given Seisia's small land holdings it is likely that this study will focus on economic viability however it is also important that the issue of environmental sustainability is addressed.

Seisia does not have a ranger program at the present time and due to their small landholdings does not see the need to participate in such a program. In light of their interests in accessing resources outside their DOGIT this decision should be reviewed. It could be argued that if they use resources they have a responsibility to contribute to their management. The community would also have an input into the future use and management of resources through participation in the ranger program.

Bamaga on the other hand has recently employed two rangers. These rangers tend to work closely with Injinoo Rangers (another Bamaga person is also employed as an Injinoo Ranger). This relationship is likely to strengthen if the proposed regional agreement is endorsed and the other communities take a greater role in land management activities.

e) Implications for resource management

Further work is required to document the contemporary use of resources by Bamaga and Seisia people. This information should be collected and incorporated into the Plan of Management currently being prepared for Injinoo Traditional Lands. It is important to get a clear understanding of the resource needs of these communities in order to provide adequately for the future and safeguard the natural and cultural resources. Discussions between representatives of Bamaga and Seisia and the Apudhama Association would be useful in this regard.

5.4 Community profile - New Mapoon

5.4.1 Introduction

New Mapoon is an Aboriginal community which was relocated to this area from further down the west coast in 1963. It has a population of approximately 350 people and is situated halfway between Bamaga and Seisia on the road to Red Island Point.

The Mapoon people originally shared a border with the Seven Rivers people of Injinoo. There is evidence that the northern most Mapoon groups and the Seven Rivers people exchanged marriage partners. This practice continues today and there are several intermarriages between Injinoo and New Mapoon people.

a) Historical backdrop to New Mapoon

In 1963, the Queensland government determined to relocate the people of Mapoon so that their traditional lands would be freed for bauxite mining. The debate about whether to close down Mapoon and/or Weipa Mission had been continuing for some time prior to this decision. Churches were finding it an increasing burden to maintain the missions and the Queensland government was unsupportive.

It is ironical that the anticipated mining activity did not take place at Mapoon and in the 1970s there was a definite move back to their land by many of the people. There was no infrastructure remaining at the site and a new settlement was established at Redbeach.

The forced removal of the people of Mapoon was a joint Church and government effort as is seen from this statement from the Queensland Church Authority:

In our judgment, made with knowledge and responsibility the issue for the Mapoon people is simply two alternatives - to remain or to leave. To remain is to retrogress; to leave is to progress (Roberts 1975 Book 2 p89).

The people were removed by force at night by ship they were moved originally to Bamaga but were not comfortable there. The community of New Mapoon was established at Mandingu (also known as Charcoal Burner) halfway between Bamaga and Red Island Point.

The story of the Mapoon removal has been told in detail elsewhere (Roberts 1975). At the time of the removal some people had already left to live at Weipa, and today there are strong links between New Mapoon and Weipa and considerable movement between the communities.

As was the case in Injinoo 'Aboriginal' names (Tjungundji, Yupungatti and Tanikutti) were recorded for the pre-contact (pre-mission) era. However English names related to place are the terms which have been handed down and with which people most easily identify today. Mapoon people identify as part of one of the following groups: Baravia, Con (Coen) River, Pine River, Pennefather. A direct match between these terms and the precontact groupings is problematic.

b) Contemporary Mapoon identity

Many of the older people of New Mapoon identify heavily with their homeland and indeed several have returned to Old Mapoon. However younger people do not want to return seeing the place in which they have grown up as "home". As Old Mapoon grows and with the freedom to travel since the end of the Queensland Reserve system, combined with an increase in resources such as vehicles, there has been an increasing amount of travel between the two communities. Many young people travel to old Mapoon for hunting etc.

Terms relating to Old Mapoon have been incorporated into modern day New Mapoon expressions where young people describe themselves collectively as "Punja People"⁷ and the football team is known as Tjonkandji [*sic* Tjunguntji] Brothers.

There are no traditional Mapoon language speakers at New Mapoon. The speaking of language was not allowed on the old mission. While the older people speak English, the younger people speak 'Broken' (Cape York Creole), the *lingua franca* of the area.

c) Contemporary use of natural resources at New Mapoon

Fishing (both men and women); Crayfishing (men); Turtle hunting (men); Dugong hunting (men); pig and bullock hunting (men); House gardens; yams (women); shellfish (men and women); exchange of items with other communities; rindi - freshwater tortoise (women); magpie geese and ducks (men).

At New Mapoon dancing is restricted to tombstone openings and is generally Island dance style. Materials for dancing are not a significant resource use. However palms and plants are collected to decorate places for feastings and dances (usually gathered by the men)

d) Places associated with these resources

The New Mapoon DOGIT is bordered by Injinoo, Bamaga, Seisia and Umagico. Hunting activities occur throughout Mapoon DOGIT and into parts of Bamaga and Injinoo DOGIT. Again in no way can this list of places be taken as exhaustive it provides an idea of the range of places utilised only.

Fishing: the jetty at Red Island Point (especially women), Galloways, Loyalty Beach, reefs and small islands.

Dugong: McDonnell (McDonald) River, Cockatoo.

Turtle: Archer River mouth

Rindi (freshwater turtle): Possession Island, Old Mapoon Swamps.

Geese & Ducks: Old Mapoon

Shell fish: various places including Escape river

Bullock and Pig: All over, especially East coast

e) Threats to these resources

As many of the places used by New Mapoon people are not within country over which they hold land tenure potential threats to these resources include possible government policies

⁷Punja is a water lily which grows in Old Mapoon swamps and is a favourite food.

regarding conservation of native fauna (e.g extension of green zones GBRMPA); changes in access controls by agency or community that holds tenure, infrastructure development along coast within Mapoon DOGIT, overuse of resources where multiple communities carry out hunting or gathering. In relation to resource use on New Mapoon DOGIT there is some concern in the community that use by neighbouring Aborigines and Islanders will reduce the resource available to Mapoon people.

f) Community management strategies

Any assessment or management of resources should be made with an understanding of the Mapoon's inter-relationship with other communities i.e. who is using a place, exploiting what resources, when?

5.4.2 Specific strategies

Leap Program/ Loyalty Beach: the community carried out a clean up of this area as part of its redevelopment as a tourist and local camping area.

Moratorium on use of Mapoon DOGIT by other communities: this controversial move to prevent people from the communities from hunting camping or extracting resources from Mapoon DOGIT may assist in reducing environmental stress on the area.⁸

Mapoon Ranger Program: includes training for rangers in information relating to traditional resource management at Old Mapoon (training by Mapoon elders) and in aspects of traditional management relating to the local area (training by Injinoo Elders).

Apndhama Association: Several community members are members of this association through marriage affiliations or traditional links with Seven Rivers country.

Use restrictions at Laradynia: several years ago the Mapoon Rangers fenced off and restricted access to the Laradynia swimming hole to protect it from further environmental damage. Use of the area is still monitored.

a) Implications for resource management

The people of Mapoon have strong traditional links to their homelands at Old Mapoon. This attachment is demonstrated today by increased mobility between the two communities. Seasonal visits are made to Old Mapoon to hunt for geese and duck. This activity needs to be taken into account in any cultural or natural resource management planning at Old Mapoon.

Mapoon has developed a discrete but inter-related identity amongst the northern Cape York communities. In particular there are several strong marriage alliances between Injinoo and

⁸It would be desirable for this to be assessed in the context of the Plan of Management of Injinoo Traditional Lands. Obviously other communities need to utilise resources. Are there other places with these resources which are more suitable.

New Mapoon. It is important that resource use by Mapoon people (outside their DOGIT) is taken into account in the Plan of Management for Injinoo Traditional lands.

Greater opportunities for joint resource management are likely should the Regional Agreement proposal be endorsed.

5.5 Community profile - Umagico

5.5.1 Introduction

Umagico is situated approximately 4km from Injinoo on the road to Barnaga. It has a population of approximately 250 people. The people of Umagico or Alau (as it is locally known) come from a variety of cultural backgrounds : Lockhart River, Port Stewart, Boigu, Badu, Maubiag, Yorke Islands and Injinoo.

5.5.2 Historical backdrop to Umagico

The community of Alau was established in the early 1960s following the forced removal of people from their land at Port Stewart in 1961. These people were removed under false pretences following a long drawn out campaign by the executors of the estate of Mr. H.J Thompson of Silver Plains, to remove the traditional owners from their land. The removal occurred despite the repeated statements by the local Protector of Aborigines that they did not want to be moved and were causing no trouble.

I know that they [Port Stewart Natives] are easily the most tractable and honest Aborigines in this Protectorate, where incidentally it is exceptional to find fault with the behaviour of the natives generally.⁹

Despite this statement and others like it the people of Port Stewart were told that they were going for medical treatment to Thursday Island, loaded on the Melbidir and dropped off at Cowal Creek. Initially they camped close to Cowal Creek but eventually a new settlement was established at Alau. Harry Liddy and several others at one stage tried to make their own way home but were rounded up and bought back.

Several years later in the mid 1960s, some Lockhart people were also moved up to the village as it was intended that Lockhart would close down. Certainly the 'Old Site' at Lockhart was destroyed but the settlement was relocated closer to Iron Range air strip. Over the years many Lockhart people have returned to their country. The village was named Umagico around this time after a story place "Umagi" at Lockhart River.

From the mid to late 1970s a number of Islander families have moved into the community (usually via Injinoo). Most of the people are Kaurareg who had themselves been moved from Hammond to Moa Island. There are strong ties between Injinoo and the Kaurareg dating back

⁹ From a memorandum from A.V Moylan/Protector Coen to the Director of Native Affairs 20/7/1955 in response to allegations from Mrs A.E. Prideaux.

to pre-contact times. There are also strong ties with Badu dating from 1936 when Jomen Tamwoy arrived as a school teacher in Injinoo

b) Traditional affiliations

While most of the Lockhart families have moved back and some of the Port Stewart families have moved to Coen. Umagico retains very strong links with these two places. There are close ties also with Kaurareg people especially from Kubin on Moa Island.

Of all the communities in the northern Cape York area, Umagico is closest socially to Injinoo with many young people choosing marriage partners from one or the other of these communities. There is also at least one Seven rivers and one McDonnell family in the community.

c) Contemporary use of natural resources

There is little distinction between the resources used and the way in which they are used, between Umagico and Injinoo. Although there are some people who collect medicine grass to make dilly bags, and other individuals who make artefacts such as spears, woomera and boomerangs. The places where resource use activities are carried out are the same as for Injinoo.

d) Threats to these places

See Injinoo. There are little or no tensions between these two communities over the use of natural resources. In issues relating to cultural resources Umagico people usually consult with the traditional owners. Due to close affiliations between the two communities there is a good knowledge of who can speak for what land. Between the two neighbouring communities of Injinoo and Bamaga there is generally a high degree of confidence that protocols regarding resource use on each others land will be observed.

It is worth mentioning that in the move to develop and expand the village some items of historical value have been lost. As part of their planning process it would be desirable for the community to give consideration to conserving items with special value e.g the church. It is unfortunate that one of the old pensioners huts was not conserved as it could have been a powerful symbol of the struggle by Umagico people to survive under the Queensland reserve system.

e) Community management strategies

Ranger program: Umagico has participated in this program in the past but does not currently have any rangers. There have been no specific cultural or natural resource management strategies implemented by Umagico. This community has been undergoing a period of rapid infrastructure development in the past few years after having been neglected throughout the Departmental Reserve era and such activity has had priority over broader land management issues.

f) Implications for resource management

It is important for Umagico to identify those resources, cultural as well as natural which help define its identity and protect these places in future planning and expansion. This would include conserving elements of the old village. As many people in Umagico have close ties to Injinoo and are likely to share the resources owned and managed by Injinoo it is important for them to participate in the management of those resources.

5.6 Recommendations

There are at least three major challenges facing the communities in northern Cape York at this time. The first of these involves the need to resolve competing interests in resource management and needs. During the reserve era, people from all communities were equally able (or not) to exploit resources even though there is an established and historical use of resources and places. The establishment of the DOGIT boundaries resulted in the delineation of community boundaries and in some instances, the resources used by members of some communities may now lie outside of their DOGIT. This is exacerbated where the DOGIT is small or has limited spread of resources. Tensions currently exist between communities regarding such matters, and this is heightened by the changing economics of the region.

The second major challenge facing all communities, both collectively and separately, is connected with boundaries. This is the problem of managing the large numbers of tourists and other visitors that seasonally visit the area. Individual communities are considerably taxed by the impact of visitors, both in terms of the natural and cultural resources and in the provision of infrastructure to cater to this need. Given that tourists tend to impact on all communities, there is a need to develop strategies as a group, as well as individual communities.

The third major challenge involves provision of a planning and infrastructure within villages in order to minimise impact and maintain acceptable levels of biodiversity in the immediate surrounds. Some communities have grown enormously over the last seven years (e.g Injinoo populations have almost doubled), following the breakdown of the Reserve system and the movement back to communities. This has resulted in the provision of houses, roads, services and facilities which in some cases have dramatically altered the village landscape. In addition, these changes have been driven by urgent needs as all communities were enormously under-resourced when government control was relinquished.

Underlying all of these challenges and their potential resolution is the complexity of traditional affiliations and the movements (both voluntary and involuntary) of people during the colonial period. This complex cultural base has been further complicated by ties of marriage, adoption etc. which blur community boundaries and identities. As well, the era of government control forged a shared and repressive experience, although there was favouritism shown to some groups to the exclusion of others.

Given the shared nature of the challenges listed above, reconciliation of these differences (and similarities) is an immediate priority. This is essential for the development of decision making processes which do not disenfranchise traditional rights and yet recognises historical

attachments. It is therefore suggested that a workshop, or series of workshops is required to address some significant issues in relation to resource use and management. It may be advisable however to make some recommendations concerning such a workshop. Firstly, it should aim to establish local needs and priorities in the absence of scientific, economic or heritage models of management. Often, the hegemony of these models precludes the true development of indigenous systems. It is therefore recommended that this workshop should be restricted to people from northern Cape York, without the influence of people from other agencies, cultural backgrounds and interest groups. Secondly, given the complexity of cultural backgrounds and colonial experiences, the structure of any agreement should acknowledge and privilege the rights of custodial owners, primarily because those with traditional affiliations are likely to view resources as an integral part of the social landscape, which encompasses stories, beliefs, language and practices. Those people without these associations to land may at times view resources solely for their economic value without the cultural context in which they are embedded. The structure of the workshop should take this into account, perhaps with provision for private sessions for particular cultural groups.

The workshop should ideally be a creative process, primarily aimed at the establishment of individual and group responsibilities and processes through which communities can achieve these in relation to resource use and management. One of these might be the seasonal practice of 'burngrass'. This is currently a broad range of practices undertaken in 'burngrass time' and there may need to be some consideration given to this. Custodial owners may wish to specify particular practices undertaken in their lands. Some specific issues which could be addressed include the duties of rangers, especially the need for rangers to work across DOGIT boundaries to obtain a broader view of land management requirements. In addition, if communities share the use of resources there is an obligation to share in the responsibilities of their management. It may also be useful to have the rangers undertake an anonymous survey on resource use which could be incorporated into plans of management (such as the Plan of Management of Injinoo Traditional Lands) undertaken by communities.

Finally, the Cape York Land Council is currently exploring the suitability of a Regional Agreement to resolve Native Title Issues in the northern Cape York area. Such an agreement would be a step forward in terms of establishing equitable sharing of, and access to resource use and land management. This is however the beginning of this process and further initiatives will be necessary.

5.7 References

- Fuary M 1993. Draft register of people who appear in the draft family trees. Unpub. and confidential report prepared for the Injinoo Lands Trust (now the Apudhama Association).
- Fuary M and S Greer 1993. Preliminary report on families and people's connections to country for the community of Injinoo, Cape York Peninsula. Unpub and confidential report prepared for the Injinoo Lands Trust (now the Apudhama Association).
- Greer S 1994. Archaeology in Coastal Cape York: and historical backdrop to research. Paper presented to the Australian Coastal Archaeology Symposium: Current Research and Future Directions, September 1994.

- Harper H 1992. Injinoo Ikya Word List. Unpub. report to the Injinoo Community Council.
- McIntyre S 1994. Conservation Plan Somerset Historic Site. Unpub report prepared on behalf of the Injinoo Aboriginal Community.
- McLaren J 1926. *My Crowded Solitude*. Melbourne: Sun Books
- Moore D 1979. *Islanders and Aborigines at Cape York*. Canberra AIAS.
- Roberts, JP, Russell, B & Parsons, M. 1975 (a). *The Mapoon Story by the Mapoon people*. International Development Action: Fitzroy.
- Roberts, JP, Russell, B & Parsons, M. 1975 (b). *The Mapoon story according to the invaders*. International development action: Fitzroy.

CHAPTER 6

THE SEA OF WAUBIN: CUSTOMARY MARINE TENURE, TRADITIONAL KNOWLEDGE OF THE MARINE ENVIRONMENT, AND CONTEMPORARY FISHERIES PROBLEMS IN THE WATERS SURROUNDING THE KAURAREG ISLANDS

Michael Southon and the Kaurareg Tribal Elders

CHAPTER 6

THE SEA OF WAUBIN: CUSTOMARY MARINE TENURE, TRADITIONAL KNOWLEDGE OF THE MARINE ENVIRONMENT, AND CONTEMPORARY FISHERIES PROBLEMS IN THE WATERS SURROUNDING THE KAURAREG ISLANDS

*Michael Southon (Cape York Land Council)
and the Kaurareg Tribal Elders*

CONTENTS

6.1	Introduction	6-1
6.2	Customary marine tenure	6-1
6.3	Traditional knowledge of the marine environment	6-4
6.3.1	Tides and currents	6-5
6.3.2	Seasonality of resources	6-6
6.3.3	Specific locations for hunting and fishing	6-7
6.4	The Kaurareg fishing economy and the fisheries of the Torres Strait	6-8
6.4.1	The contemporary fishing economy on Horn Island	6-8
6.4.2	Torres Strait fisheries	6-9
6.5	Fisheries management problems in the Kaurareg seas	6-11
6.5.1	Pollution	6-11
6.5.2	Other issues	6-14
6.6	References	6-15
Map 1	The Kaurareg Islands, showing Ipili and Waubin off the northeast side of Hammond Island	6-17
Map 2	The Kaurareg sea territory, from Ngiangu in the west to Warrar in the north and Kagar reef in the east	6-18
Map 3	The Torres Strait, showing the Protected Zone boundary	6-19
Map 4	Horn Island, showing the area affected by the Horn Island Gold Mine	6-20
Figure	16-21

6.1 Introduction

In attempting to reconstruct the social institutions surrounding ownership and control of the marine environment of the Kaurareg¹ it should be born in mind that the Kaurareg have experienced an extreme degree of social and cultural dislocation since the arrival of Europeans in the Torres Strait in the 1870s. As a result of the massacre of the crew of the *Sperwer* at Wednesday Spit between Wednesday Island and Hammond Island in 1869 (Sharp 1992:30), the Kaurareg on Prince of Wales Island (Muralag) were in turn massacred, almost to the point of extinction (Sharp 1992:70, Singe 1979:169). It was later discovered that the killing of the *Sperwer's* crew was carried out not by Kaurareg but by the Kulkaigal of Naghi island (Sharp 1992:72, Singe 1979:168). But by this time only a handful of Kaurareg were left on Muralag. The survivors were moved to Hammond Island (Kiriri). Kiriri was subsequently chosen as the site of a Roman Catholic Mission and in 1922 the Government moved the Kaurareg at gun-point to Moa island.² The Kaurareg lived on Moa island until 1947 when one of the Kanrereg elders - Elikiam Tom - attempted to move back to his country on Kiriri. Upon his return to Kiriri, however, Elikiam Tom was told by the Catholic Father in charge of the Catholic Mission on Kiriri that he could only stay on the island on the condition that he converted to Catholicism. Not wishing to do this, Elikiam Tom moved to Horn Island (Narupai) and was soon joined by other Kaurareg elders from Moa who, on their own initiative, started building a 'model village' at the site now known as Wasaga village. In 1950 the Government decided to move the Kanrereg away from Narupai for the same reasons "that had led to the forced removal of the Kaurareg from Hammond Island" in 1922 (Sharp 1992:116). The Department of Native Affairs proposed to re-settle the Kaurareg at Red Island Point on the mainland but this time the Kaurareg stood their ground and they remained on Narupai (Horn Island).

6.2 Customary marine tenure

In this report CMT is taken to refer not only to the ownership or control of areas of the sea, but also (and perhaps more importantly) to the ownership or control of marine species; an important issue in sea tenure is that the sea is not the resource itself but merely the medium in which the resource moves (Southon 1989:367).

The traditional use and control by the Kaurareg of their marine environment can only be understood in the context of their beliefs about ancestral spirits and the supernatural order.

-
- ¹(a) This paper focuses on the Kaurareg living on Narupai (Horn Island). There are smaller numbers of Kaurareg living on other islands in the Torres Strait: Moa Island (at Kubin), Thursday Island, Hammond Island, and Friday Island. On the mainland there are Kaurareg living at Injinoo, Bamaga, Weipa, Townsville, and Darwin.
- (b) Some of the words in this report are not Kaurareg but belong to other language groups, to the north and east. The Kaurareg language has close affinities with Australian languages (Haddon 1935:290) and indeed Kaurareg themselves refer to it as 'Aboriginal' in contrast to 'Torres Strait language'. As a result of the forced removal from Hammond Island to Moa, Kaurareg people lost some of their own words and adopted words from the people of Moa.

² The removal from Hammond Island reflected a general tightening of racial segregation following the First World War, and was part of the 'betterment scheme' whose purpose was to save 'the native' from 'hopeless contamination' through 'complete segregation' (Sharp 1992:110).

Central to Kaurareg marine tenure is the mythological figure **Waubin**, whose exploits provide the charter for Kaurareg tenure of both land and sea. **Waubin** was a warrior and a giant who came from Central Australia to the island of Muralag which was already inhabited by a number of other mythological figures, also warriors. **Waubin** either killed these individuals or chased them out to sea, acquiring their wives in the process. **Waubin** was turned into stone and his metamorphosed body lies off the northeast end of Hammond Island as a rock named **Waubin** (Hammond Rock). There, as an outpost of Hammond Island, **Waubin** protects the islands to the south from intruders. He sends a strong current through the Prince of Wales channel which is said to discourage outsiders from venturing further south into the Kaurareg area. This deep channel, which runs along the north side of Hammond Island, is known as **Waubinin Malu**, or 'The Sea of Waubin'.

Though **Waubinin Malu** refers specifically to this channel on the north side of Hammond Island, Kaurareg people also use the term in a more general sense to refer to the whole Kaurareg sea territory. During his battle with the warriors on Muralag, **Waubin** encountered **Badanae** - a warrior of very small stature - who darted between **Waubin's** legs and sliced off his right leg with the bamboo knife *upi* (Sharp 1992:105). The blood from **Waubin's** leg was carried by the currents throughout the waters surrounding the Prince of Wales group of islands. Wherever the blood from **Waubin's** leg was taken became **Waubin's** territory; thus it is that the whole sea enclosing the Kaurareg islands is called **Waubinin Malu**.

Though there is ambiguity about the extent of the traditional Kaurareg sea territory (see Map 1), some points are clear. In the north the Kaurareg sea extended as far as the channel between Warrar (Hawkesbury Island) and Dollar Reef (Dollar reef belonged to the people of Moa). On the south side of Hawkesbury Island is a rock which represents **Pitulai**, a warrior who fled Muralag Island, driven by the ever-jealous **Waubin**. On the west side of the island lies another rock which represents **Ibibin**, another warrior who fled Muralag for the same reason. These two mythological figures are said to mark the northern extent of the Kaurareg sea territory:

He (**Waubin**) sent them (**Pitulai** and **Ibibin**) out to the island, they in that place, that's identification for Muralag ... that **Pitulai** and **Ibibin** (Billy Wasaga, Kaurareg tribal elder).

In the west, Kaurareg sea extended as far as Booby Island where there is a rock that represents **Ngiangu**, another warrior who was chased off Muralag by **Waubin**. Billy Wasaga described the role of **Ngiangu** as a boundary marker:

That what he stand there for, stop there, that's Kaurareg district, let the other people know that as a far as boundary, you know, for this way boundary (Billy Wasaga, Kaurareg tribal elder).

The southern boundary of **Waubinin Malu** is less clear, perhaps reflecting the fact that Kaurareg traditionally had much better relations with their southern neighbours than with the peoples to the north (Singe 1979:164). For example, the turtle hunting grounds on the islands south of Muralag, though they belonged to the Kaurareg, were shared with the Gudang people of the mainland.

Though Kaurareg conceived of their boundary as a number of significant sites rather than a line, informants say that Kaurareg people always knew whether or not they were in their own sea territory or that of a neighbour. For example, people state that Kaurareg traditionally would not fish or hunt north of Hawkesbury Island, and would kill anyone from the north who fished or hunted south of Hawkesbury Island.

Within the Kaurareg sea there appear to have been no further spatial divisions governing ownership of the marine environment. Rather, the 'Sea of Waubin' was held in common by all the related clans inhabiting the Kaurareg islands. Each inhabited island had a chief or *mamus* but there was also an overarching *mamus* for the whole Kaurareg people. By some accounts this chief *mamus* governed the use of the fishery. For example, he would use sorcery to call up dugong and then allocate a certain number of dugong to be taken by each community. Communities which took more than the quota assigned by the chief *mamus* were punished. There was a strong ethic of taking from the sea only what was required to satisfy immediate needs. Indeed, a principle of Kaurareg marine-lore is that one can only fish or hunt successfully when one is hungry. There were strong sanctions, enforced both by the elders of the *kerrnge* and by the chief *mamus*, against extravagant exploitation of species.

The use of sorcery to call up species was an important element in the Kaurareg management of their marine environment. This practice can be considered an aspect of marine tenure, since it involved the control of access to marine resources. As well as dugong, turtle were also called up by the use of sorcery. On Moa Island there is a rock in the shape of a turtle's back which elders used to rub with a liquid made from the *salalay* tree during *saulal*, the turtle-mating season. It said that within five minutes of this ritual being performed, turtles would start coming ashore at a nearby beach.³

The calling up of species is still an important feature of Kaurareg hunting and fishing. It is often said that only people who know how to 'talk to the country' - whether on land (*murrup*) or sea (*malu*) - are able to hunt or fish successfully in a given locality.

Kaurareg people state that the waters within the Kaurareg sea territory were regarded as a common resource to be shared by all Kaurareg. However, the institution of *gangarr* shows that on an informal level there was (and is) some kind of individual tenure of the sea. A *gangarr* is a fishing spot where a particular individual regularly fishes. Some *gangarr* are a closely guarded secret and are handed down to a man by his father, together with a spell or magic formula that ensures good fishing. A further example of marine tenure below the level of *Waubinin Malu* was the ownership of stone fish-traps. There were at least two stone fish-traps in Kaurareg waters: one in the Bay of Siziri on the north side of Hammond Island and another at *Tani butu* (*butu* means 'beach') on the south side of Hammond Island.

³While I was on Horn Island, news arrived from Moa that this stone had been bull-dozed into the sea by the local Government Authority to make way for a housing development.

6.3 Traditional knowledge of the marine environment

One of the most important institutions in Kaurareg society was the *kerrnge*,⁴ a 'school' whose function was the transmission of mythology and traditional knowledge about the marine environment from elders to young men. The main informant for this report - Billy Wasaga - did not pass through the *kerrnge* as it had already ceased to function by the time he was a young man.⁵ However, his father did go through *kerrnge* and passed on some of his knowledge to Billy. Billy said on a number of occasions, though, that his knowledge of the stars and tides and the behaviour of marine species is only a fraction of what it would have been had his people not been removed from Hammond Island.

These people in this area, they studied water and tide, that's what I tell you about *kerrnge*, they know which place to go to in which time, that's why they study them two, for that sort of thing. They lived on the water! Their life, that was their food, in the water! (Billy Wasaga, Kaurareg tribal elder)

The elders of the *kerrnge* taught by instructing the young men to go out and catch certain species from certain places at certain times of the year. The young men would always find what they had been told to catch, at the specified location; such was the knowledge of the elders who taught them. However, they had to bring back the exact number or quantity of the species which the old men had specified, or face punishment:

.. they send him out (the elders of *kerrnge*), they see that tide and after they tell him alright you go and get some fish, alright, and they tell him don't spear any fish, only one fish they send him for spear that one, they don't kill lot, just one kind, and if he can't find that one...but he will find it, because they send him at the right time, the tide is there, the fish will come on top, they get it, ... for the dugong same thing again, send him out at night, "you take one, not more than one", they go out, get it, bring him home, they say "one" or "get more than one", well they get it, but they get the number, the figure, how much they bring him in, got to bring the same figure, not more not less, exactly what they said, its a training. (Billy Wasaga, Kaurareg tribal elder).

⁴ Barbara Thompson, who was the sole survivor of a wreck in the Endeavour Strait in 1844 and who spent nearly five years living with the Kaurareg on Muralag island, referred to the *kerrnge* as 'karnie' or 'karney' (Moore 1979:149). Haddon refers to it as 'kernge' (Haddon 1935 vol. 1:p.70).

⁵The *kerrnge* seems to have fallen into abeyance at the time of the forced removal from Hammond Island. Billy Wasaga states that at the time of the removal a number of young men were undergoing *kerrnge*; Lou Bagie (now deceased) had completed part of the *kerrnge* while Jimmy Kaur was a candidate for *kerrnge* but had not yet entered.

6.3.1 Tides and currents

Johannes and Macfarlane note that tides in the Torres Strait Islands are "complex, pronounced, unusual and unpredictable" (1991:16). They go on to observe that "Numerous reefs, banks and islands accentuate the tides' effects, generating swift, complex currents that strongly influence the Islanders' choice of methods for fishing and for hunting dugong and turtle" (loc cit). This fact of the marine environment is reflected in a well developed Kaurareg vocabulary for tides and currents.

Kaurareg people distinguish between at least six different kinds of tide: **Gat** (very low), **seisam** (low), **kaur** (high), **silel bad** (very high), and **yabagar** (highest). **Yabagar** occurs only in the northwest monsoon or **kuki**. In between **seisam** and **silel bad** is another tide whose name people could not remember. **Seisam** is a particularly good tide for collecting crabs as the roots of the mangrove trees are left exposed for about a week.

Tides which flow with the wind and against the wind produce different surface conditions. When the tide is running in the same direction as the wind it is known as **kulis**; when it is flowing in the opposite direction to the wind it is known as **gutat**. The interval between tides when the water becomes temporarily still is known as **kas**.

An example of how the Kaurareg used detailed knowledge of the tides in the exploitation of the marine environment concerns the catching of turtles on **Katainab** reef. From a hill on the south side of Hammond Island called **Zangaita** (Bruce Point), Kaurareg elders had a clear view of **Katainab** reef, the first of the three reefs lying on the north side of Hammond Island. Inside **Katainab** reef is a lagoon called **Dudunli** (lit. 'The Basket'). A certain tide would take turtle into this lagoon and then leave them stranded there when it receded. From their vantage point at **Zangaita** Kaurareg elders would observe the tide and at the right moment would send young men in canoes around Hammond Island to **Dudunli**, knowing that by the time they arrived the tide would be down and the turtles trapped.

A senior elder explained that tides are of general importance in the catching of turtle. When they find themselves in strong tides or currents, turtle will always seek the security of reefs or islands to avoid being taken too far out to sea. Certain reefs and islands between Muralag and the mainland are known to be good places to find turtle when certain strong tides are running.

Knowledge of tides is also essential for catching fish. As is discussed below, Kaurareg have a repertoire of **gangarr** - places known to be good for catching certain species of fish. But this knowledge is not enough in itself, for each **gangarr** is associated with an optimal tide; it is knowing the combination of place and tide that determines success in fishing.

Off the northeast of **Kiriri** (Hammond Is.) lies a group of rocks called **Ipili** (see Map 2), which represent **Waubin's** wives. Some distance further out to sea lies a single rock which is the metamorphosed body of **Waubin**. When the tide is flowing southeastwards past Hammond Island towards Horn Island, a current is generated which acts as a backwash, flowing from **Ipili** around the eastern side of **Waubin**. When the tide is running in the other direction (ie, flowing northwestwards from Horn Island to Hammond Island), the same

phenomenon occurs in reverse; a current runs from **Ipili** around the western side of **Waubin**. This current - which always flows out from **Ipili** to **Waubin** - is called **Muibubu**. Its existence is grounded in mythology. **Waubin** placed his wives at **Ipili** and then he himself went and stood out to sea forming **Hammond** rock. **Waubin** - known for his jealous guarding of his wives - so positioned himself that anyone wanting to see his wives would have to encounter him first. Thus it is, **Kaurareg** people explained, that whichever way the tide is flowing, a 'back current' will always take you back out from **Ipili** to **Waubin**.

As can be seen from the above account, currents are thought to be caused by ancestral spirits. In some cases currents can be slowed down by making offerings to the spirits associated with them.

Just off the northeast corner of **Muralag** (Prince of Wales Island) is an oblong rock named **Kiwain**. In the narrow gap between **Kiwain** and **Thursday Island** the sea boils up, probably the result of the meeting of several different currents. In the days when heads were an important item in the trade between **Torres Strait** and **New Guinea**, the victims of **Kaurareg** head-hunting raids were beheaded on this rock. Their bodies were thrown into the sea, thereby 'feeding' the current and slowing it down.

Somewhere between **Hammond Island** and **Moa Island** is an area of sea which **Kaurareg** people describe as being 'boxed-in' by currents on all four sides. **Kaurareg** people still placate the spirit of this potentially treacherous patch of sea by throwing bread into the water or by lighting a cigarette and throwing it into the sea.

6.3.2 The seasonality of resources

Kaurareg divide the year into two main seasons: **sagerr** and **kuki**. **Sagerr uthonar**, the 'time of the southeast winds', lasts from the end of **March** through to **November**, while **kuki uthonar**, the 'time of the northwest winds', lasts from **December** to **March** (Figure 1).

During **kuki** or 'northwest time' the **Kaurareg** traditionally concentrated on dugong and avoided eating most species of fish. A species of jellyfish appears during the northwest monsoon and is eaten by turtle and by many species of fish. Eating the flesh of these species causes the skin to swell up and become itchy. The herbivorous dugong - feeding exclusively on sea-grass - are unaffected by the jellyfish. Some species of fish - especially those living in creeks and swamps - do not feed on jellyfish and are therefore targeted in **December**, **January** and early **February**. These are the File Stingray (**tuknui**), two species of Mullet (the Silver Mullet, **makerr**, and the Big-Scaled Mullet, **murogodul**), Leatherjacket (**karmui**), Grunter (**zarram**), Bonefish (**kube**), Garfish (**zaber**). During the northwest season **Kaurareg** would also gather and eat mangrove seed pods (**beu**).

In the middle of the northwest (**kuki**) season - in the month of **January** - two stars appear in the early morning. These stars represent the mythological figure **Dogai**, a woman who 'gathers every tucker from the sea and puts him in one place'. The appearance of **Dogai** signals that the jellyfish are gone and that it is safe again to eat fish. After these stars appear, shallow waters are said to be teeming with fish and other marine life. However, though the jellyfish are gone, the waters are dirty from **March** to **April**, making it difficult to spear fish.

Towards the end of February another constellation of stars - **Zugubal** - appears in a certain position in the southern sky, indicating that the southeast winds are imminent. **Zugubal** takes the form of a shark (**baidam**). When the shark stands on its tail the **sagerr** season is about to start. **Sagerr** lasts from April through to October and is said to be a time of plenty; all species of fish are 'fat', as are crabs, mussels and bailer shells; the water is clear, and at the same time there is abundant 'bush tucker'. Many plant species - whose shoots appeared in October of the previous year - are now ready to harvest. In particular, two species of yam - **kutai** and **saur** - are harvested in the months following April.

In August the southeast winds abate and the weather turns fine. In September the winds become northerly (**naigai**) This is known as the period of 'hot sun'. From the end of August to the beginning of November is the turtle breeding season or **saulal**, when mating pairs of turtle are found floating on the surface in 'fast'. **Saulal** is a good period for turtle hunting since the turtles are less alert than they normally are and therefore easier to catch. Furthermore the females are considered particularly good eating at this time of the year as they have started to produce eggs.

In November the winds become squally again and a constellation of stars called **Takul** (lit. 'thunder') drops towards the horizon in the southern sky. This constellation consists of five stars which take the form of a fish-spear. The falling of this constellation below the horizon is known as **Takul sisare** (lit. 'the falling down of thunder'). **Takul sisare** is associated with various other natural phenomena. Firstly, as soon as **Takul** drops into the sea the thunder and lightening of the wet season begin. It is said that as long as the 'thunder stars' are in the sky there is no thunder or lightening. Secondly, the disappearance of **Takul** below the horizon brings on the rains of the northwest monsoon: it is said that **Takul** falls into the sea with a big splash, causing a downpour of rain on the islands. Thirdly, the disappearance of **Takul** signals the end of the turtle breeding season; the 'sliding' of **Takul** below the horizon is linked to the sliding of the male turtle off the female turtle's back. This time is known as **waru sisantari** (**waru** = turtle, **sisantari** = to slide). Fourthly, as soon as **Takul** drops into the sea, various species of fish - in particular the File Stingray (**tukmul**) - make for shallow water where they are easy to spear. **Takul** is said to be like a person who chases the fish towards the creeks and mudflats.⁶

The transforming effect of **Takul** is not only on sea but on land as well. **Takul** is said to shake up the land, causing rapid growth in all plants, leading to the abundance of bush tucker - particularly wild yams - in the following season of **sagerr**.

6.3.3 Specific locations for hunting and fishing

- **Kei Yelubbi** and **Meggi Yelubbi** were nesting grounds for green turtle as were **Dumaralag Island**, **Woody Island** and **Red Woody island**. The last two islands, in addition to being turtle hunting grounds, were also places where three species of bird eggs were gathered: **kangan**, **sara** and **sialwal**.

⁶ One Kaurareg person, attempting to explain the transforming effect of **takul**, offered a modern analogy: the falling of **takul** into the sea, he said, is like dropping a toaster into a bath-tub.

Table 1

Species	Percentage share of catch	
	Islander	Non-Islander
TSPZJA Fisheries		
Prawn	0	100
Lobster	70	30
Mackerel	3	97
Live pearl shell	100	0
QFMA Fisheries		
Trochus shell	100	0
Beche-de-mer	100	0
Cultured pearls	0	100

(from Altman, Arthur and Bek, 1994:11)

These figures reflect a number of important characteristics. Firstly there is no indigenous involvement in prawn trawling. This can be attributed partly to the high capital costs of entering this fishery as well as high operating costs. Another important barrier to indigenous involvement in prawn trawling may be the conditions of employment: "...the demands of employment in the commercial prawn fishery do not make this fishery attractive for Islanders owing to the need to work long continuous shifts for several months at a time" (Altman 1994:12). Secondly, there is a high indigenous participation in the lobster fishery. This can be attributed to the low capital costs of entering the fishery (the cost of an aluminium dinghy and outboard engine) and the extremely high profit margins (op. cit.:13). Thirdly, the fisheries that have the highest incidence of indigenous involvement - trochus and pearl shell collection - are those in which Islanders have had long-standing involvement and expertise (op. cit.:12).

The overall indigenous participation in Torres Strait commercial fisheries is slight; the prawn fishery - which alone accounts for 78% of the total value of Torres Strait commercial fisheries (Altman et. al., 1994:7) - is completely in the hands of non-indigenous people.

The Kaurareg sea country, like the Torres Strait as a whole, could sustain a much higher fishing yield than it does at present. Johannes and Macfarlane state that "coral reef, seagrass, sand bottom complexes, such as those in the Torres Strait" could produce a sustainable yield of 4 to 5 tonnes per square kilometre (1991:198). On the basis of a much more conservative figure of 1 tonne per square kilometre, they calculate that the region could sustain a yield of 5.5 kg of seafood per day per capita. Yet the total quantity of prawns, crayfishes, and finfishes exported from the strait at present amounts to no more than 0.3 kg per day per

capita (loc. cit.). Altman et. al. also argue that present fisheries production in the region is significantly below maximum sustainable yield. They estimate that the total value of the commercial fisheries in the Torres Strait could be increased by \$13.3 million, from \$26.7 million to \$40 million (Altman et. al. 1994:8) .

6.5 Fisheries management problems in the Kaurareg seas

6.5.1 Pollution

(i) International shipping in the Prince of Wales channel

Most of the shipping that traverses the Torres Strait passes through the Prince of Wales channel along the north side of Hammond Island. According to records held by the Australian Maritime Safety Authority (AMSA) 1,800 piloted ships passed through the Prince of Wales channel in 1993. The number of unpiloted ships that used the channel is unknown. The recent opening of the Kurubu oil terminal in Papua New Guinea means that an extra 100 tankers a year will be passing through the Prince of Wales channel. AMSA states that there is a "serious risk of grounding or collision" and "an extremely high risk pollution potential" (*Bulletin* November 23, 1993). The danger is not purely speculative; on the 3rd of March 1970 the *Oceanic Grandeur* hit a rock just south of Alert Patches in the Prince of Wales channel. The submerged rock ripped a hole in the ship's hull and there was a significant loss of oil cargo.⁷ The rock was subsequently blown up by the Australian Navy.

A factor that makes ship movements in this area particularly dangerous is the complex tides and currents prevalent in the Torres Strait. It is well known that near-accidents are constantly occurring. Earlier this year the bulk coal carrier *M Nuri Cerrahoglu* ran aground on Larpent Bank, a few kilometres west of Prince of Wales Island. In 1993 two ships ran aground in the Prince of Wales channel: the *ET Ocean 2* ran aground on Sunk Reef and the *Darya Kamal* ran aground on Hammond Rock. In 1991 the bulk/alumina carrier *TNT Carpentaria* ran aground on Harrison Rock at the western approach to Prince of Wales channel. Also in 1991, the *Gulf Tide* ran aground in Endeavour Strait, between Muralag and the mainland. These are only the reported incidents and probably represent a small fraction of the total number of incidents.

The Australian Government has been seeking to introduce compulsory pilotage in the Torres Strait but according to international treaties the Torres Strait constitutes international waters; international ships therefore enjoy "innocent right of passage" and cannot be required to take on pilots. Pilotage through the Torres Strait could be made compulsory if the Torres Strait were declared a Particularly Sensitive Sea Area (PSSA) (IMO Resolution A. 720 [17]). However, it is extremely difficult to have an area of sea listed as PSSA (the Great Barrier Reef has only recently been accorded PSSA status after years of negotiations). The fact that

⁷Details of this incident, and the incidents mentioned below, were supplied by Captain C. W. Filor, Inspector of Marine Accidents in the Commonwealth Department of Transport.

mining has occurred in the Torres Strait (eg. Horn Island, Hammond Island) would be a serious impediment to securing PSSA status for the region.

In addition to concern about the likelihood of shipping accidents, a number of people - both Kaurareg and non-Kaurareg - have expressed concerns about the ability to deal with a major oil spill in the Torres Strait.

One concern regards the location of the equipment for dealing with an oil spill; it has been suggested by a number of people that the equipment is stored too far away from the Torres Strait to enable a rapid response. Equipment - consisting mainly of mechanical booms and oil dispersant - is stored at Townsville, Cairns, Weipa, and Thursday Island. Under the 'tiered response system', oil spills are divided into three tiers. A Tier 1 spill (of less than 10 tons) would be dealt with using locally stored equipment. Both Tier 2 (10 tons to a 1,000 tons) and Tier 3 (upwards of a 1,000 tons) spills would require the transport of additional personnel and equipment resources into the North Queensland area. The *Torresplan* states that all centres where equipment is stored "can respond rapidly; response times from store to Horn Island airstrip approximate upwards of six hours" (Queensland Department of Transport 1994). It is beyond the scope of this report to assess whether in fact equipment could be brought fast enough to the scene of an oil spill in the Torres Strait.

Another concern is that mechanical booms - which work well in calm water - would probably not contain an oil spill in the notoriously strong tides and currents of the Torres Strait. This issue also lies outside the scope of this report.

If a major oil spill were to occur in the Torres Strait, and was not contained, there is concern that the oil would probably stay in the Torres Strait for a long time, due to the peculiar nature of the tides and currents in that region. Johannes and Macfarlane note:

Despite very dynamic water movements in the strait, there is little net transport of water through it; that is, there is little net interchange of water between the Coral Sea to the east of the Strait and the Arafura Sea to the west (Johannes and Macfarlane 1991:17).

The same authors observe that "oil spills have occurred in the past...and will almost certainly occur again. A large one could cause substantial damage to some of the strait's marine life" (Johannes and Macfarlane 1991:208). Despite the fact that a large part of the diet on Horn Island consists of imported foods bought from the local stores, there is still a dependence on locally-obtained seafood (Johannes and Macfarlane report "very high consumption rates of local seafood" throughout the Torres Strait [1991:197]); it must therefore be concluded that a major oil spill in the Torres Strait would have a serious impact on the lifestyle of the Kaurareg.

Kaurareg people have three proposals with regard to international shipping in the Prince of Wales channel. Firstly, that compulsory pilotage be introduced. Secondly, that equipment to deal with a major oil spill and the personnel to operate the equipment be stationed in the Torres Strait. Thirdly, that Kaurareg people be trained as pilots so that the passage of ships through their waters would provide employment for them.

(ii) The Horn Island gold mine

From 1988 to 1990, Torres Strait Gold Pty Ltd operated a gold mine on the northeast side of Horn Island (see Map 4). According to a recent report the mine has resulted in significant degradation of the environment and in particular has produced large quantities of acidic water (Stock and Lane 1994: p.7.6). The same report states that "the residents of Horn Island are very fearful for their main source of subsistence, the waters of the Torres Strait" (Stock and Lane 1994: 7.11) and goes on to note that "hunting and gathering is now non-existent near or on the mine site because of uncertainty of the effects of contamination" (loc. cit.). Despite Kaurareg concerns, monitoring of marine life in the two creeks which drain the area adjacent to the mining area has not detected dangerous levels of trace metals.⁸ Furthermore, marine biologists have stated that the strength of currents flowing past Horn Island means that any pollution entering the sea from the mine would be rapidly diluted and dispersed. However, Kaurareg people have found in these creeks evidence of pollution: fish with strange growths and crabs with very little flesh. Whether or not the marine life in this part of Horn Island is safe to eat, the fear amongst the Kaurareg has resulted in them losing this source of traditional food.

(iii) Sediments from the Fly River catchment.

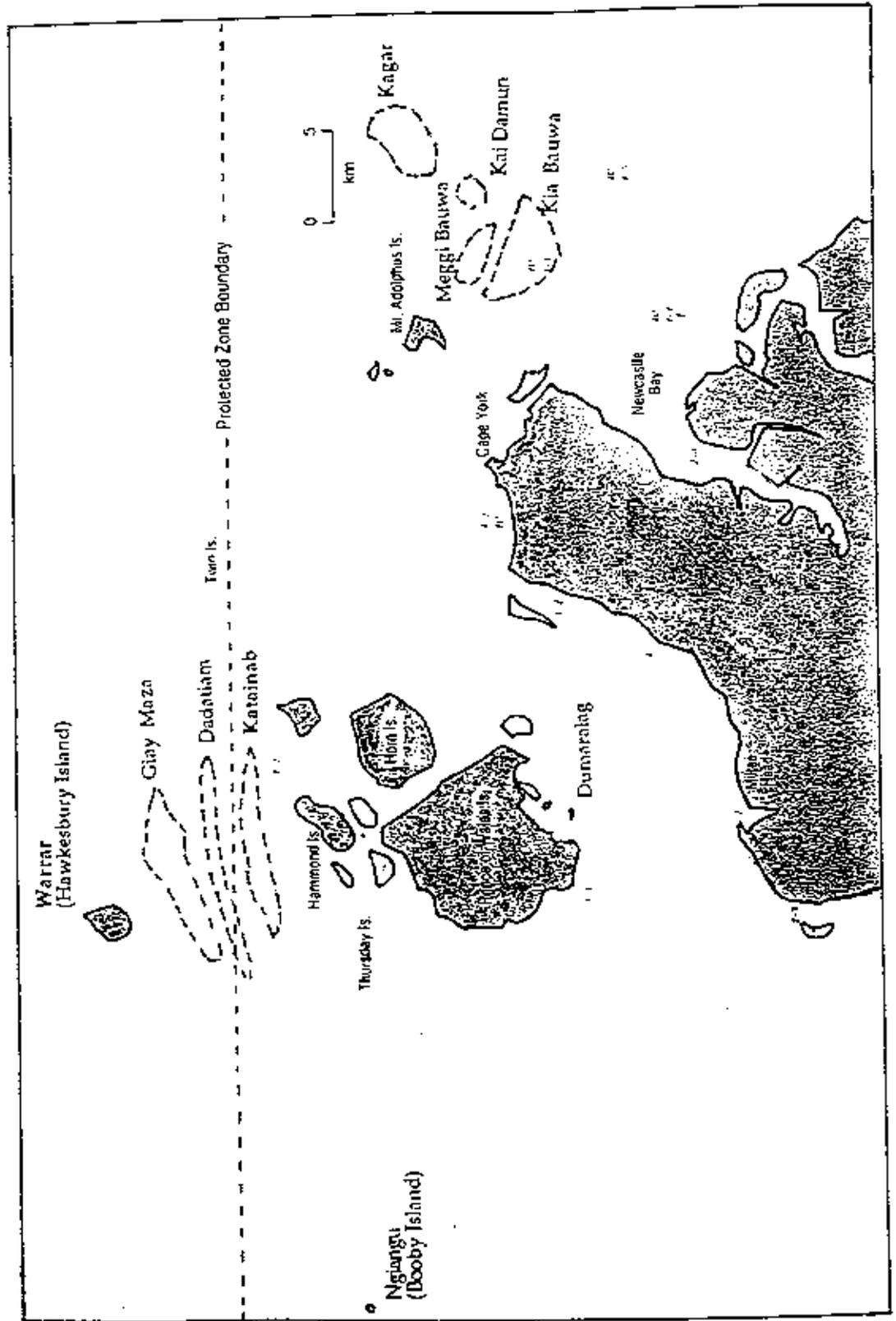
The Fly River system in Papua New Guinea contains three major mines: Ok Tedi, Porgera, and Mount Kare. These mines process 160,000 tonnes of ore a day, 80% of which eventually ends up in the Fly River system (Jull et. al. 1994:51). There has been concern in the Torres Strait over potential trace metal contamination of "commercial fisheries, such as mackerel, prawn, cray, tropical rock lobster and the pearl fishery; the impact on corals of the Torres Strait and northern Great Barrier Reef; detrimental effects on endangered species of cultural importance such as dugong and green turtle; and potential human health problems from consumption of higher levels of trace metals in seafoods" (op. cit. :53).

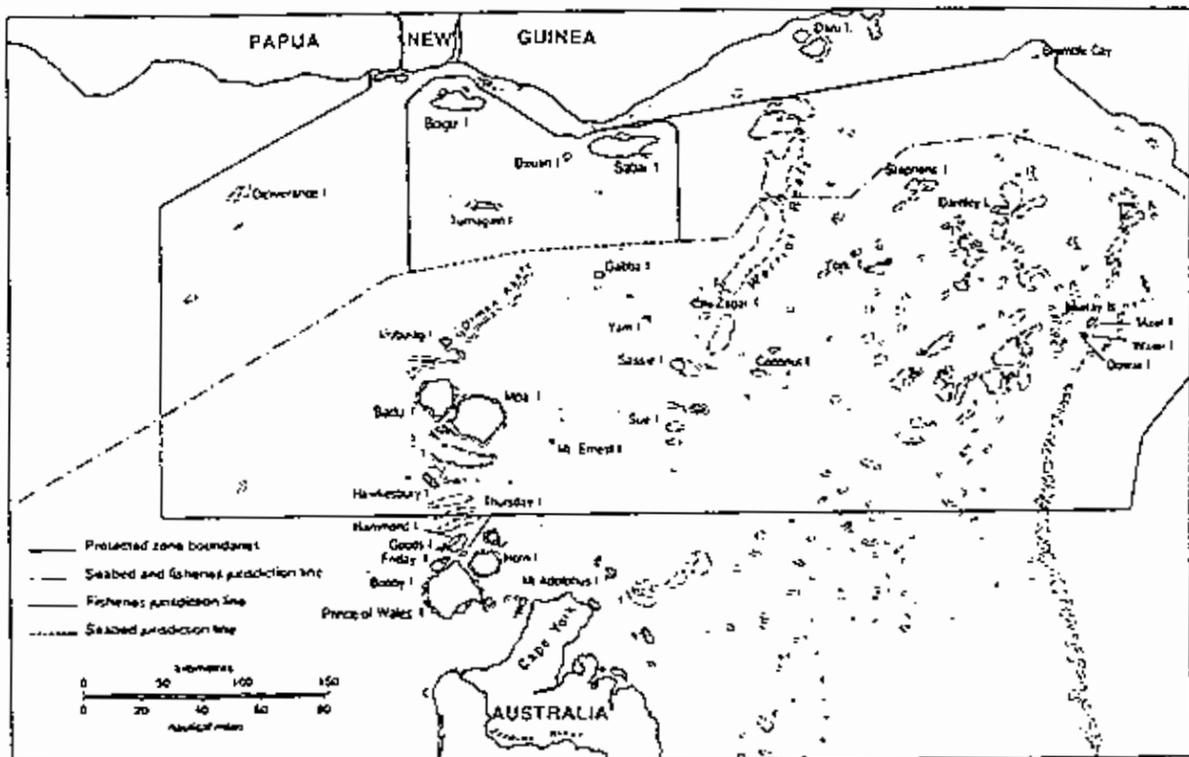
The Australian Institute of Marine Science carried out a study (Wolanski 1992) of sediments in the Fly estuary and found that only 2% of sediments from the Fly estuary are transported into the Torres Strait (op. cit. :52). Despite this apparently low impact on the Torres Strait, there is still concern about the nature of the 2% of sediment that reaches the northern Torres Strait, and about the movements of that sediment after it has been deposited in the northern Torres Strait. One of the main aims of the Baseline Study, which began in 1990, was to monitor the movement of these sediments within the Torres Strait.

The Baseline Study concludes that while the Fly River is a major source of trace metals in the northern Torres Strait, a number of trace metals found in the region (arsenic, cadmium, magnesium, mercury and silenium) are unlikely to be attributable to Fly River discharge. The Study suggests that there is a major source of trace metals on the western side of the Torres Strait "possibly in Irian Jaya, or along the west coast of Cape York Peninsula" (Dight and Gladstone 1993:137). The Study concludes that "the concentrations of arsenic, cadmium,

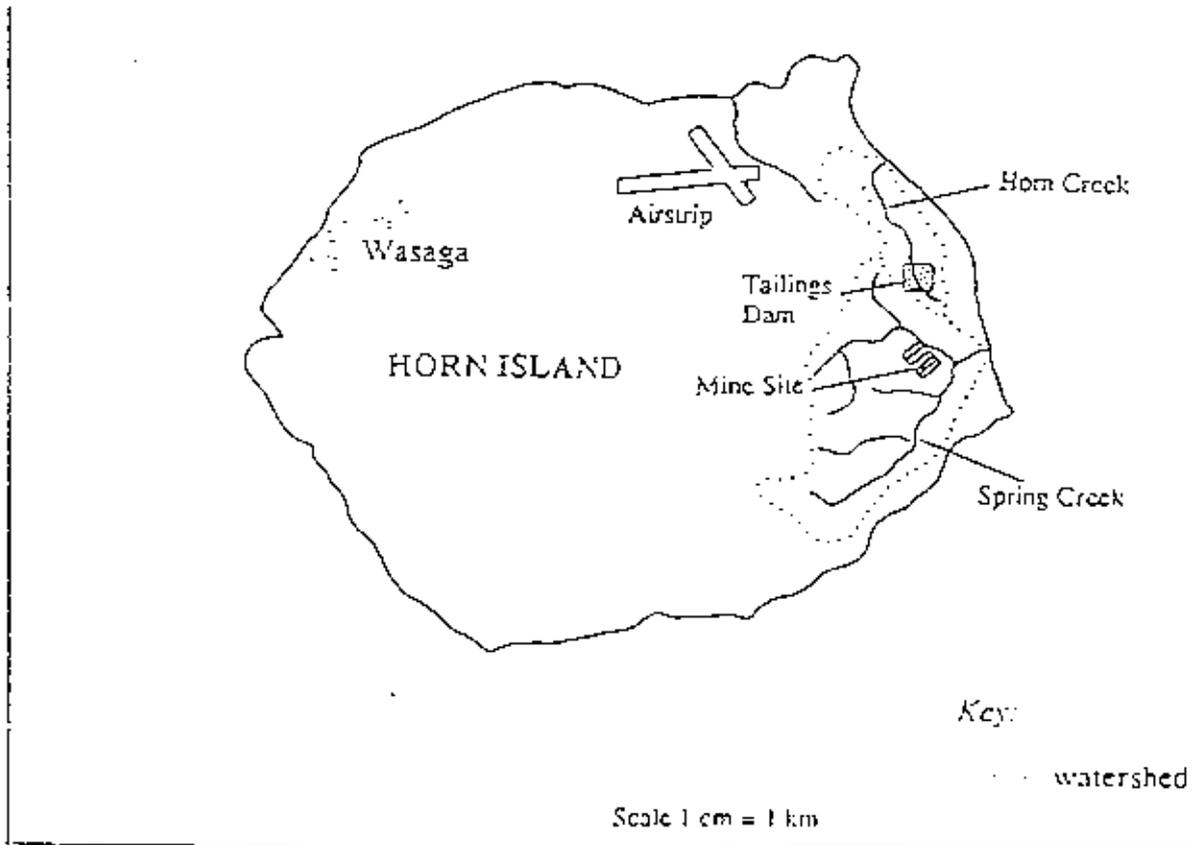
⁸In November a marine biologist working for the Bureau of Mineral Resources spent some time on Horn island collecting samples of marine life from the vicinity of the gold mine, as part of the continuing monitoring of the mine area. At a public meeting Kaurareg people were informed that tests show no dangerous levels of trace metals in marine life taken from the creeks which drain the mine area. As part of the project, the marine biologist invited members of the public to bring in samples of marine life for testing.

Map 2. The Kaurareg sea territory, from Ngiangu in the west to Warrar in the north and Kagar reef in the east.





Map. 3 The Torres Strait, showing the Protected Zone boundary.



Map 4. Horn Island, showing the area affected by the Horn Island Gold Mine.

JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC
			AIBOD AUTHONAR (`season of bush tucker') yams are harvested						yam shoots first appear		
Dugong hunting											Dugong
water is murky - hard to spear fish		water is clear - easy to spear fish									
jellyfish - most sp of fish inedible		no jellyfish - all species of fish are edible									jellyfish
		t u r t l e h u n t i n g						SAULAL (turtle breeding)			
K U K I northwest winds		S A G E R R southeast winds						K U K I northwest winds			
JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	OCT	NOV	DEC

Figure 1. Seasonal use of resources by Kaurareg.

CHAPTER 7

LAND ISSUES AND CONSULTATION: LOCKHART RIVER COMMUNITY

Athol Chase

CHAPTER 7

LAND ISSUES AND CONSULTATION: LOCKHART RIVER COMMUNITY

Athol Chase

CONTENTS

7.1	Introduction	7-1
7.2	History of management and use of the region	7-2
7.3	The mission era	7-3
7.4	Re-settlement and the new regime	7-5
7.5	The development boom	7-6
7.6	DOGIT lands and Aboriginal freehold	7-8
7.7	Which way now?	7-9

CHAPTER 7

LAND ISSUES AND CONSULTATION: LOCKHART RIVER COMMUNITY¹

7.1 Introduction

The issue of empowerment for Aboriginal people in the management of terrestrial and marine environments is a complex one. Management involves far more than the formal structures of decision-making, plans, impact assessment and the other paraphernalia of the European/bureaucratic planning and management process. There is general recognition of local indigenous cultural processes in this, but they are seldom accounted for in ways which truly integrate the local sociocultural domain with the perceived local environment of place and species. The creation of formal planning structures should be the outcome of careful and detailed local ethnographic inputs, an appreciation of local historical factors, but more importantly detailed knowledge about the politics of relevant Aboriginal communities and domains. Historical research may well show, as is the case at Lockhart River, that a localised and informal Aboriginal environmental management and use has continued across the period of heavy European institutionalisation, albeit in covert forms. Understanding or at least appreciating these important realities should be a fore-runner to any attempts at consultation with community people.

But it may well be that the use and empowerment of this indigenous system for the purposes of formal land/sea management is continually masked and isolated from the explicit structures of management and planning through a number of problems relating to the external and internal processes of administration and governance. Environmental management is taken here to mean an integrated Aboriginal system of knowledge, rules and actions which are reproduced as part of a continuing recognition of traditional group relations to territory, and the authoritative recognition of certain peoples to control these knowledges, rules and actions. I suggest that it is this very process of *authoritative recognition* which forms the principal stumbling block to the many attempts by outside organisations (mainly but not exclusively governmental) which seek at least in bureaucratic rhetoric to recognise "Aboriginal management" of lands. We could also note that in talking of "Aboriginal environmental management" there is no necessary condition that Aboriginal people have to operate from a conservationist baseline, though this can be the case as with the Kowanyama management plan. Any assumption that Aboriginal management has to start from an ethical baseline of wildlife conservation and protection,

¹ This discussion paper has been written in a short time frame for the purposes of a report on the CYPLUS process. It is written by a European and perhaps can be criticised for speaking from "beyond" the Aboriginal communities. I have, however, been engaged in anthropological work with the Lockhart community for 23 years, always at the community's request or with their approval. There is a value, I believe, in this particular kind of outsider comment, though it is obviously not the only comment that can be made nor necessarily the only one which should be sought. I have personally watched closely the trials to which Lockhart people have long been put, and I have on many occasions shared in their frustrations and concerns. The paper is very much an impressionistic one and is not intended to be an academic paper in the normal sense. There are times when it is productive to step beyond the academic requirements in the hope that it may give a different perspective of old problems.

however imperative this may be from the European scientific viewpoint, immediately imposes a moral base from the outside, and immediately attacks the notion of a recognition of a localised Aboriginal authority. Those who wish to engage Aboriginal communities in meaningful management dialogue must clear their heads of any such preliminary assumptions.

Lockhart River community is situated on the eastern seaboard of Cape York Peninsula at Lloyd Bay. The area has a long and chequered history of resource exploitation by Europeans, reaching its zenith in the late 19th and early 20th centuries. As with much of Aboriginal Australia the indigenous people of this area had little direct control over their own lives, let alone over resource use of their terrestrial and marine environments. It is only recently, with the heightened focus on Aboriginal people through land rights legislation, that their views are being sought, and their interests acknowledged. Nevertheless, while dominant power structures excluded the Lockhart River people from any meaningful form of official decision-making regarding use of their traditional lands, they have retained a strong belief in the validity of their traditional authorities and they have continued to use the land and waters for their own ends. Since the 1980s they have been at the centre of several of disputes over European plans for resource use in their area, forcefully adding their voice to conservationists and others (though the Aboriginal goals may be quite different from conservation ones), and contributing to the blocking of several major projects. In two notable cases this was done not just in opposition to the external development interests, but as well against the local community administrative powers which had supported the developments, initially at least without the knowledge of the relevant community people.

Currently, the Lockhart people are engaged in the process of re-allocating the DOGIT lands to traditional groupings, and this will have major implications for the processes and directions in future land and marine management. After years of opposition and passive resistance to their views and wishes - often from those administrators supposedly advancing their interests - they are finally able to engage in processes which hopefully will lead to direct control of their countries. This paper examines briefly the historical context of European control under which Lockhart River people have had to operate. It suggests that despite new recognitions by governments and agencies, consultative processes at the community coalface for those at the end of the planning line seem to be little changed in terms of effectiveness and recognition, despite the rhetoric. There is still a great need for basic education among the new agencies who see themselves as new-era engagers of the Aboriginal domains.

7.2 History of management and use of the region

The Lockhart River population is made up overwhelmingly of people from linguistic territories in the surrounding region - the Wuthathi from north of the Olive River, the Kuuku Ya'u from Lloyd and Weymouth Bays, the Uuthalganu from the Lockhart River south to Friendly Point, the Umpila from Friendly Point to the Massey River, and the Kaanju from the inland mountain country behind these. Each of these linguistic territories can be viewed as consisting of local estates associated with descendants of a known ancestor. In the case of the coastal estates, the boundaries extend beyond the shoreline to encompass offshore waters, reefs, islands and cays. Coastal people possessed large

dugout outrigger canoes with which they exploited turtle and dugong, as well as a host of other marine and island wildlife. The coastal zone is still a major resource zone for these people.

Following the early passage of the explorers Edmund Kennedy (1839) and Robert Logan Jack (1879) the Lockhart area was targeted for resource extraction on both land and sea. In the second half of the nineteenth century, the lugger fleets quickly found workable beds of pearlshell, trochus and trepang along this coast, and at about the same time miners arrived to work alluvial tin and gold. All of this meant a sustained burst of contact from both land and sea, and local coastal people rapidly became incorporated into the workforce, often being heavily exploited themselves in the process. European resource extraction at this time had one notable feature - it moved around from place to place, remaining only as long as the resource base could be exploited and was basically unopposed (in contrast to the pastoral and agricultural industries elsewhere in Australia) to an Aboriginal presence on the land. Indeed, temporary coalitions seemed to have formed between particular European "bosses" and particular groups, each no doubt reliant on the other for services, knowledge and goods. Local Aboriginal knowledge and food production was extremely valuable to the alien prospector/sailor, and European cloth, steel tools, tobacco, liquor and food were highly desirable from the Aboriginal perspective. The essential summary point from this period is that north-eastern Peninsula Aboriginal people retained an authoritative presence in their environments along the coast, even if this was influenced by the new alien presence and the pressures this brought.

7.3 The Mission Era

Raw violence against Aboriginal people, however, forced authorities to regulate the resource frontier, resulting in the well-known 1897 Act and government encouragement of mission formation in the area. Lockhart River Mission was established by the Church of England in 1924, some time after the main mission enterprise in the Peninsula, and this late start was partly the result of a European sandalwood cutter, Hugh Gibley, already having a presence at Lloyd Bay. He had persuaded government authorities that he was regulating contact, and there are some indications that he had thwarted earlier attempts at mission activity in the area. Following his death in 1923, the Church of England formed the mission, and had an Aboriginal reserve gazetted. The Gibley era is an interesting one in the context of land use. Aboriginal oral history paints a picture of a well-accepted local authority figure, well accepted through his practice of leaving people to run their own lives around his camp, and of a shared sense of distrust of the police and other officials.

Like many early Aboriginal missions the first era of Lockhart River, until the outbreak of war, was one of heavy handed paternalism. Aboriginal language use was discouraged among children, ceremony was stopped, and remoter people still living in the bush were "encouraged" in through the removal of their children. The period also saw the removal of "troublesome" people, through use of the absolute powers of the government Director or at missionary request. For most adult and adolescent men, the new institutionalised mission environment was less of a problem - they were actively sought as lugger crew, and most of them spent substantial periods of time at sea, on exciting travels along the

coast, to the Torres Strait, and even in some cases, out into the Pacific as far as Noumea and Melanesia.

While these absences were to have some costs in terms of cultural continuity, lugger life appeared to have been exciting and the subject of endless tales among ex-luggermen in the 1970s. For those left at home on the mission, the paternalistic control over lives was relieved by the "holiday" system where people were encouraged to go bush for extended periods in the early dry season, after the monsoon rains had ceased. The reason for this system was less a concern by the mission staff for Aboriginal retention of local cultural knowledge than the necessity to reduce the mission expenditure on rations at a time when funding was minuscule. But the nett effect was that adults and children retained a continuity of knowledge about their countries along the coasts and inland.

The war period saw the rapid European abandonment of the mission when Japanese invasion seemed imminent following Pearl Harbour. People were told to move away from the mission site to avoid Japanese raids, and a ration dumping point was established on the coast some 30km south. Some groups moved north along the coast to known bush resource sites, and again, familiarity with traditional lands continued.

Following the end of the war, people again were gathered into the Mission settlement, and mission activity recommenced. In early 1950s a lay Anglican named John Warby, an ex-pearler from the Torres Strait, took over the Lockhart River Mission. Warby was a keen advocate of social justice and had more than a passing interest in the situation of Aboriginal people. He was also influenced by the Christian socialist, Alf Clint, whom he recruited as an adviser for reconstructing mission activities along Christian socialist lines. A cooperative was established, run by a board of local Aboriginal people, and residents were encouraged to purchase shares in this self-owned business. The cooperative engaged in trochus and pearl shell gathering, cattle rearing and farming cotton and vegetables. Adult education programmes were started, feeding centres for children and old people were established, a permanent water system from a pump installed, and the entire settlement housing rebuilt, using a variety of interesting construction methods, including rammed earth walls. An imposing cathedral-like church was built by the community from local materials. It is fair to say that, however idealistic the Warby era might have been judged, it was a period of real power-sharing with the community as far as that could be achieved under the restrictive state legislation. Decisions on land use, in the form of cattle raising, farming, shell gathering and so on were taken by the community-based committees. It is a period remembered fondly today by older Lockhart residents.

A variety of reasons, largely economic, led to the failure of the cooperative. Warby departed in the late 1950s, and the mission was subsequently managed by a series of Europeans who appeared to be ill-equipped for the position, especially in terms of appreciation for Aboriginal self-empowerment or cultural distinctiveness. The mission period ended in the late 1960s when the Queensland government took over administration of Lockhart River and started an (abortive) process of attempting to move the population entirely to the Bamaga area over 100km away at the tip of Cape York Peninsula for ease of administration. Key residents refused to move from their homelands, recognising that such a move would sever traditional links with land, and in all probability remove forever the vital presence upon which Aboriginal-defined ownership and management depended.

In summary it can be noted that, in broad terms, the mission period represented a paternalistic and neocolonialistic period of control over Aboriginal lives and land. But we can perhaps note that within these broad parameters, at Lockhart River local Aboriginal cultural perspectives and use of traditional territories continued, albeit in reduced circumstances, and despite having to undergo various kinds of adjustments to changed circumstances. It would be incorrect to view the period simply as a disconnection from traditional beliefs and practice on land management and use. In this particular case, the immediate Lockhart River coastal area had never been seriously threatened in terms of permanent alienation of land except, perhaps, in the case of the abortive government attempt to remove the population entirely from the region. The area was generally unsuitable for pastoral and agricultural activities despite a few desultory attempts at cattle-raising on the Reserve's margins, and European incursions had been, to this time, largely ones of sporadic resource raiding, as was the case with the lugger industry and the small-scale mining operations. The largest and most permanent mining activity was at Batavia, on the Batavia (now the Wenlock) River, some sixty miles inland in Kaanju country, and at Coen to its south. Aboriginal people survived this period by operating in Aboriginal matters clandestinely, and by maintaining their own cultural domains against the forces bent on transforming them into European images. Thus, while people were now removed from homelands, there nevertheless was still opportunity for visitation and continuity of cultural practice.

7.4 Re-settlement and the new regime

The period from 1969 to 1990 represents a much more restrictive era in terms of Aboriginal relations with land. The State government administration period featured, for the first time in Lockhart River's history, the crushing impact of direct bureaucratic control through public servants under the rules and regulations of an official policy of assimilation, and the stern rejection of all things "traditional" - especially when Aboriginal protests and demands for land rights hit the media at about the same time as the Queensland government took over a number of missions, including Lockhart. The State administrative era of P. Killoran is now well known for its repression of Aboriginal cultural interests, and its absolute exercise of power (considerable, under Qld legislation). Lockhart River was now to experience this firsthand, through a succession of ill-suited managers, all of whom strived to excel in the Killoran-defined approach to community control. In 1975, at the height of this direct government control at Lockhart River, the last continuing initiation ceremonies on the east coast of Australia were seriously threatened when the secret ceremony ground was bulldozed on official orders. This period also saw a sudden upsurge in development projects for the remote areas, as mining, tourism and other commercial enterprises took off. To this can be added what Aboriginal people saw as another form of "development" in Cape York Peninsula - the expansion of national parks. Lockhart River found itself suddenly to be a neighbour of an increasing national park complex around the Iron Range area. It occurred to nobody in officialdom at the time of national park creation here that Aboriginal people might have opinions about modern re-allocation of their homelands, nor later did it seem possible that from the Aboriginal perspective a national park was largely indistinguishable from commercial property acquisition. The fact that the Parks are still named from European map features indicates the width of the gap still remaining between the European planners and administrators, and the local indigenous people. This period, more so than the previous

one, represented a serious threat to Aboriginal cultural continuity through its undisguised opposition to any maintenance of Aboriginal social and cultural structures, especially evident in the blatant disregard of Aboriginal authoritative relations to land.

7.5 The development boom

The term "development boom" can be taken to include not just those cases where tourism or mining interests have focused on Aboriginal lands in the Lockhart region, but additionally the formation of national parks from the 1970s on, and as well the more recent interest in Aboriginal traditional knowledge and practice (especially in terms of site names and locations, traditional land use technology, etc) which is now become an essential dimension - even if in a minor sense - of various impact assessments, planning activities and official knowledge banks. These were new pressures added to local Aboriginal people, and ones which they found themselves ill-equipped to handle. The northeastern Peninsula area during this period was no longer an isolated and largely forgotten part of remote Australia. The growing pressure from conservation interests represented a new frontier interpretation, and the entrepreneurial pressures for new resource uses created another, both of which intruded upon the local Aboriginal domains to form new pressures upon recognition of Aboriginal traditional authority.

In the late 1980s, following the establishment of the national park, a series of development proposals brought the issue of Aboriginal traditional ownership, management and control of land into sharp focus. An oil palm plantation for the Lockhart River valley was floated as a government suggestion in response to developer interests in the eastern Peninsula. While this proposal had a short life, a more serious threat emerged with plans for an "integrated rainforest and reef" resort on a block of land immediately adjoining the Lockhart River township. With large blocks of units, an international golfcourse and a boat marina, the resort and its satellite staff township threatened serious disruption to the community's life, in addition to alienating a well-used stretch of coastal land. The Lockhart River Council fought the zoning application and after initially losing their case in the Supreme Court, they appealed to the Full Bench and won with costs. The proposal foundered through financial difficulties, court action against the directors by investors, and an ensuing change of government in Queensland. It is possible that the delays brought about by the Aboriginal actions assisted in its demise. The freehold property upon which this proposed development was located has now been purchased by the community, a sale made possible by a drop in market value once the Aboriginal opposition and interest received publicity. In this particular case there was an all too rare victory for Aboriginal people in northern Queensland who fought the developer interest on the grounds of traditional attachment to land.

Hard on the heels of this battle, which brought the community together in terms of land issues, a spaceport was proposed near the Olive River. While this was some distance to the north of the community, it nevertheless involved an area which was traditional country for Wuthathi residents. Combined Aboriginal and conservation group pressure helped bring this proposal to a close also. Following these two exhausting battles, the Council discovered that a number of mining exploration areas were either granted or in the process of consideration for the DOGIT area. One company had an extensive exploration area on the coast to the south, in Umpila territory. The community objected to this, and refused to cooperate in the provision of sacred site information to the miners, despite some pressure to do so.

In the marine environment, Lockhart people found themselves involved in the processes of the Great Barrier Reef Marine Park Authority (GBRMPA). Though this authority hired a consultant to work with Aboriginal groups over a number of issues, including the provision of traditional site names for islands and reefs, the community had no say in firstly the matter of the consultancy design, nor, secondly, the appointment of the consultant. People quite reasonably felt that once again, planning was taking place over the future use of their traditional lands without any significant input from them. They privately objected to being seen as simply the passive providers of information the future control and use of which was, to them, problematic. For many people, parks on both land and sea were simply another imposed set of "developments" little different from the commercial enterprises in their recognition of an Aboriginal authority in the region.

With the advent of the Labor government in 1990, Environment Minister Pat Comben outlined his plans for a band of national park right across the Peninsula, incorporating, for the purposes of this discussion, a vacant crown land block immediately south the Lockhart DOGIT and a timber reserve in Umpila and Kaanju lands. Despite the change in government, the Umpila saw this as yet another alienation of land, irrespective of conservation aims. They had heeded the government's rhetoric on land rights, and they saw these lands as potentially claimable areas. They also retained considerable hostility to national parks through the lack of consultation earlier. Meetings were held with the community, some of them generating considerable heat, and Aboriginal opposition has brought around a rethinking of the proposition. In the last few years the community has had other problems with mining exploration proposals, including a highly contentious plan to sample old dune systems close to the community on DOGIT lands. In this case, negotiations were carried out in secret with an administrative officer, himself not a Lockhart person, and two local young men who received payment for "consultation" and their signatures on an agreement. When news of this became public traditional owners refused to give their consent, and the matter was temporarily blocked.

Other mining explorations have since emerged and have also been opposed on traditional ownership grounds. More recently, the CYPLUS enterprise itself illustrated yet again the entrenched and recalcitrant nature of some of these problems of interfacing with Aboriginal communities. The scientific collection of data for the purpose of resource inventories was a very early activity in the CYPLUS process. This preceded any meaningful community consultation, consultation in fact being relegated to a later stage as part of the formal process of stage 1. Some Lockhart River people became extremely annoyed to discover that scientists were collecting data on their lands without any previous advice. The community in fact made complaints about this intrusion, from their perspective a process little different from others carried out with a "resource" focus and about which they were never seriously advised. It is hard in these circumstances for local people to believe that there is a serious concern about meaningful consultation, however much it may appear on the bureaucratic agendas.

In summary, a number of points can be made about this history of land/sea issues. The recent development (and national park) focus has coincided with a greater awareness among Lockhart people of general issues of land rights and a heightened realisation that they can express their opinions over land use of what they see as their traditional lands, whether in the DOGIT area or not. This in turn has heightened interest in both claiming

these lands where possible, and insisting on a say where it is not claimable. These actions have of course brought the usual reaction from some developers of denying the existence of any Aboriginal right of involvement beyond the existence of small and isolated sites to be avoided, sites which from the developer perspective might be grudgingly accepted as small pin points in an otherwise empty landscape. This kind of minimalist (and distorted) recognition of some kind of Aboriginal land interest serves only to frustrate further Aboriginal attempts to explain their position.

From the Aboriginal perspective, developer actions in the Lockhart region have also been characterised by clandestine planning, involving Aboriginal people only in limited ways after major decisions have been made. In summary then, consultancy attempts between outside interest groups and agencies on the one hand and Aboriginal people at Lockhart River have been at best ineffective and uninformed and at worst divisive, misunderstood (by local Aboriginal people) and manipulative. This situation in all likelihood resembles those for other communities in Cape York Peninsula as well. When these kinds of situations lead, as they inevitably do, to conflict and confrontation, the response from the outside interests is usually one of scapegoating, either by directing criticism at the community structures for failing to consult with, or to give advice about, the "right" people, or else by criticising community researchers like anthropologists for interference, when they are subsequently brought in by relevant community sectors to help them formulate responses to conflict situations which involve traditional lands. Not only is this kind of response intensely annoying to the Aboriginal people themselves who are trying in these situations to marshal support for their positions, but it also reinforces Aboriginal views of outside interest groups in a way which works against any subsequent outside agent who may wish to follow proper procedures.

7.6 DOGIT lands and Aboriginal freehold

At present the Lockhart River community is in the process of negotiating a number of land claim processes which should lead in the near future to the creation of discrete areas of Aboriginal freehold title reflecting the traditional attachment of groups to particular areas. Some of these lie beyond the DOGIT, and will be part of the process of land claims under both Commonwealth and State legislation. But in addition to those land claims, most if not all of the Lockhart River DOGIT will be transferred to particular groups in their own names. This will mean that the community council will be relevant only in any consultative process where the groups have authorised them to act as facilitative agencies, and then only to pass on messages, as it were. In other words, there will be no course for those wishing to consult over land management issues other than dealing with the traditional groups who own the land in a legal sense; it will not be enough to view dealings as being simply with an amorphous "community".

While these processes may be some time off in terms of actual transfer of legal ownership of DOGIT and other lands, it is important to realise that communities like Lockhart River have actually started the internal process of agreements over who belongs to which parts of the claimable (or transferable) lands. In this sense, the group - land relationships have been formalised to a major degree as far as community residents are concerned, and this now authorises local ownership and management even more than in the past. Where communities and groups have reached agreement over who belongs where, the process of

consultation by outside bodies even more needs to recognise contemporary traditional structures and the explicit authorisations within the Aboriginal domains. But while local peoples have made their mind up about who should be the recipients of various areas of land both on and off DOGITTS, the formal bureaucratic and legal processes by which these aspirations are brought to fruition will most likely be long and complex. In other words, Aboriginal groups consider that the mere passing of legislation allowing for claim and transfer simply represents a recognition by governments that their traditional local authorities do exist and have validity. It comes as a surprise to Aboriginal people when outsiders do not appear to have recognised this.

7.7 Which way now?

It is fair to say that Lockhart River people have a jaundiced view of the various European interests which show a short-term and intensive interest in them for the purposes of obtaining information or agreements. This has been an entirely predictable outcome from their past experiences, and it is one which will continue well into the future. This of course makes it difficult for the well-meaning enquirer who wishes to engage Aboriginal people in the new era of recognition of Aboriginal inputs. But being well-meaning is no longer enough if it is not backed up by serious attempts to overcome a general state of ignorance about local histories and traditions. It is now really incumbent upon the outside bodies to learn something about the nature of these communities and the Aboriginal style of engagement in discussions over the all-important dimensions of traditional authority over land, traditional knowledge, and contemporary cultural practice within the community precincts. Part of this learning process must be the realisation that some communities are only now emerging from a long period of enforced institutionalisation, with its emergent local problems of alcohol abuse, health problems which see few people survive to their 60s and 70s, low employment and the attendant suite of difficulties over community organisation, adjustment of young people to changing situations, and high rates of court convictions and incarceration in southern detention centres.

Coming to grips with these internal situations is a serious issue in itself, and for those who live in the community the casual visitation of outsiders concerned to get quick inputs on a variety of poorly understood matters is low on the priority list. Few of the people who engage Lockhart River community for example are aware of the importance their concerns are accorded within the overall picture of these massively difficult community problems, problems about which the residents are all too well aware.

This discussion started with consideration of recognition of an Aboriginal authority in terms of land ownership and management, and has attempted to place in historical context the engagement of these Aboriginal people by outsiders. It has further suggested that while European governments and bureaucracies now operate in a more liberal and enlightened climate with regard to Aboriginal people, for those in Peninsula communities this new spirit of enlightenment has brought in its wake new waves of demands and requirements which the small Aboriginal community is ill-equipped to deal with. In its own way it may well be a more serious impact that the mission era and the later government regime. The age of enlightenment is heavily bureaucratised, and before these loads are placed further upon the communities, some thought must be given to providing

support for the creation and enlargement of internal structures which will allow local people to deal effectively with them.

One example of the community's attempt to strengthen its authority over land and its management has been the formation of outstations, and there are currently six of these either operating or in the process of being established in the Lockhart DOGIT. An attendant aim in the outstation formation is the creation of authority, not just over formal issues of traditional land and territory, but as well over people's lives in the general sense. By creating small family-based outposts, people can set their own group rules over various matters which they see as beyond their control in the larger settlement. In Lockhart's case, the Iron Range site is one which was created by government edict, not through any community impetus, and this reflects the long process of enforced settlement and control which has been the entire frame of reference for Aboriginal lives and that of their remembered ancestors. Outstations then can be seen as having the dual purposes of reconstituting in the formal sense explicit statements of ownership and management of land, and as well in creating refuges from the unsatisfactory aspects of modern settlement living. Dealing with European authorities may well be one of those aspects from which people hope to escape, or at least an aspect which Aboriginal people hope to control and moderate on their own terms.

In summary, those who wish to engage local people over Aboriginal matters should start this process well away from the communities and the outstations by educating themselves about their target audiences, and by rethinking what it is precisely they want from Aboriginal people, but this time considering seriously what it is in their proposals that is there for the Aboriginal people themselves, not as interpreted by Europeans and other outsiders, but by those very people who are the recipients of the attention. In doing this, the Aboriginal target groups must be allowed the basic right of using their own logics, resources and time frames, and their own interpretations. If necessary, they must be allowed those same processes which European systems so well exhibit - hard bargaining, refusals, demands for more inputs, and recognition of the validity of their self-defined position in the order of things. When outsiders say they take Aboriginal input seriously, there is a duty to examine what this means, especially in terms of making serious attempts to understand histories and power relations, to listen seriously, and to trust seriously. Anything less simply recycles the well-worn situations of misunderstandings, mistrusts and misanthropies.

CHAPTER 8

**INDIGENOUS MANAGEMENT OF LAND AND SEA PROJECT: COEN
ABORIGINAL COMMUNITY PROFILE**

Coen Regional Aboriginal Corporation (CRAC)

CHAPTER 8

INDIGENOUS MANAGEMENT OF LAND AND SEA PROJECT: COEN ABORIGINAL COMMUNITY PROFILE

Coen Regional Aboriginal Corporation (CRAC)

CONTENTS

8.1	Introduction	8-1
8.2	How Coen groups view land and natural resources	8-2
8.2.1	Existing land and resource use aspirations	8-2
8.2.2	Future land being sought by community members	8-5
8.2.3	The broad nature of community land and resource aspirations	8-6
8.3	Demographic, geographic and economic profile	8-9
8.3.1	Community organisation	8-9
8.3.2	The community economy	8-12
8.4	Subsistence resources, strategies and initiatives	8-13
8.4.1	Aboriginal perceptions of Government regulation and planning processes	8-14
8.5	References	8-14

CHAPTER 8

INDIGENOUS MANAGEMENT OF LAND AND SEA PROJECT:
COEN ABORIGINAL COMMUNITY PROFILE

8.1 Introduction

Aboriginal people have occupied, carried out their own cultural traditions on and maintained land and natural resources in central Cape York Peninsula for many thousands of years. However, since the Dutch made contact with groups in the western Peninsula in 1606, there has been increasing contact between Europeans and Aboriginal people. During the late 1800s, explorers, miners, cattlemen, sandalwood getters and beche-de-mer collectors all made their presence felt. Towards the end of the 1800s this contact increasingly resulted in conflict over non-Aboriginal exploitation of Aboriginal land and natural resources (Bos 1974).

Serious conflict first arose in the central Peninsula when the alluvial goldfields near Coen were originally worked by European miners in the 1870s. Bradfield's first Telegraph Line expedition later arrived at the previously abandoned European outpost in 1883. The Telegraph Office was finally established in Coen in late 1886. Soon after, reef gold was discovered at Wilson Reef, and in 1893, the Great Northern Mine was opened, flooding the area with up to 360 non-Aboriginal people (Sheehy 1987). Since then, the mine has been intermittently reworked, the last time being in the late 1940s and early 1950s.

Pastoral runs followed the Telegraph line and spread out from the central access route, increasing the conflict between different Aboriginal groups and Europeans. As a result of the pastoral incursions and the exploits of beche-de-mer fishermen and sandalwood-getters along the coast, most of the first coastal missions and Aboriginal reserves were established by the Moravian, Presbyterian, Anglican and Lutheran Churches. Instead of being coaxed into the coastal missions or forced to settle there for greater protection, many Aboriginal people in the central Peninsula were originally drawn into pastoral station camps (e.g., Merepah, Rokeby, Silver Plains, Mt. Croll, etc.) and in some cases, mining camps around the Coen district. These people soon provided the primary stockman and domestic workforce for the rapid expansion of the Peninsula pastoral industry (see May 1986). Many of the earliest Aboriginal residents of Coen were those who lived on the Mt. Croll Station. Others were lucky enough to gain exemptions from the various Government Acts that controlled the lives of Aboriginal people on missions and reserves.

In the 1950s and 1960s, the Aboriginal population of the small Coen reserves increased dramatically with the introduction of award wages for Aborigines in the pastoral industry and the subsequent decline in Aboriginal involvement in station and trochus-boat life. Coen, however, continued to and still does provide a central pool of Aboriginal stockmen for seasonal work on local pastoral runs. For most, the new life in the Coen town reserves was far more sedentary than station life and people found that access to their traditional country was increasingly restricted. The Queensland Government, through the Department of Native Affairs, was able to increase its control over the lives of Aboriginal people in Coen.

Even with the advent of citizenship in 1967 and increasing welfare provisions in the early 1970s, the social situation facing Aboriginal people living in Coen did not improve significantly and many were increasingly alienated from their traditional country. With further declines in the pastoral industry since the mid seventies, Aboriginal unemployment and dependence on the Government has continued to grow. Many people in Coen see increasing opportunities in the 1990s to regain title and access to their land as a potential mechanism for overcoming this dependence and gaining greater control over their own lives.

8.2 How Coen groups view land and natural resources

Land and sea issues remain central to the concerns of all Aboriginal groups in Coen. While most people largely remained alienated from their lands until the 1990s, in the last few years, all but one significant language group (the Ayapathu) have been able to secure free access to at least a fragment of their traditional country. In part, these lands now contribute to meeting the social, cultural and economic needs of Coen-based people. Outstations and other forms of land-based activity are the physical manifestations of these aspirations.

8.2.1 Existing land and resource use aspirations

Today, people and families in the Coen Aboriginal community originate from several different language groupings. These include:

- The Lamalama from the Port Stewart/ Lakefield National Park area;
- The Northern Kaanju or Wenlock groups from upper Wenlock River and Batavia Downs;
- The Southern Kaanju from parts of the MacIlwraith Range area;
- A number of Wik groups, particularly the Mungkanh from Merepah and topside Mungkanh peoples with interests in parts of Rokeby National Park (Langi Outstation);
- Olkolo people with interests in Glen Garland Station (Ancilia Holdings) to the south west of Musgrave ;
- Town-based people and others with close Ayapathu links to the south of Coen (around Musgrave and Ebagoola);
- A variety of individuals or small groups with links to other areas of land in the Peninsula (e.g., Umpila of Lockhart River and a cluster of languages from around Princess Charlotte Bay such as Kugu Thaypan, etc.).

Most of the major language and family groupings have clear outstation, land claim or land acquisition aspirations. The following outlines the existing land base held by Coen-based Aboriginal groups (see outstation map this volume) and details the aspirations that people hold for these areas.

a) Merepah Pastoral Holding

This pastoral lease to the west of Rokeby National Park was purchased by the Aboriginal and Torres Strait Islander Commission (ATSIC) for the Mungkanh people in 1990. At the time of purchase, the property was undercapitalised and had previously been destocked under the State's Brucellosis and Tuberculosis Eradication Campaign (BTEC). At the time, the two million dollar purchase price was well above the average for comparable holdings in the Peninsula. Merepah, however, has a better than average cattle production potential for the Peninsula because of its resource base and its position within the Weipa hinterland.

Lease conditions required of the Mungkanh include the maintenance of existing property improvements. However, since the purchase of the property there has been very little pastoral development planning, activity and maintenance (apart from the transfer of 200 head of breeders from Kowanyama). Most development activity has focussed on the use of CDEP capital and recurrent funds to improve and operate the central Merepah outstation.

The main Merepah homestead operates as the primary year-round outstation residence area. There often are up to 45 people from both Coen and Aurukun during the dry season. Merepah elder Wampoo Kepple plans to operate Merepah as a commercial cattle operation, and hopes to have a local pastoralist to undertake collaborative work with him to develop a manageable operational plan for the property. ATSIC currently estimates that over one million dollars of capital investment would be required to establish the property as a viable enterprise.

Wampoo Kepple considers that he has not received sufficient support from ATSIC or the State government to operate the property commercially following its purchase. Whether Merepah is established as a viable cattle enterprise or not, the property will continue to provide an opportunity for Mungkanh people to return to country and to escape the pressures of living in the Coen and Aurukun communities.

b) Wenlock Deed of Grant in Trust Use Rights

The Northern Kaanju currently have traditional links and negotiated access to country in the west of the Lockhart River Deed of Grant in Trust (DOGIT). These access rights were confirmed by negotiation between traditional owners for the area and Lockhart River Council. Negotiations for the transfer of some land, which is more central to the traditional interests of the Wenlock people are occurring in relation to Department of Primary Industry's Batavia Downs holding, including the focally important location of Malandudji.

As in most central peninsula outstations, young people are highly mobile between the Wenlock outstation and Coen and other permanent Aboriginal communities. The outstation currently operates as a general base for a core group of older people. One Wenlock couple has been in permanent residence for two years. Future activities proposed by Wenlock outstation people include fencing developments, gardening, housing and shelter construction, road development and longer term assistance for breeding, mustering and selling scrub bulls and cleanskins.

a) Rokeby/ Archer Bend National Park Claim

This claim was being developed in 1993 and 1994, though anthropological research has recently been limited by a lack of funds. The claim involves various Kaanju and Mungkanh groups. Coen-based members of these groups have strong traditional ties to this land, as well as a historical association based on past involvement in the cattle industry. Two full time Aboriginal Ranger positions were to become available in Rokeby National Park in 1993. The first was to become available in July 1993, and was to be allocated to a Wik Mungkan candidate (to be based at the Rokeby Ranger Station).

b) Lakefield, Silver Plains and Port Stewart

Many Lamalama will be involved in Lakefield land claims during 1994, particularly on Lakefield National Park. There may also eventually be additional claim activity on vacant crown land blocks near the Massey River, a camping reserve to the west (on the Stewart River) and a Timber Reserve near Running Creek.

c) Birthday Mountain Claim

The most important land claim activities for the Southern Kaanju have recently been finalised with the completion of the Birthday Mountain claim under the Queensland *Aboriginal Land Act 1991*. The Southern Kaanju eventually hope that they will be able to operate some form of cattle enterprise on these areas in the future. The family also hopes to be able to secure some form of title over the Nullumbidgi Mining Lease within Timber Reserve 14.

d) Aboriginal Reserves Near Coen

The Coen Aboriginal community has recently secured title to a number of small reserves close to the Coen township from the Department of Family Services and Aboriginal and Islander Affairs (DFSAlA). The Department has also previously considered the transfer of the DFSAlA Community Hall block to the Aboriginal community. These small properties will provide greater opportunities for residential expansion and economic development. The Coen Aboriginal community also has further interests in securing commercial and residential land within the Coen Township to increase its economic independence.

8.2.3 The broad nature of community land and resource aspirations

Working to secure title to land and organising outstation visitations and activities are a critical part of day to day business of most groups within Coen. By having access to traditional country, groups within Coen are able to maintain their identity and continue to pursue opportunities to achieve their own aspirations. The continued enhancement of such opportunities is central in reducing the tensions that exist between the many different groups that have previously been forced to co-exist within the small Coen township under restrictive administrative regimes.

For a variety of historic, cultural and personal reasons, a range of Aboriginal views towards land and natural resource use exist within the Coen community. The aspirations of different groups range from the use of land and resources for traditional purposes to the commercial

exploitation of land and marine natural resources. Discussion below is broadly inclusive of Aboriginal aspirations on existing Aboriginal lands held by Coen groups, as well as land claim aspirations beyond these areas.

a) Traditional and subsistence resource use aspirations

Most Coen people retain both strong traditional and historic links to land in the central Peninsula. Thus, many Aboriginal people seek to maintain the spiritual and physical well being of their land and its resources. The specific traditional and cultural links of many Coen people to their lands are detailed in a variety of extensive anthropological works carried out in various parts of the region (e.g., Chase 1980).

The use of land and marine resources in the region for subsistence is closely linked to Aboriginal spiritual affiliations to land and sea. Subsistence remains an important component of Aboriginal resource use aspirations, and in general, it continues to play an important socio-economic role in Coen. Subsistence strategies are just one of a variety of economic strategies taken by Coen people, but are predominantly important during periods of outstation living. Land and marine subsistence activities help to subsidise the high cost of living in Coen and they also help to bridge the regular periods when people have no access to hard currency. It also helps to overcome problems caused by inadequate food storage facilities in Coen and on outstations.

A serious problem facing Aboriginal people resident in Coen is that, because the town is surrounded by pastoral leases, they have limited access to subsistence resources close to the township itself. This tends to concentrate fishing activities to a small number of key areas close to the Coen River. This also means that outstation groups often transport subsistence resources from outstation areas for distribution to appropriate families and kin-groups within the Coen township.

Aboriginal control and input into the management of maritime and land subsistence resources is an issue of utmost importance to the strong self-determination aspirations of groups within the Coen community. The community considers that there should be greater recognition of traditional hunting and fishing rights under various land tenures in the central Peninsula, particularly on pastoral leases and in National Parks.

b) Commercial and enterprise resource use aspirations

Commercial economic development of available land resources is a consistent theme raised by Coen groups, though to date, the commercial viability of a small number of development projects attempted has been limited. People most commonly talk of potential enterprises that involve cattle grazing, fishing and mining; all industries in which Coen people have had a long historical involvement.

Coen groups often place greater emphasis on the achievement of employment, training, educational and other social objectives within the context of establishing enterprise projects. Wenlock outstation, for example, is interested in mustering of scrub bulls and cleanskins. In meeting these aspirations, it will be important for the group to establish realistic, community-based project objectives and strategies. It will always be important for

single organisation to represent and administer funding and outstation development in the Coen Aboriginal community. As Coen had often missed out on significant government funding, many in the community considered that the idea had some merit, and this resulted in a meeting of the significant language groups and families in Cairns in September 1991. At the meeting, ATSIC's Commissioner Pearson explained the need to establish a central, identifiable organisation in Coen to direct funding and support from government agencies. Later, in a private meeting of the Aboriginal delegates, it was decided that Malpa Kincha and Moomba would be dissolved, and that the Malpa Kincha hall would be used by all Aboriginal people in Coen. A number of groups were to exist under the new umbrella organisation, including: (i) Ngalapichi (southern Kaanju); (ii) Edmulpa (Olkolo); (iii) Malundudji (northern Kaanju/Wenlock); and (iv) Tillumpitoo (Mungkanh).

It was originally decided that another meeting would be held in Coen to establish consensus about forming a unified organisation. The community approached two ATSIC councillors to address the issue in November 1991. Informal discussions were held with separate groups to inform the forthcoming ATSIC Regional Council and Commissioner's meetings in December. All groups at this meeting tentatively agreed that setting up a CDEP was important and that the new organisation be called the Coen Aboriginal Corporation.

In August 1992, a DFSAIA officer briefly talked to many groups in the community about the types of projects they wanted to see established in Coen and on associated outstations. At a community meeting of about 60 people soon after, many agreed that CDEP would still be worth commencing. In November 1992, the Commission approved funding for the scheme. The Coen Regional Aboriginal Corporation (CRAC) was finally incorporated under the *Federal Aboriginal Councils and Associations Act 1976* in February 1993. While CRAC is now a fully operational umbrella organisation, Moomba and the new Edmulpa Corporations remain intact to allow particular family groups to maintain some degree of independence. Other major families in the community may also seek limited incorporation in the future, but it is expected that such groups will continue to operate with umbrella support from CRAC (see Dale 1993).

The existence of actual and mooted small, incorporated organisations representing one or a few outstation groups under the umbrella of CRAC helps individual outstation groups to maintain a clear identity while benefiting from the representation and resources of a larger organisation. It also provides flexibility for individual groups to pursue their own strategies for securing outstation resources when disputes arise over the allocation of CRAC resources. Potential tensions not only exist between outstation groups, but between the town-based activities of CRAC and outstation-based activities. The structural complexity is critical to the long term success of CRAC as a loose affiliation of quite disparate groups.

CRAC has now been fully operational since April 1993. It has a Board of Directors of 14, including representatives from the Lamalama, Wenlock group, Olkolo group, Northern Kaanju group, Topside Mungkanh group and town people. The Merepah Mungkanh are not directly represented as they remain affiliated with the Aurukun Community Incorporated (ACI) CDEP. They do, however, remain involved in CRAC on an informal basis.

CRAC is the community organisation through which most major outstation and town-based project funding is channelled directly to the Coen Aboriginal community. It thus has a

critical function in establishing a political, social, economic and administrative base for Aboriginal self-determination. Under the terms of its incorporation, CRAC's broad functions, roles and responsibilities include:

- Developing and promoting the self-determination and self-management of the members of the Association;
- Improving opportunities for the members of the Association to develop socially, culturally and economically in accordance with their needs and desires;
- Raising awareness and understanding within the Coen Aboriginal community of the role of governmental and quasi-governmental agencies in providing services to Coen and its outstations;
- Assisting in the identification of economic opportunities for the Coen Aboriginal community and its outstations that facilitate self-management of members;
- Improving training opportunities for members;
- Doing all things necessary or incidental to the attainment of the above functions, including: (i) the acquisition, holding and maintenance of land within the Coen region; and (ii) the entering of such enterprises that the Association considers desirable.

In line with its hopes to achieve these broader functions, CRAC has commenced work on establishing a broad community development plan. As a basis for planning, CRAC sees itself as the organisation responsible for helping the whole Coen Aboriginal community to work towards its future needs. Outstations and the homelands movement are part of the bigger self-determination aspirations. Many in the community have common hopes. Indeed, all Aboriginal groups in the community agree on the way that they would like to see Coen look in the future. Outstations are a central part of this vision, though it is expected that Coen will continue to develop as a long term residential and economic option for Aboriginal people in the central Peninsula. As the CRAC Chairman suggests, this vision includes:

Well, by making a plan for the future ... getting the CDEP here ... to help the people get their land and by doing that, you have got to think a lot. By getting the things put up in the town, like the Cafe, the butchershop get it so money can work around ... it will come back. And also for something for the younger people, like the mechanical shop. And also, not forgetting the older people, like making woomera, basket ... but also for younger people. Already now, hardly younger people talk language that's all gone (Phillip Port 1993).

Other CRAC Directors emphasise the need to maintain the integrity of the Coen community and the training needed to achieve these ends. Both the Coen township and outstations will continue to fulfil separate, but equally important functions for Aboriginal people. As one Director says:

We need planning for someone to come up from TAFE, to teach our young people here so they don't have to go away (from Coen or outstations). Like building and like schoolteachers or secretary, and training for computer and that if someone could come up. We get our young people trained here because if they go away, they will be worried about home. If we had it here, they would be more at home. They can do their training here at home and get someone to come up and train them from the TAFE so they can have job here all the time then. Most of our young people went away from TAFE, and they didn't return back (Rosie Sellars 1993).

All Directors see themselves making their own future in which both outstations and the Coen township feature centrally. Their primary vision is self-determination:

I like to see this place (and outstations) in ten years time ... we've got our own workshop we have our own garage, get our own petrol, diesel whatever and young fella's knowing how and what to do. And its all run by all black people. People can go out and do their own fishing and be self-sufficient. Having their own shop ... making money for the community and for ourselves too (Allan Creek 1993).

It is likely that the balance of outstation and Coen-based activities will continue to fluctuate over time. A number of factors such as social tensions, access to funding, age demographics, interference from 4WD tourists, availability of subsistence resources and seasonal conditions will contribute to fluctuations in this balance. It is highly likely that while the Coen township will continue to grow, outstations will continue to provide a variety of options for individuals and language groups to pursue their own agenda and priorities.

8.3.2 The community economy

For most of the early part of this century, those Aboriginal people who came in from the bush in the central Peninsula were almost fully-employed in the pastoral and trochus/beche de mer industries and in Church Missions. However, they worked at a fraction of the existing awards and had little control over their terms of employment. Massive Aboriginal unemployment and welfare dependence only began to develop as award wage systems came into place during the 1950s and 1960s. This was exacerbated by economic declines in both the trochus and pastoral industries during the 1960s and 1970s respectively.

Immediately prior to the establishment of CDEP in Coen, very few Aboriginal people were employed in full or part time jobs. There were also no economic enterprises that brought any non-government income into the community. The community was deeply concerned about its great dependence on the Government to survive. Community statements recorded in 1993 about why Coen people wanted to establish CDEP include:

- o "Young people got no job. What they gunna do; drink, fight, nothing to do".

- "At the moment, some people like to go out and work for old boss (pastoralists). When they go to ask for money, they can't get paid as they are on Social Security".
- "Our (old people's) time was hard time ... but now they (young people) going to leave school parents can't do anything and they get out of control. It is not like before when you left school for work ... nothing (no work) to go for now".
- "If people get land right, then they need to get something with brain in their head ... not just raking stuff, but big jobs like building houses".

The introduction of the CDEP system into the community has not dramatically altered total income levels to individual households, though it has restructured the way that households receive and manage money. The scheme has also radically increased the amount of project and operational costs coming into the community for project activities, particularly those occurring on outstations, making outstation development a more viable option than previously. The scheme has also made the receipt of operational costs more reliable than the previous funding system which relied on ad hoc grants to the two Aboriginal corporations.

Under CDEP, single men and women each receive their pays independently. Pays to families are also evenly split between workers and spouses. CDEP pays are supplemented by social security allowances and pension payments. The community economy operates in a way similar to the multiple enterprise economy described by Anderson (1979), which places the role of subsistence amongst a variety of other economic strategies taken by Aboriginal families.

Family resources are often pooled in a variety of ways which enable core land owning groups to resource the significant cost of visitation and other non-government funded activities carried out on outstations. Subsistence activities play a far more significant role in providing economic needs while people live on outstations, particular during long wet season stays when there is no access to Coen.

8.4 Subsistence resources, strategies and initiatives

Subsistence resource use strategies in the central Peninsula include Toyota and foot-based hunting, land-based riverine and marine line fishing, coastal and riverine wirespear fishing and dinghy-based fishing and hunting for turtle and dugong. With increasing outstation use in recent years, most outstation groups are only just beginning to regularly utilise the subsistence resources now available to them.

While the two coastal outstation groups have now been able to begin regular residence at Stoney Creek and Port Stewart, both groups have expressed concern about perceived declining fish stocks in local estuarine systems. Land-based protein sources are generally seen to be in relatively good supply (e.g., feral pigs, wallaby and feral cattle). On the east coast, outstation groups have previously raised concerns about perceived declining dugong and turtle numbers. Cassowary numbers have been considered to be very low for some time, to the point where there is no longer active hunting in the east coast rainforest areas.

Apart from anthropological work completed during the 1970s and 1980s on marine estates of people associated with Southern Kaanju groups, there is a need for more detailed mapping and analysis of marine zone resources for outstation groups using various areas of the central eastern Peninsula. Further work is also needed to determine the potential impact of Aboriginal hunting of turtle and dugong in the eastern Peninsula.

8.4.1 Aboriginal perceptions of Government regulation and planning processes

Aboriginal people in the central Peninsula largely view the declaration of conservation areas as potentially limiting the degree of control they may have in the management of their traditional lands. During the Rokeby/ Archer Bend National Park claim process in 1993, for example, there was much confusion over the rights that people had to undertake subsistence hunting during extended periods of stay on the Park during the claim process. During the process, people received mixed messages from representatives of the Department of Environment and Heritage (DEH) about hunting within the Park. They were ultimately advised that hunting in the Park would not be allowed until the new regulations within the *Nature Conservation Act* came into play at a later stage.

Few Aboriginal people in Coen were formally involved in CYPLUS, though a number have attended various meetings in Coen over the last few years. Consequently CYPLUS is perceived to have little relevance to the processes of planning and developing land claim aspirations and outstation-based activities and projects. A number of outstation groups have appreciated attempts by some CYPLUS research teams to let people know about the work being carried out in particular areas. Others have been annoyed to find research teams working on ecological and natural resource projects in their traditional country without consulting them or being aware of areas of significance. This reluctance to work with Aboriginal people potentially ignores the vast knowledge of country and resources that local Aboriginal people hold.

8.5 References

- Anderson, C. (1979). Multiple Enterprise: Contemporary Aboriginal Subsistence Strategy in Contemporary South-east Cape York Peninsula. In Stevens, N.C. and Bailey, A. (eds.) *Contemporary Cape York Peninsula*. The Proceedings of the Royal Society of Queensland Symposium, Brisbane, 1979.
- Bos, R. (1974). *An Attempt to Interpret Recent Developments At Aurukun*. Unpublished Paper, Superintendent, Aurukun Mission.
- Chase, A.K. (1980). *Which Way Now? Tradition, Continuity and Change in a North Queensland Aboriginal Community*. Ph.D Thesis, Queensland University, Brisbane.
- Dale, A.P. (1993). *Recommendations for the Establishment of CDEP in Coen*. Institute of Applied Environmental Research, Griffith University, Brisbane.

May, D. (1986). *Aboriginal Labour in the North Queensland Cattle Industry*. Ph.D Thesis, James Cook University, Townsville.

Sheehy, D.J. (1987). *A Century at the Top: 1887-1987. One Hundred Years of Telecommunications on Cape York Peninsula and the Torres Strait Islands*. Telecom Australia.

Taylor-Byrne (1993). *Glen Garland: Preliminary Property Management Plan*. Taylor-Byrne, Agricultural Consultants, Brisbane.

CHAPTER 9

LAMALAMA "ONE MOB" FOR LAND: THE PORT STEWART LAMALAMA COMMUNITY

Diane Hafner

CONTENTS

9.1	Introduction	9-1
9.2	The Lamalama and the three claim areas: the Public Purposes Reserve at Port Stewart	9-2
9.2.1	Lakefield National Park and the Cliff Islands National Park	9-2
9.3	Owners of country	9-4
9.4	Economic strategies	9-7
9.5	Demographic profile	9-13
9.6	Social organisation	9-16
9.7	Commercial interests	9-18
9.8	Conclusion	9-19
9.9	References	9-20

LAMALAMA "ONE MOB" FOR LAND: THE PORT STEWART LAMALAMA COMMUNITY¹

9.1 Introduction

The group of Lamalama people who live and work in Coen form the core group of Lamalama people on Cape York Peninsula. They are the owners and speakers of several closely-related indigenous languages associated with traditional estates in land, and are a group of people who represent a variety of interests in land in terms of the older, or classical system (Sutton 1989; 1993; Rigsby and Hafner 1994:61) of clan organisation and its estates. Today Lamalama people do not commonly refer to themselves by clan designations. These are still known to some of the older people, who have comprehensive cultural knowledge, and are keen to pass it on to their children. This community of people varies regularly between 60 and 100 people², as many of the men go out to work on pastoral stations in the general region, and the older children leave Coen to attend high school. It is this core community that established and maintains the outstation at Port Stewart.

The return of a small area of land to the Lamalama, and their pursuit of further land represents one example of the speedy changes in this area. Aboriginal interests in land on Cape York Peninsula and Australian law title to it are changing rapidly. While the Lamalama hold legal title to one small piece of their traditional lands, and are engaged in land claims over other parts, they own considerably more land under Pama or Bama³ Law. Their use of the land and waters within their traditional estates is conditioned by adherence to the principles of respect that are specified by Lamalama cosmology. The discussion that follows suggests that it is the vitality of Lamalama religious belief and practice that informs their desire to gain control of their traditional estates, and continues to govern their patterns of use in the current environment of rapid change.

¹ The author is a doctoral candidate in the Department of Anthropology and Sociology at the University of Queensland, who first undertook field research at Port Stewart in November 1989 with Prof. Bruce Rigsby and Dr Nancy Williams. She undertook doctoral research at Coen and Port Stewart throughout 1992, and again from May to December 1993. These periods of field research were supported by grants from the Australian Institute of Aboriginal and Torres Straits Islander Studies, Canberra. Funding for the two land claims mentioned in the text was provided by the Queensland Department of Family Services and Aboriginal and Islander Affairs. Prof. Rigsby and Ms Hafner were joint authors of the claim documents in both claims; Prof. Rigsby had the major responsibility for writing the initial drafts. The author gratefully acknowledges the intellectual and editorial contribution made to this paper by Prof. Rigsby. Throughout the duration of the claim process, she engaged in many spirited, fruitful and extensive discussions of the matters at hand, and those discussions have naturally informed the writing of this paper. The author further wishes to acknowledge the contribution of her colleague and friend, Ms Marcia Langton. The author has benefited from much wide-ranging, informed and interesting discussion with Ms Langton, who also worked on the two claims. Ms Langton also made a number of editorial suggestions to an earlier draft of this paper, many of which have been incorporated by the author. Some of the views in this paper have also been shaped by discussion with Dr Peter Sutton, and the author acknowledges his contribution to this paper. All errors are of course her own.

² The total population of Lamalama people living on Cape York Peninsula would be perhaps 400, with as many again living in other locations throughout the country.

³ Bama is a Guugu Yimidjirr language term for "Aboriginal people", which has acquired a wider social and political application due to the increasing frequency of its use in parts of the Peninsula. Similarly, Pama [which should be italicised] is the term in several indigenous languages in the Coen region that is used to describe Aboriginal people. It should also be noted here that all indigenous language words used throughout the text, unless otherwise stated, are Umpithamu terms, one of the Lamalama language varieties. Both the term Kintya and Puuya, which appear in the text are Umpila words; minya is a widely-applied regional term for meat.

The Lamalama people are the indigenous owners of land around Princess Charlotte Bay, on the east coast of Cape York Peninsula. They are also the holders of freehold title to a small part of their traditional estate in the Port Stewart region, where they established an outstation on the banks of the Stewart River in the mid-1980s. An area of a little more than 2000 hectares, formerly a Public Purposes Reserve, was transferred to them in 1992, under the provisions of the *Aboriginal Land Act 1991*, and the outstation is located within this land. As well, they own two blocks of land in the designated, but never occupied township of Moojeeba, which is situated within the land that was transferred to them in 1992. These blocks were purchased under the separate Land Act in 1994. The Lamalama are currently pursuing claims over other tracts of their traditional lands, also under the provisions of the *Aboriginal Land Act 1991*, which allows claims over national parks that have been gazetted by the Queensland Government for claim by Aboriginal people. They are among the larger group of claimants for Lakefield National Park, and the sole claimant group for the Cliff Islands National Park. These claims were heard by the Queensland Land Tribunal in 1994, established under the *Aboriginal Land Act 1991* to hear such claims. A decision on each is expected some time in 1995.

9.2 The Lamalama and the three claim areas: the Public Purposes Reserve at Port Stewart

The Lamalama are coastal people, whose traditional estates run around Princess Charlotte Bay from the Jane Table Hill area in the north-east of Lakefield National Park, to the Massy River on Silver Plains pastoral holding in the north of the Bay. The greatest number of Lamalama people reside in the small town of Coen, although they also live in other communities on the Peninsula, principally Cooktown, Hopevale and at Umagico in the far north. Their outstation at Port Stewart uses only a small proportion of that land to which they now hold inalienable freehold title. The present location of the outstation, roughly 5 kilometres from the mouth of the Stewart River allows easy access to fresh water from the river, as well as being within walking distance of the coast, where there is good fishing.

The group of three islands that form the Cliff Islands National Park lie off the coast a little to the south-east of Port Stewart, opposite the mouth of Running Creek. They are accessible from Port Stewart by a dinghy with an outboard motor in fine weather. With strong winds, the seas in Princess Charlotte Bay become too rough to travel with this form of transport, even for the short trip of about 20 kilometres to the islands. The northern boundary of Lakefield National Park is formed by the waters of Princess Charlotte Bay, further to the south of the Cliff Islands, but again it is not far from Port Stewart. It would take perhaps two hours to drive around the coast from the outstation to the north-western boundary of the Park.

9.2.1 Lakefield National Park and the Cliff Islands National Park.

Lakefield National Park runs irregularly south from Princess Charlotte Bay towards the township of Laura. It is largely bounded by the Normanby River in the east, and follows the boundaries of a number of pastoral properties in the south-east and the west. It covers over 500,000 hectares of quite varied terrain. There is a large area of saltpan, and numerous

rivers and waterways including lakes, lagoons, and billabongs. There are forested areas, most of which are gallery forest along rivers, and stretches of open plain.

The area bounded by the Park is the traditional territory of language and social groupings: Lamalama estates in the north; Kuku Thaypan estates to the west; and in the south and east, those estates within the classical system which were recognised as belonging to the Balngarrwarra, Gunduurwarra, Magarrmagarrwarra, Muunydyiwarra and Bagaarrmugu clans. Principally because of the history of removals that were authorised under the *Aboriginals Protection Acts*, this claim draws in people who live in a number of separate communities, mostly in the region around the Park.

The Cliff Islands National Park claim has been heard jointly with the Lakefield claim, because much of the Lamalama evidence to be presented to the Tribunal was pertinent to both claims. The Lakefield hearings were in effect a single hearing of evidence for three separate claims, being Lakefield, the inter-tidal lands in the north of the Park, and the Cliff Islands National Park. The original claim over Lakefield was lodged over the entire Park, but the claimants were later informed by the Queensland government that the inter-tidal lands in the north were not included as claimable land. On the claimants instructions, their agent, the Cape York Land Council applied to have that land included. It was gazetted for claim in early 1994, and has been included with the claim over the greater area of the Park.

Evidence from Bama witnesses and submissions from interested parties⁴ were heard at the Gungarde Aboriginal Corporation hall in Cooktown in June. In the case of the Lakefield claim, the interested parties included the Queensland Cattleman's Union and the Queensland Commercial Fisherman's Organisation and local pastoralists. Remaining Aboriginal evidence was heard at Bizant Ranger Station and other locations within Lakefield National Park in August. At the time of writing, the hearings are adjourned, with the claimants awaiting the Tribunal's recommendations.

At present the Lamalama carry out a range of subsistence practices at Port Stewart. However a successful grant of land in the Lakefield claim would open up a different range of opportunities to the Lamalama, who would then enter into the requisite management arrangements with the Queensland Department of Environment and Heritage, responsible for national parks.

⁴ "Interested parties" are those parties other than the claimants who have been made party to the proceedings by the Land Tribunal. Paragraph 4 of the Practice Directions for the *Aboriginal Land Act* 1991 state that an interested person is "a person whose interests (whether financial or otherwise) could be affected by the grant of the land as Aboriginal land because of the claim" (1992: iv).

Employment within national parks with Bama input into management is likely to prove attractive to some of the Lamalama, many of whom are currently employed under CDEP⁵ arrangements in the various communities in which they live. For many Lamalama people, Lakefield's status as a national park, and control by pastoralists before that, has largely precluded them from doing as their ancestors did until their participation in this claim. It is to be expected that changes to land tenure will affect the way that Peninsula Bama orient themselves to each other and the wider economy, and projections about changes to the Lamalama social and economic world fit within this.

What seems unlikely to change is their identification as Lamalama, which speaks at once about their relationship to other Pama, or Bama, and the wider Australian society, as well as to each other. This collective sense of self is significantly grounded in their knowledge of what it means to be a traditional owner of particular tracts of country.

9.3 Owners of country

Land is valued by Aboriginal people for more than its worth as mere real estate. This is a fact about which much has been written in the past (e.g., Stanner 1956; Myers 1986; Williams 1986), and the same principle applies to the Lamalama. In giving evidence before the Land Tribunal in support of their recent claims, it was necessary under the terms of the legislation that they demonstrate their spiritual connection to the land claimed. Because of the historical place of this dimension of proof in Australian land claims, it is in danger of being taken at face value as expressing the real nature of Aboriginal religious belief and practice, rather than the short-hand description of the religious and jural complexity that is reality. That this term has currency in land claims, and that it will likely form an element of proof in native title claims means that it is important to consider here.

Lamalama concepts of spiritual connection incorporate belief in Story-Beings and Story-Places, as well as the continuing social existence after death of owners of country; these are the spirits of relations, known as "Old People" in local Aboriginal English usage.

The Lamalama know themselves as traditional owners of country in the Princess Charlotte Bay region through Bama or Pama Law, which specifies principles of descent for ownership of land, and rules for behaviour that were decreed in the "Everywhen", to use Stanner's phrase (Stanner 1956:52), or Story-Time, by Story-Beings, the ancestral creator beings, whose actions are responsible for the formation of features of the landscape. For example, certain actions of Wind and Moon created the circular sweep of Princess Charlotte Bay. Sometimes the nature and existence of Story-Beings explain the attributes of an area or particular place. If a place has abundant resources, it is sometimes the case that the actions

⁵ The Community Development Employment (CDEP) scheme run by the Coen Regional Aboriginal Corporation (CRAC) allows outstation residents who are members of the Corporation to plan their work program to include working on their respective outstations. This requires the outstation to designate a supervisor who oversees workers, and a foreman who specifies the projects to be worked on. This allows people the flexibility to work where they choose, and to change locations between the outstation and Coen if they need. As with the other outstations administered by CRAC, there is some fluidity in work arrangements, especially among younger people.

of the Story-Beings have assured that possibility. The author has in the past been given information of this type, but this kind of knowledge is carefully guarded and rarely enters the public domain. It is also subject to transmission across generations, and again, due care is exercised in passing it on.

A good part of the traditional Lamalama estate within Lakefield National Park and along the narrow coastal strip at Port Stewart is saltpan. Here, it is forbidden to urinate, except on the higher sand ridges throughout. It is also forbidden to throw mud. If these rules are broken, someone will get sick. This may not be the person who transgressed, but a relative of theirs. It will almost certainly, however, be a Lamalama person who will get sick. This seems to be because it is the owners of the country who are visible both to the Story-Beings and to the Old People. In local belief and practice, people bear "smell", that is, an essence of previous owners, which is sometimes transmitted ritually through the application of underarm sweat. This practice ensures the recognition by the spirit beings of people with the right to be in the area. Although not a practice that is often demonstrated publicly, it is one that is still held as significant by older people and with which younger people concur.

The Old People may also cause illness if the rules for behaviour are not observed. Some of the older Lamalama people have said that the Story were Lamalama people "before", that is, that at the time that they took action in the material dimension they were "relations", that is living Lamalama people. Thus there is a sense in Lamalama perceptions of the Story-Beings having once been Old People, or relatives, but in a much more disembodied way than the familiarity with which they know the general category of Old People. When Lamalama people speak about "the Old People", they may at times be talking about the general category of ancestors, now deceased, who inhabit the landscape. However, the term is also used to refer to a particular set of deceased relations' spirits, being those relations who were known to the speaker. This category usually refers to an ancestral depth of three generations from the speaker, and it is this set of ancestral beings which is in closest association with the present living generations of actors.

The defining principle of Lamalama spiritual connection to the land they own is the inheritance of ownership rights from ancestors. These rights are inherited one's father, father's father, and father's mother's father, as well as from one's mother's father and mother's mother's father. Individuals have significant interests in a particular parcel of land, that is, father's and father's fathers land, which will usually include some sacred areas, or "Story-Places". But they also gain associated rights of ownership to other land that is inherited from one's other three grandparents. Today, younger Lamalama people seem to regard themselves as gaining specific interests in land from their immediate parents, that is, their mother and father. As Sutton and Rigsby have noted (1986: 163-165), such inherited rights are subject to the workings of internal politics as well.

The primary significance of traditional mortuary rituals among the claimants is the release of the animation or essence of the deceased, what we might also think of as the spirit, that is freed from the flesh to inhabit its own land. However, death and the performance of such rituals does not free the spirit, or Old Person, from all social obligation. Lamalama people know their Old People to inhabit the landscape alongside them, and have periodic reminders from them that they are still around. An example of this is that children are subject to visitation from deceased relatives, and freely interact with them. One young man spoke to

the author of the spirit of his father following his brother and himself one night when they were late getting back home. In their view, he was making sure that they got there safely.

A more telling example is the sickness of *puuya*, an intensely painful swelling of the stomach and chest that is created by an Old Person in the body of an individual who transgresses against another in a way that breaks Bama Law. There is a set of recognisable symptoms that distinguish other stomach aches from *puuya*, and a single effective treatment for it. It is necessary for the individual transgressed against to rub the stomach of the transgressor with a piece of their clothing, asking the Old Person to release their grip on the afflicted. If this treatment is not administered, the person may die. When people talk about *puuya*, it is apparent in their conversation that there is a real sense in which the Old People are thought to be able to completely cross the boundaries of the material world, reaching into the body and affecting illness, pain and fear. It is also noteworthy that there is usually a close relationship between the Old Person and the individual administering the cure; commonly, it is one of father's brother/brother's son.

To be a traditional owner of land then, is to know yourself to be part of a company of people living in and out of what we in European philosophic tradition think of as the material world, with all of whom one shares the rights and responsibilities of ownership. Both the living generations of owners and the Old People move across the landscape, and both adhere to the rules of Bama Law. The mortal owners have the right and responsibility under that Law to control access to land, and the Old People are believed to act on these rules of Law as well. This was evident many times during the hearings before the Land Tribunal, held at Bizant Ranger Station in the north of the Lakefield National Park in August 1994. The location of this largely unused administrative centre is within Lamalama territory.

Claimants other than the Lamalama who attended, and who had never been there before, experienced visitations from Lamalama Old People. They told of being guided to the location of the hearings by supernatural signs, such as disappearing clouds of smoke or falls of rain, and a number of people had more immediate contact. Several people spoke of being woken by a tug on the foot, or having their blankets pulled off, then finding no-one there. This is known to be a common form of communication by the Old People. None of the people who related these stories were Lamalama, and they commonly interpreted their experience as being welcomed to that country.

Thus even in death, traditional owners are believed to have the right as well as the power to control access to the land. The present living generations of owners know themselves as owners not only because they have been told that this is their land, but because they live with the presence of their ancestors as a matter of fact. In evidence, claimants spoke often of feeling their mother or father with them, or feeling their presence in the landscape. It is this historically seamless sense of connection that is the core of Lamalama spiritual connection to the land: belief in the Old People incorporates all ancestors, with whom one shares some spiritual substance, but gives priority to those relations who were known.

This sense of connection guides their response to their rights and responsibilities in relation to the land, as much as any other knowledge they hold. In other words, while belief in and acceptance of the existence of Story-Beings, and the rules laid down by them are important

as indicators of spiritual connection, the knowledge of oneself as belonging to a company of traditional owners has equal weight in Lamalama perceptions.

Knowledge about the Story-Beings and Story-Places resides with and is controlled by the elders. These are not simply the older members of the community, but the people who are "strong in Law", or use the principles of Lamalama Law to guide their lives. Respect for individuals, demonstrated especially through the use of appropriate kin terms, and observing the rules for behaviour that applies to all of one's various categories of kin are important aspects of Law. Equally, the environment and the resources it offers are subject to the workings of Law. There are important rules in relation to places and species that must be observed.

While it is common for *all* members of the community to be made aware of the rules for behaviour from the age at which they can begin to understand - around three to four years old - it is the elders who designate the age at which the more sacred knowledge of the actions of the Story-Beings is passed on. This process generally begins at about twelve years old, but it is not uncommon to find that young adults in their early twenties are still being taught this information. Knowledge is passed on when the individuals are deemed by their everyday actions and demeanour to be responsible enough to be informed.

Nonetheless, the Lamalama are keen that strangers or visitors be aware of the areas that are spiritually powerful, or dangerous. As Port Stewart is a regional recreational area, many people unfamiliar with Aboriginal culture, and Lamalama culture in particular visit the area. Because their actions may endanger them, but more likely the Lamalama, they are concerned that people are aware of the rules for appropriate behaviour. However, they are also aware that many whites regard their knowledge as superstition or are otherwise disparaging, and are consequently reluctant to reveal knowledge unless they are certain that it will be received with respect.

9.4 Economic strategies

Thomson first visited Port Stewart in 1928, a year after the South Australian Museum team lead by Hale and Tindale went there. These researchers (Hale and Tindale 1933-1936:70; Thomson 1934:238) found Aboriginal people camped along the Stewart River close to the mouth. At this time, they were relatively autonomous groups of people who seem to have marginally engaged with the market economy which had earlier encroached upon the region. That this was so can be gauged by both Thomson's and Hale and Tindale's writings, but also from the oral history of present generations of Lamalama people who were children then, and from the stories told to them by parents and grandparents. Port Stewart served as the port for the transfer of goods and people in and out of the region by supply boat, and was at its peak in the first decade of this century. At that time it contained a few shops and houses, and a couple of hotels. Some Aboriginal people gained work with the contract carters who took goods between Coen and Port Stewart by horse and dray, and some had work as stockmen and domestics on local pastoral stations over the years.

In 1961, the autonomous community of Lamalama people living in the region (at a location about two kilometres from the present outstation) were forcibly removed (Rigsby and Coates

1991) to Thursday Island and Bamaga, ostensibly for medical checkups. Some of the adults who now reside at or use the outstation who lived or worked elsewhere, for instance at Coen, were not taken away. Those that were taken lost contact with their land and their relations, in some instances permanently as a number of the older people died at Bamaga without returning to their own land. Until removal, the Lamalama were able to pursue an economic strategy that included little recourse to store-bought goods apart from tea, flour, sugar and tobacco. Adults now recall (with a mixture of amusement and embarrassment) growing up without wearing clothes, and talk about those as "wild Murri" days. There are many splendid photographs in the Thomson Collection held in the National Museum of Victoria in Melbourne that attest to the life that the Lamalama lived then.

Lamalama economic strategies now resemble what Anderson (1980) once termed a multiple enterprise economy, utilising store-bought goods and other services, and incorporating traditional resource use practices. The outstation has two domestic freezers, one privately owned. This means that people are able to purchase a variety of goods, for example fresh vegetables, or children's treats such as ice-cream, to take down to the outstation with them. Regular trips in the two outstation vehicles are made between Coen and Port Stewart to collect and cash social security and CDEP cheques, and to purchase goods in either of Coen's two general goods shops. It is important to note, however, that the use of store-bought goods indicates a culture that is vibrant and flexible rather than any stereotyped notions of cultural loss.

It would be simplistic to view Cape York Peninsula Bama as somehow untouched by the encapsulating society, and indeed contrary to their wishes. Tools of non-Aboriginal, primarily Western design are used by Bama pragmatically, because their use makes a task easier. "Tradition" in any culture resides firstly in the minds of its members, so that the customs which become "traditions" are those that are valued by its members over time. It is these practices rather than the artefacts with which they are carried out that represent cultural traditions. It is the fact that people still engage in fishing that makes it a traditional practice. The fact that they use aluminium dinghies and nylon line does not detract from that.

As referred to above, the outstation has two vehicles, both four-wheel drives, and these are in regular use in service of the needs of its population. The outstation has a small capital of plant and equipment, including a diesel-powered generator and various tools. People choose to live there in tents, most of which are permanently located under tarpaulins stretched over bush timber frames. People generally live in family-centred groups that are socially and physically focussed around a kitchen area or hearth, with individuals both contributing to the communal pool of food and household goods, as well as being responsible for acquiring, through purchase or the exercise of other skills such as hunting, items of personal preference.

As indicated earlier, there are rules that inform mundane life that are sanctioned by Lamalama understanding of the rules laid down by ancestral beings. Many of these inform daily practices. As people with territories that traditionally encompass areas of sea, coastal, riverine and inland terrain, the Lamalama exploit resources in all those environments. They hunt terrestrial animals such as wallaby and goanna, but these are less favoured foods than feral pig, which rampages in abundance over Cape York Peninsula.

Men hunt feral pigs near swamps and waterholes, and use .22-calibre rifles and single-barrel 12-gauge shotguns for hunting pigs, wallabies, kangaroos, and birds (Rigsby and Williams 1990: 13).

However, as people whose identity is strongly attached to their status as traditional owners of "sandbeach country", the Lamalama are particularly fond of fishing, and eating marine resources. In 1990, Rigsby and Williams wrote

People now fish mostly in the Stewart (River) estuary and its mangrove channels as well as along the beach. They fish with hook and line for a range of species, but favour barramundi and salmon; they also spear mud crabs, stingrays and mullet. Women occasionally gather mussels, whelks, oysters and other shellfish in mangroves, sandy flats and shallow reefs exposed at low tide (1990:12).

The 1992 monsoon season was heavy, causing the Stewart River to overflow its banks, causing flooding along the stretch of river beside which the outstation is located. The sandbanks at the mouth of the River were radically reformed by this deluge. Before that, a favourite fishing spot for the outstation's residents was the "dinner camp", a sandy bank above the high tide mark on the southern bank of the estuary. People went out there by dinghy and fished from the edge of the bank, or waded across to the sand spits on the northern side. In both locations they would spread out across available territory, with men and women commonly walking considerable distances along the beach on either side of the estuary to fish with line and spear. With the disappearance of the sand bars and reshaping of the mouth of the river, fishing practices have changed somewhat to those that Rigsby and Williams observed and later wrote about in their 1990 paper, to accommodate the availability of suitable environments.

Many favoured locations are kept secret, both from outsiders and at times from each other so that they will not be fished out. The Lamalama still fish from the beach, but now commonly exploit different areas. For example, they will fish from the mangrove channels along the beach, as well as travelling considerable distances by four-wheel drive to fish from beaches and mangrove channels at some distance from the outstation, places that they visited only irregularly in the past. Four wheel drive vehicles have meant rapid mobility and therefore access to resources which were once difficult to obtain.

While it is common for both men and women to fish with spear as well as line, as they did in Thomson's time, it is also the case that people use and maintain their own gear, and usually do not lend it to others. Although in Thomson's time, and judging by the views of present Lamalama individuals, people previously made their own spears themselves, there are a couple of people nowadays (and some of them are women) who will make them for others, and whose craftsmanship is highly regarded.

It is also the case that to use someone else's spear without permission is likely to cause illness in that person, or someone else. Other transgressions are also likely to produce considerable ill-effect. For example, arguments before going fishing will produce "bad luck", that is a poor or non-existent catch. Fishers must "warm" their line or spear before using it, by passing a piece of burning and smoking iron-bark over it, at the same time asking the Old

People to "give luck". The Old People are always present in the landscape, and as such rituals demonstrate appropriate respect to them, it is believed that they are more likely to lend their assistance to the task.

Lamalama views on resource exploitation are particular, and relate to their knowledge of seasonal breeding patterns. They are often appalled by the wastage in non-Aboriginal patterns of resource use, as for example the wastage that they have observed to occur in the Stewart River estuary when commercial and other fishermen have net-fished there. They have found abandoned nets containing large quantities of rotting fish, crabs and sharks in the mangrove channels around the estuary more than once. Apart from the wastage of food - an important precept in Lamalama life can probably be expressed as food being one of the riches of life too valuable to waste - the sight of such disregard and disrespect is emotionally distressing. When this happened in 1991, the adults were extremely upset by the distress that had been caused to their children who saw it. In the Lamalama ideology, that which is taken should be used.

While they prize catches of large marine and terrestrial game, even those creatures that we are likely to regard as of insignificant size are used, either as bait or as food, in the case of marine animals. In the case of terrestrial creatures, such as wallabies or feral pigs, infant animals are usually reared until they are of a suitable size to consume. Most importantly, the Lamalama believe that more than can reasonably be consumed by the community should not be taken. When people catch more than they can personally consume, the surplus is distributed to relatives, according to kinship obligations. Indeed, people hunt, and especially fish, with the requirements of such obligations and needs in mind.

There are in fact four precepts that motivate the Lamalama as hunters, these being the need to supplement their diet, the desire to partake of traditional foods (which they generally regard as part of a healthier diet than processed foods offers), the servicing of kinship obligation, and the recreational pleasure of practicing a skilled craft. However, none of these fit exactly with the popular view of Aboriginal people as "original conservationists". As Dwyer (1994:95) recently wrote

It is not surprising that these resource management systems have been depicted as "conservationist". They are or they were! But, from an ethical standpoint, the terms of reference of that affirmation are critical. The relevance of indigenous systems of resource management are local not global; their concern is with the resident group and not with outsiders, their ambit is species and habitats that contribute to human well-being (both secular and sacred) and not with all species and habitats, and they are based in environmental perceptions that vary between groups and, often, bear little or no resemblance to those of Western society. They are not party to the ethic of modern conservation and they have no cause to be.

As well as utilising resources as hunters, the Lamalama gather plant materials for food, medicine and other purposes. They use bush timbers as building materials in the outstation. Although they camp in tents, they use timber and other gathered material such as scrap iron to construct detached kitchens, and to make frames which they cover in synthetic tarpaulins to protect their tents from rain, and to provide shade. They gather firewood, and collect

suitable light and straight wood for spears, for which beach hibiscus species are favoured. Sometimes they receive gifts of bamboo from relations in other communities which they use for spear handles. This usually involves an exchange of gifts, with the Port Stewart people perhaps giving fish or the gum used in binding spears. Today this gum is generally made from the sap of ironwood trees which grow in the area. In earlier times, it was made from boxwood, as Thomson (1934:262) noted when he visited the region in the late 1920s.

On the saltpan they gather *oympirri*, the mud underneath the grass that grows there, used as a "warming" cure. It is applied as a poultice, especially to the legs, but is used for most muscular and soft tissue problems. It has sometimes been used as a treatment for gout, but it is thought to be most useful in assisting slow growth in young children. A poultice of the leaves of the beach hibiscus is used if wounded by the toxic barb of the stingrays that are favoured food, and there are a number of other bush remedies that are regularly applied. Common treatments include infusions of the leaves of certain shrubs and trees as treatment for diarrhoea, bathing in an infusion of sandalwood bark to treat skin conditions, particularly scabies, and the burning of black ant bed and sandalwood to keep mosquitos away.

Dugong meat is believed to cure stomach problems, and was associated with "magic" and "magical" practices, in Thomson's words (1934:250-253). As might be expected in an economy that draws on consumer goods as well as traditional resources, it is not uncommon for Lamalama people today to combine strategies for treatment. The juice of chewed tobacco is often used for stings and bites, and readily available analgesics such as aspirin and paracetamol are commonly used as a cure-all, as for example, taking a couple of tablets as well as applying a poultice of beach hibiscus leaves to a stingray barb wound (L.Jolly pers comm.).

The *akandya* or *Coryphea* sp. palm is used to make fibre for baskets. Sometimes fibre is made from *warya* (*Ficus* species) as well, and used together with *akandya* fibre to produce a variegated effect. The fibre and bags are made by women, who also gather the material. In the past, fishing nets were made from these fibres. As well, people eat a variety of bush fruits, such as bush cherries and "lady apple" or *aapirri*, a succulent fruit with soft dense fibre redolent of Vitamin C. Several varieties of yams are also highly prized foods, including the round bulbous root that the Lamalama refer to as "hairy yam" or *waambil*. The yam known as *warngo*, or *karol* in a number of regional indigenous languages, is cooked, pulverised and washed to form a porridge. On occasion, people still make a similar porridge from *athithal*, the edible pod or fruit of the mangrove tree.

Favoured large marine game of the Lamalama in the past was turtle and dugong, which people still enjoy eating when they can get it. Thomson (1934:242-247) gives a lengthy description of the dangers of dugong hunting in outrigger canoes as it was practiced 60 years ago. Today, hunters around the Peninsula go out in dinghies with outboard motors to hunt both dugong and turtle, but generally still use harpoons just as their grandfathers did. It remains a dangerous, and exhilarating form of obtaining *mirnya* (meat). Rigsby and Williams note (1990:13)

Dugongs and turtles are protected by law, and many of the Lamalama people's hunting grounds are under the jurisdiction of the Great Barrier Reef Marine Park Authority (GBRMPA). The GBRMPA issues permits to some Aboriginal

people to take dugongs and turtles, but because the Lamalama people do not live on Aboriginal Reserve land they are not eligible to apply for permits to take dugongs and turtles "in accordance with Aboriginal tradition".

Presently, these conditions do not seem to apply; a senior Lamalama spokesperson was advised by the Great Barrier Reef Marine Park Authority and Marine Parks staff at the recent Cape York Peninsula Land Summit that they are eligible to apply for such a permit. Representatives of these agencies, however, were apparently not in agreement about the conditions which would apply to such an application. Some Lamalama men have accompanied relatives at Hopevale on turtle and dugong hunts while there to visit, and take considerable pride in coming back with a catch.

The Lamalama also know that there are extensive sea grass beds in Princess Charlotte Bay, and that as these are feeding grounds for dugong, they make excellent hunting grounds. However, dugong, which in Thomson's time was prized "chiefly on account of the abundant oil that the animal yields" (Thomson 1934:241), is valued less for that reason today, when the diet is easily supplemented with a variety of store-bought fats. Rather, it is valued as hard-won and rarely available "*minya bla yumipla*", that is, traditional Lamalama food, as is turtle. Turtle are also found in considerable numbers in Princess Charlotte Bay, and the sacred islands that form the Cliff Islands National Park are known by the Lamalama as a turtle breeding ground that is safe from the ravages of feral pigs. Some of the strict religious rules that apply to the taking of resources on these islands can also be seen to protect species, as for instance, the prohibition against strenuous digging of turtle nests to harvest the eggs.

On the occasions when I have observed Lamalama men residing in other communities cutting up and distributing turtle or dugong, they were concerned to have me note that there is a *kinya* or in Western terms, a "Law" way to proceed. This concerns the way in which the animal is killed and butchered, and which cuts are distributed to which categories of relatives. Again, this reflects Thomson's (1934:247-248) earlier understanding, with older brothers of the hunter receiving the best cut of meat from around the neck. In the case of turtle, the blood is also highly favoured, as are the eggs, and collected and eaten along with the flesh. The blood when cooked takes on a meaty consistency not unlike pork or veal mince, although retaining a strong marine flavour.

While the Lamalama obviously exploit the resources of their environment, with which they constantly engage, so that they are aware of the runs of barramundi and salmon when they occur, or the fruiting of certain edible species, or the appearance of tracks that indicate that feral pig are frequenting a particular waterhole, they value the land for reasons other than its ready provision of an exploitable larder. This is of fundamental importance in understanding Lamalama attitudes towards management of the land and sea and their resources. Agencies and planning projects such as CYPLUS must consider the sacred and cultural value of land and sea to Cape York Peninsula Bama, and appreciate that the exercise of trying to impose management principles derived from contemporary conservation values and principles will simply not work.

Such views still tend to prioritise biota over culture, resources over people, and do not account for the significance of places, or personal negotiation, in oral cultures. The appalling history of exploitation that Aboriginal people have suffered at the hands of successive

generations of administration needs to be considered by future planners who seek to implement projects that effect Peninsula communities. Planners are likely to be categorised as "same old boss", unless they acquire the knowledge of local Bama social practice that will ensure equitable personal dealings in their relationships with Cape York Peninsula Aboriginal people.

9.5 Demographic profile

I have written elsewhere (Hafner 1990) about the identification of the Port Stewart residents and regular outstation users as the "Port Stewart Lamalama". Probably until 1994, this sort of identification of the community by reference to a set of kin relationships and a focal area of land represented the most unified sense of Lamalama identity. "Port Stewart mob" was a term used in self-reference by members of the community, and was one that was recognised by relatives living away from the outstation as describing Lamalama people. The active participation of the community in the claims to Lakefield in particular and Cliff Islands National Parks has wrought change. As there are a couple of senior Lamalama men who live in Hopevale and Cooktown who have played important roles in the mounting of the claims, the sense of self that the Port Stewart community holds has been expanded.

Whereas in 1992 it was still common to hear people refer to themselves as "Port Stewart mob", in 1994 it has been more common to hear people talk about themselves simply as "Lamalama". The Lakefield claim brings together a regional grouping of people who share traditional ownership of the land inside the Park, kinship, and cultural and religious beliefs and practices. As indicated earlier, this covers people of various tribal and language and clan memberships apart from the Lamalama. It is not surprising that in this forum they would begin to reshape their identity.

Perhaps ironically, while changing their view of themselves, participation in the claims seems to have strengthened individual commitment to the outstation at Port Stewart. Immediately after returning to Coen from the Bizant hearings in August, a number of people who have used the outstation for infrequent or short-term visits in the past arranged their CDEP program to enable them to work and stay there. Most of these are drinkers (i.e., people who consume alcohol at levels considered detrimental to health) but the experience of "fighting for the land" had an immediate effect on their commitment to that land.

The pattern of short-term visiting by some people is not new. There is a small number of people who form the core of the outstation resident group. The size and formation of this core group shifts over time and depends particularly on the child-rearing responsibilities of adults. In 1989 I knew this group to consist of eleven adults and perhaps five children under school age. In 1992 it had changed to eight adults and one child. Because of the demands of the claim process over 1993 and 1994, this group has been more fluid, varying between four adults and two children and twelve adults and two children. The population of the outstation can thus be seen to be highly variable, and is greatly affected by weekends and school holiday periods.

The outstation is in use for roughly nine months of the year, and its occupation is greatly affected by seasonal weather patterns as well. In the monsoonal climate of Cape York Peninsula, the rains may last from November to June, although they are commonly finished

by about April. In the last couple of years the outstation has re-opened in March, which is to say that those people who form the core population of regular residents are ready to return from Coen by then. During the wet season, the road to Port Stewart from Coen is cut by flood waters in the several river and creek beds that cross the road. By March, the road is usually passable again, although often badly degraded and in need of maintenance.

On one stretch of road which passes over the range immediately before it descends to the coastal plain, the road is always subject to massive washing away because of its incline. Many tourists and local people other than the Lamalama use the road to reach Port Stewart.

As it is the only land link between Port Stewart and Coen, it is of vital importance to the Lamalama, who usually spend a day filling it in by hand once it reopens, to ensure that it doesn't become more severely damaged by traffic. This is a public road maintained by the regional Cook Shire Council, which is usually able to grade it only once a year, usually several months later.

The yearly re-opening of the outstation camp involves considerable cleaning up; the grass is more than head height, and is cleared by a combination of slashing by hand and more recently, tractor, and burning off. There are no permanent buildings in the outstation yet, apart from a shower block, laundry shed and two pit-toilet blocks that were constructed for the transfer ceremony in 1992. To date, everyone has preferred to live in tents, generally with separate kitchen structures, although they have recently put up a large shed on high ground at a separate location within their freehold land. This structure will be used as storage during the wet season, so that it will not be necessary to transport gear such as tents and tools up to Coen at the beginning of each monsoon. Ultimately, the Lamalama would like to use it as a residence, but this is dependent on them being in radio or other contact, and the road being improved so that it remains open throughout the year.

At present, people worry about the possible risks to children and the elderly who would be cut off from medical assistance if they remained in camp throughout the monsoon. Lamalama concepts of sociality are built on a close association between kin, so that even if healthy young men and women who could competently hunt for themselves, for example, wished to remain in the outstation throughout that time, it is unlikely that they would actually do so at present. This is in part due to the obvious factors of discomfort, but also to the fact that their relations would worry about them, a burden that both parties would carry. Being "one mob" means the expectation of maintaining a sense of responsibility towards those to whom one is related.

Whatever their place of residence, the Lamalama have a strong sense of identity as "one mob", or "tribe". Those people who live in communities other than Coen and Port Stewart visit from time to time, sometimes staying at the outstation for several months. In most years there is a big celebration at Christmas, when children are on school holidays and adults are freed of their usual responsibilities. Those Lamalama people who live in other communities make an effort to get there, and a considerable amount of energy is expended in catching and preparing favoured foods. At that time of the year the barramundi fishing season is closed, but relations from Hopevale sometimes bring turtle and dugong. Salmon are usually running at this time of the year, and mud crab and stingray are available.

Men also hunt terrestrial game such as pigs and wallaby; pig is particularly favoured game for feasting activities. Some of this *minya* (meat) is cooked in a ground oven (*kapman*), but crabs are cooked in their shell in the coals of a fire, and stingray is prepared by mixing the grilled liver into the cooked flesh. Women usually cook large dampers from store-bought flour, and other store-bought foods are likely to be eaten as well. Birthdays and funerals are the other occasions for which people will prepare such elaborate feasts, but it is usually birthdays that are likely to be celebrated at the outstation, while the feasting associated with funerals occurs in Coen. This is conditioned by necessity; the wider population of mourners is usually also made up of Kaanju, Oikolo, Ayapathu and Wik Mungkanhu people resident in Coen.

The outstation population regularly swells at weekends, when those people with employment and school age children are free to go there. The core population rises by perhaps two to three times its size, so that there may be thirty to thirty-five adults and ten children there. There is one private four-wheel drive vehicle available to the Lamalama as well as the two outstation vehicles, and it is also used to transport people for fishing, hunting and gathering activities. Depending on tides, most of the people leave early in the morning to go fishing on the coast at the mouth of the river, or at other locations. Some people will stay around one place all day, others move from spot to spot within a prescribed area of a few kilometres. In general, Lamalama people fish together in small groups, although a few prefer to fish by themselves. Sometimes this activity involves looking for oysters and other shell fish such as mussels rather than line or spear fishing. People also go "night-fishing", again depending on tides. This is particularly favoured by some of the older women, and they stay up all night, returning to camp after sunrise the next morning.

The routine pattern of activity is for a couple of people to remain in camp during the day to look after dogs, to clean up, and to light cooking fires and boil a billy for the return of the people who have been out. Mundane tasks such as washing clothes and gathering firewood are usually attended to at such times, although more specialised tasks such as spear-making are performed as well. Men sometimes prefer to hunt with dogs and shotgun rather than to go fishing. This is also generally a solitary activity, although they require assistance later to get their catch back to camp if successful. Opportunities to supplement the diet with fresh meat are not wasted; animals such as pig and goanna spotted while driving will be chased by men and women and brought down by hand if no shotgun is available. There are many "cleanskin" or unbranded cattle in the vicinity of the outstation, but the Lamalama are scrupulous in their relationship to local pastoralists, and will not hunt or otherwise take cattle.

Daily life on the outstation provides people with the opportunity to maintain their traditional skills, as well as providing a relaxed social atmosphere where they feel free to direct their lives according to their own values. The outstation is "dry", that is, no alcohol is allowed to be brought in or consumed there. This is a long-standing rule decided on and respected by community members. Those who wish to drink travel up to Coen, where there is a hotel. There the social environment is vastly different, with a number of different tribal groups in residence. Alcohol induced fights and the requirements of "pay-back" (i.e. dispute processing of grievances between groups of people) are common, and the Lamalama value and strenuously maintain the peaceful regularity of the outstation. It must also be noted here that a number of the worst drinkers have completely given up drinking over the last two years.

It is not easy to evaluate Lamalama social arrangements in gendered terms, as this casts too clear a line of demarcation between personal choice and cultural possibilities. It would not be accurate to suggest that because men generally take a more public role than women that they can be regarded as automatically having social positions of greater power, prestige or authority. Moreover, young women now assume roles that might be thought of as within the male domain. It is generally the young women who have regular employment in administration and education, who hold vehicle driving licences, and who as often as men pilot dinghies with outboard motors. While men drive the outstation four-wheel drive vehicles as well as women, few of them hold regular employment other than CDEP.

It is men who hunt large terrestrial game, but women also take pride in an impressive catch. However they rarely hunt with shotguns and dogs as men do, but both men and women will gather bush foods. It can be seen therefore that while there is some division of tasks as well as areas of authority, for the Lamalama it is the results of co-operative endeavour that are most gratifying. Obvious markers of gender difference that might be seen to represent a distinct area of male authority, as is overt in Thomson's view, are now blurred by a sharing of roles that belies any clear notion of male dominance.

9.7 Commercial interests

At present the Lamalama are not engaged in any commercial activities on their land at Port Stewart. There is no indication at present that they wish to use this land for any purpose apart from a residential outstation. If the Lakefield claim has a successful outcome for them, they would naturally participate in management arrangements with the other title-holders. Such planning is in the most preliminary stages at present, because the Department of Environment and Heritage will not enter into formal management discussions until a recommendation is made by the Land Tribunal and a decision is handed down by the Minister for Lands. Such a recommendation could be as much as a year away. At present, low-scale tourist enterprises all owned by non-Aboriginal interests operate on Lakefield National Park. These have little Aboriginal cultural content, and the Lamalama and their neighbours and kin who are Lakefield claimants have indicated that they wish to own and actively participate in a range of programs, including such tourist enterprises.

It may be that such experiences would encourage them to develop tourism at Port Stewart, but this presently seems unlikely. Numbers of the present older generations of Lamalama people hold the view that Port Stewart has been a place of refuge for Aboriginal people in the past, including those times when Aborigines all over the Peninsula were pursued by police. This perspective is maintained by Lamalama people today, and it is not uncommon to see "outside" Bama, that is, non-Lamalama people stay there for considerable periods. Port Stewart is and has historically been the central location in the concept of "homelands" for the Lamalama, and its status as a free and safe place is likely to be maintained into the future. While it is possible to project that commitment in the form of active participation in the life of the outstation would change with a successful decision at Lakefield, commitment to the outstation will remain.

A successful claim in the Cliff Islands case is not likely to impact on social, political and economic life in the same way. This is partly because they are a set of islands with little land mass, but most particularly because they have great sacred importance as the location of the

Story-Being Marpa Hamanhu, with a strict set of accompanying rules that prohibit a wide range of activities that might call for action on Marpa's part, such as his propensity to bring about cyclonic winds. For instance, under Lamalama Law, people are allowed to camp only on the smallest island, and must behave in an extremely circumspect manner in the islands' precincts. As the islands are a National Park, the Lamalama presently have no power to regulate the behaviour of others there, and they worry greatly about behaviour that might offend Marpa and bring about serious consequences.

While some of the younger people would probably take up employment at Lakefield, they would also be likely to return to Port Stewart for holidays and other breaks. A successful land claim and Aboriginal management plan over Lakefield National Park will provide an opportunity to seek an alternative to their present life in Coen and Port Stewart, particularly for young men who have been unable to establish a successful social and political life in those places. These are the people who perhaps do not have a spouse or children, regular employment, very great kudos as hunters, or other elements of a "successful" personal identity. They may also be people who have no structural importance in the present social order, yet would benefit from the political and other career opportunities offered at Lakefield.

9.8 Conclusion

This profile of the contemporary Lamalama community, focussed around the Yintjingga outstation at Port Stewart, has drawn on previous research of the author. This research has principally been directed towards analysing and understanding the emotional and spiritual dimensions of an ethos that draws the community into a profound relationship with their environment. It has also drawn on the author's recent experience of working with Lamalama people on two land claims in which they participated as claimants. Due to constraints of time and funding, it has not drawn on research undertaken specifically for this project, so it does not detail quantitative observations made over a complete seasonal cycle.

Rather, it seeks to indicate something of quotidian practices, and the way in which these articulate with and are governed by the vitality of religious life in relation to specific tracts of land. It also seeks to indicate that while contemporary Lamalama political and economic life is pragmatic, it is also governed by the application of Law. This can be understood as the beliefs, rules and practices decreed by the ancestral spirits and carried over from the past, and manifest as a set of self-evident principles in relation to land, water, and their resources, and the use of these by people.

At present, these beliefs and practices, as well as more affective dimensions of the life of the community are focussed on the outstation at Port Stewart: Yintjingga, or "the beach", is "home". Here Lamalama people interact with a landscape of familiarity, one which as Dwyer (1994:93) expresses it, participates in the process of being human.

Thus Lamalama people residing in diverse locations refer to themselves as "one mob", an identification that prioritises genealogical and social relationships, and ownership of country, as well as adherence to a set of religious principles based on a philosophy of respect. However, the need to provide evidence of such spiritually-based dimensions of proof in land claims runs the danger of such principles being reified by Aboriginal people as the sum of their culture and connections to land. More generally, such reductions of the vitality of

Aboriginal culture and social practice must also be guarded against by resource managers engaged in planning activities that seek to bring Aboriginal resources to the negotiating table.

Planners and representatives of external agencies who interact with Aboriginal people need to consider a wide range of practices and the way in which these might be important in structuring contemporary Aboriginal society. While respect for their landscape and associated beliefs is important to the Lamalama, so indeed is being treated with respect by those who seek to work with them.

9.9 References

- 1992 *Aboriginal Land Act*, 1991. Practice Directions: Procedures for the assessment by the Land Tribunal of Aboriginal land claims, Government Printer, Queensland.
- Anderson, C. 1980. Multiple Enterprise: Contemporary Aboriginal Sustenance Strategy in Southeast Cape York Peninsula. In: *Contemporary Cape York Peninsula*. N.C. Stevens and A. Bailey, eds. Pp. 77-81. Brisbane: Royal Society of Queensland.
- Dwyer, P.D. 1994. Modern Conservation and Indigenous Peoples; in Search of Wisdom. *Pacific Conservation Biology* Vol1:91-97.
- Hafner, D. 1990. *The Dugong Hunters of Cape York Today: Factors in the Formation of Identity and the Emergence of the Port Stewart Lamalama "Tribe"*. Department of Anthropology and Sociology, University of Queensland. Unpublished Honours thesis.
- Hale, H.M. and Tindale, N.B. 1933-1936. *Aborigines of Princess Charlotte bay, North Queensland*. Records of the South Australian Museum 5(1): 63-116, 5(2): 117-172.
- Myers, F.R. 1986. *Pintubi Country, Pintubi Self: Sentiment, Place, and Politics among Western Desert Aborigines*. Washington and London: Smithsonian Institution Press and Canberra: Australian Institute of Aboriginal Studies.
- Rigsby, B. and Coates, S. 1991. Deaths in Custody of two Port Stewart Lamalama men. "Murri been 'ere before!": An historical and Anthropological Investigation of Factors Affecting the Deaths in Custody of Two Port Stewart Men.
- Rigsby, Prof. B. and Hafner, Ms D. 1994. *Cliff Islands National Park Land Claim. Claim Book*. Part B (Chapters 4, 6, 8, 9, 10 and part of bibliography). Restricted. Cairns: Cape York Land Council on behalf of the claimants, Pp 40-53, 61-76, 95-133
- Rigsby, B. and Williams, N. 1990. Reestablishing a Home on Eastern Cape York Peninsula. *Cultural Survival Quarterly* 15(2): Pp 11-15.
- Stanner, W.E.H. 1961. In: *Australian Signpost; An Anthology for the Canberra Fellowship for Australian Writers*. T.A.G. Hungerford, ed. Pp 51-65. Melbourne: F.W. Cheshire.

Sutton, P. 1989. *Dreamings: The Art of Aboriginal Australia*. Ringwood: Viking. Published in association with the Asia Society galleries, New York.

Sutton, P. 1993. *Flinders Island and Cape Melville National Parks Land Claim. Restricted Claim Book*. Cairns: Cape York Land Council.

Sutton, P and Rigsby, B. 1986. People with Politicks: Management of Land and Personnel on Australia's Cape York Peninsula. In: *Resource Managers: North American and Australian Hunter-Gatherers*. N.M. Williams and E.S.Hunn, eds. Pp.155-171. Canberra: Australian Institute of Aboriginal Studies.

Thomson, D.F. 1929. Report on Expedition to Cape York, North Queensland. Committee of Anthropological Research. Australian National Council: Unpublished manuscript: 27 pp.

Thomson, D.F. 1934. Dugong Hunters of Cape York. *Journal of the Royal Anthropological Institute* 64: 237-262.

Thomson, D.F. 1972. *Kinship and Behaviour in North Queensland*. H.W. Scheffler, ed. Canberra: Australian Institute of Aboriginal Studies.

Williams, N.M. 1986. *The Yalngu and their Land*. Canberra: Australian Institute of Aboriginal Studies.

CHAPTER 10

**LAND AND SEA MANAGEMENT PROJECT:
HOPEVALE COMMUNITY PROFILE**

Leslie Devereaux

remembered their travels with their parents and the foods and campsites of their father's and mother's estates. This knowledge has been preserved through the generation currently in its 50s and 60s.

Another part of the Hopevale population are descendants of the children of other, neighbouring language groups - south of the Annan, west of Battle Camp, or from the Barrow Point and Flinders Island region up the coast. They were related through kin ties to many of the Guugu Yimidjirr people, and also know the kin and land affiliations of their relatives and parents. Many of the men have visited their own and relatives' estates during their own labour histories as stockmen and fishermen.

A third part of the population is partly descended from children brought by police from very distant places, like Longreach or the tip of Cape York. Most such children also had a non-Aboriginal parent and were removed from their families by state policy. At Hopevale most of these children married people with local regional ties.

These and many other local mission children of the 1920s and after were biologically the children of Aboriginal mothers and non-Aboriginal fathers, many of whom were well-known to everyone. Such children traditionally were considered the social children of their mothers' Aboriginal husbands, and have been regarded as affiliated to people and to land as if they were the adopted children of their Aboriginal fathers.

Access to land and its resources traditionally was negotiated through a complex kinship grid of relations which allowed most people to claim a tie to another person both through genealogical links (which often could be reckoned by more than one more than one route of descent) as well as through affinal (marriage) ties.

By the turn of the century the Aboriginal population of the entire Cooktown hinterland had been severely reduced through police actions, (shooting people and removing others) and through disease and labour abuse (especially exposure and lung disease occasioned by work on the luggers) Many members of Guugu Yimidjirr estate owning groups were moved out of the area by police fiat throughout the 20th century, often to Palm Island. Only children were accepted at Cape Bedford Mission by this time. By the Second World War the Hopevale population represented the surviving children who were placed in the mission school by legal injunction. They, their children and grandchildren, know they are almost the only people with traditional knowledge about the land of the local district.

Community isolation and cohesiveness are an important feature of Hopevale's history and present. For the first half of the twentieth century the policies of the mission and legal restrictions on Aboriginal peoples' movements isolated the Cape Bedford community from contact with virtually all non-Aboriginal people of the region and from most of the Aboriginal people as well. The people of Cape Bedford maintained quite a strong community structure and commitment both to one another and to their home throughout the 8 year exile at Woorabinda during World War II, refusing by and large to marry outsiders down south in order to ensure their eventual return north. Today Hopevale maintains a continuity of language and culture despite a longstanding religious conversion and quite a high degree of European education. Apart from language, the strongest aspect of continuous cultural

knowledge at Hopevale lies in the domain of land use and flora and fauna resource management.

Traditionally, of course, the Guugu Yimidhirr people had complex ties of kinship, ritual and trading relationships with all the neighbouring language groups. The geographic boundaries of language groups constituted a social and conceptual frame clamped over the underlying web of reciprocal resource use relationships, negotiated through kinship and ritual obligations which allowed people broad access to the many discrete and varied ecosystems in this region. Dr Walter Roth noted in 1905

Independently of the greater or less extent of country over which the community as a whole has the right to hunt and roam there are definite territorial divisions, certain tracts of country for each family, each such tract bearing a distinctive name. In the same way as a European knows what vegetables, shrubs or flowers are growing in his garden so do the natives have a very fair idea of the amount and whereabouts of any special growth of edible roots, fruits, seeds, as well as the particular haunts of the various animals and birds found on their own particular piece of ground. For one family or individual to obtain vegetable, fowl or meat without permission on the land belonging to another family constitutes trespass.... Trespass is, after all, but rarely committed, considering that on account of their very hospitality when one family experiences a superabundance of food of any description, its friends and neighbours are generally invited to come and partake of it.

A major concern in traditional times, preserved through the generations, was a distinction between seaside estates and inland ones. Like the ancestral beings whose natures were either sea oriented or land oriented, people also inherited with their estates this essential orientation, reflected in language via distinctive vocabularies. But in the case of people this required balance, and relationships which gave access to the various zones of island, shore, estuary, dune, freshwater creek, river scrub, open forest and rocky hillsides were carefully maintained through proper social behaviour.

This involved extensive travel in these regions, for ceremony, trade, visiting and for taking advantage of seasonal resources. Canoe travel to the reef islands and along the coast was common. The beach was a major highway, with its freshwater restplaces and camps all named. Inland was a maze of pathways between the myriad of named campsites, watersources, crossings, fishing sites and resource areas.

Today, within the DOGIT as well as throughout the adjacent coastline and on all properties which have allowed access or have employed people from the community, the names and qualities of most of these sites are still known.

In part this is because the life of the mission altered peoples' way of life but did not extinguish their economic skills nor their stories and language. Indeed, up until the Second World War, survival at Cape Bedford, and at its outstations at the McIvor River and at Spring Hill, depended on peoples' abilities to hunt and gather, and to make many of the spears, baskets, strings and bags which had been part of the traditional technology. Until the

permanent residence on it, but did entail permanent rights in granting and denying access to its resources to others.

In any estate camps were generally made near fresh water sources where materials were available for appropriate shelter: caves, leafy branches, and natural windbreaks like hillsides and dunes. Such well endowed camping or resting places throughout the region were and are still named and referred to by name. Many had traditional legends and mythology associated with them. Through the changing historical conditions broadly outlined earlier, not all, but a major portion of these place names and their uses, in some cases their stories, have been preserved in memory and in use right to today.

10.3 Intersection of history, tradition and possibility: differences within a cohesive community

10.3.1 Differing family experiences

It can be seen that historical conditions have created, on the one hand, a cohesive community with deep collective ties both traditional and historical to the DOGIT lands of Hopevale. On the other hand, there is considerable difference between Hopevale families on several dimensions: those whose traditional estates lie within the DOGIT and all others; those whose mission work took them out into different parts of the mission lands and kept alive the details of the landscape and those whose work lives didn't do this (in some ways this also marked a difference in men's and women's experiences until the 1970s as well); those families who have had powered boats and motor vehicles for 'recreational' use of the DOGIT land, and even beyond, over the last 20 years, as opposed to those with only irregular means of access.

Many of those whose estates and tribal lands lay beyond the mission lands and in private hands made efforts, once rights to travel became available, to visit their lands, find lost relations, and discover whether a relationship to the European owners would be possible. Some people were very active in these quests. Others were dispirited by the distance and private ownership of their lands, and in some cases, took a less active attitude toward using the mission's holiday sites like Elim and Alligator Creek precisely because it wasn't their own estate land. Other people have maintained holiday homes at the beach for years, taking full advantage of the community lands.

Hopevale has been actively inventing and refining systems of community decision-making with regard to DOGIT land and resource use for the last 5 or more years, attempting to recognise both 'traditional' and 'historical' relationships to the entire DOGIT and to parcels of it, as well as to accommodate the ties to land as family-based rather than individual. The fact that most people at Hopevale prefer to marry within the community means that in the present decade the many ties to land within a household can be very complex.

Although disputes may well have arisen in the last three years, before this date I knew of no efforts to cordon off access to any parcel of land by anyone at Hopevale. People knew of their traditional ties to estates, and acknowledged them, while giving and expecting generosity toward others' use of those estates and their resources. This was in the context of a universal and externally imposed set of constraints on everyone's freedom of movement and capacity

to utilise land whether intentionally or opportunistically. When an occasion arose, the idea was to take it up, and talk later to the owners.

In the current era of both land rights, and a variety of ideas about 'private enterprise', government subsidies, and offers from non-Aboriginal entrepreneurs, the context for mutually trusting generosity has changed.

It is only in recent years that people have been in a position to regard land as a business resource rather than as a supplement to their wage or social security incomes. (Though from time to time during the post-war mission individual families gained temporary permission to use their allotments as share farms, piggeries, poultry farms or boat building enterprises, under mission supervision.)

10.3.2 Changing ecological resources

At the turn of the century Walter Roth's *Ethnographic Bulletins* recorded that the Guugu Yimidhirr utilised for food and other economic purposes hundreds of species of plant, animal and marine organism. In the 1970s the memories of people then in late age confirmed this detailed array of ecological interpenetration, and spoke of the steady replacement of many local species with items of European manufacture. In many cases this entailed no special grief, but from the vantage point of several decades of accumulated change, people were quite aware of the reduced engagement with the local environment which their grandchildren necessarily had. Nonetheless, as opportunity allowed and as taste, fondness and necessity dictated, significant elements of this previous corpus of environmental and technical knowledge was passed on the successive generations. For most people of the Hopevale community this engagement with the many micro-environments of this part of the Cape York Peninsula remains the core of their sense of personal and collective identity. The Hopevale lands, with their foods, sounds, scents and stories are profoundly "Home", to which people always return, in which they know they belong, and where their sense of meaning resides. There is no question that for virtually everyone at Hopevale, living in that landscape is a personal necessity, both for the society of the extended kin group and for the sense of ancestral and current engagement and growth within the web of named, and understood places which make it up.

There is no question that everyone in the community has preferred to keep wild fowl, game and fish as the most favoured protein sources in their diet, eating local beef and frozen chicken only when real meat (*minba*) is not available. Freshwater and marine animals are the most popular foods, and fishing by line, spear, or net, from shore or boat, is the most popular activity by far. Every weekend everyone who can heads for a fishing spot, along the coast or at freshwater creeks. Even people almost too old to walk will get set up where they can chuck a line in the water. Men and women are equally avid and skilled line fishermen, though women generally use (short) spears only to get crabs and lobsters, while men throw them for both large river fish and sea species. Diving in creeks and on the reef are young men's pleasures, with handspears or spearguns, while women dig for muscles up the rivers more than men do these days, and collect sea urchin, oysters and shellbait. Some men specialise in dugong and turtle; permits are prized, as are places in the vehicles heading up to the Starcke coastline, as these meats are the scarcest, most loved and involve a lot of

machismo in their capture by hand and speargun. Freshwater eels, jewfish, turtles and the large migratory fish species that can be caught in deep pools are regularly hunted.

People do not eat alligator or crocodile nowadays, and are less interested in the smaller bird species than in the past (which are also far less numerous). People do not often set out to hunt snake, iguana, kangaroo or wallaby for recreation, or for foodstocks, though they will opportunistically catch them if they come across them. For one thing, rifles are not nearly as widely owned as spears and fishing equipment are, though they are valued for bagging scrub hens and turkeys, for wild pig, and for protection against crocodiles. Shooting wild pig and the larger fowl is done by men when they have the opportunity. Turtle eggs, and scrub turkey eggs are watched for and collected by everyone. Men still track bees and chop out wild honey when they are in the bush.

Vegetable food (*mayi*) is less actively sought now than 40 years ago, though several species of fruiting trees are still kept track of and harvested for pleasure. The carbohydrate foods which were staples at the turn of the century: zamia palm nuts, grass seeds, lily bulbs, edible roots and the varieties of yams were steadily replaced by wheatflour and it is not hard to understand why, since their production was very laborious and the result, as one late personality from Nugulwarra put it, "real no-taste". The deepest exception to that were two yam species, one inland, one growing in the dune zones, which women today still collect and prepare on occasion, and a third which is specific to some of the reef islands.

While inclinations of joy and taste towards different traditional foods have preserved some and dropped others off the menu, it is also the case that the local ecosystems have hugely altered over the past 4 generations, as have the paths of access to them for the Guugu Yimidhirr people.

Once the bulk of the region's permanent fresh waterways were selected for farming, and then for pastoral leases, access to the larger land animals and fowl quickly became blocked. People lost the right to fire the country, cattle displaced the native species and, along with wild pig, altered the waterholes and lagoons, muddying and fouling them. By 1920, the basic inland hunting and gathering economy was wholly changed, leaving only fragments of possibility, mostly smaller game, and vegetable species.

A similar story happened over the past 20 years to the estuary ecosystems, ravaged by the indiscriminate netting practices of the prawn trawling industry. At creek mouths and coastal corners up until the 1970s huge catches of large fish species were guaranteed to even minimally competent fishing techniques. Over the past 15 years people have come to experience going hungry over several tides, often with only small specimens to show for a few hours' work.

While throughout the first half of the century turtle and turtle eggs, and especially dugong, were locally regarded as vast resources, existing in huge numbers, they are now recognised as being in need of proper management if populations are going to be sustained. The Marine Park Authority system of limited permits to hunt is resented, since the animals are still numerous locally, and very valued. Most people are not in a position to see easily that their local grounds are the breeding stock for the entire Pacific Basin, although this awareness has

grown in recent years with people obtaining more information and gaining a wider perspective on other impacts on turtle and dugong populations.

10.4 Diversity of outlook, aspiration and opinion

How individuals and family group, age groups, and regional or language groups at Hopevale respond to the issues of land and sea resource management is quite diverse. It is appropriate here only to note the importance of race, class and religion in the historical context. For this paper discussion of age, origin and traditional ideology are briefly examined.

i) Age

In 1994 only a very few people with personal experience of the pre-mission camp days are still living. Similarly, only a few (the same few) people have exhaustive knowledge of the regional Aboriginal kinship terms and practices, the geographic and cultural backgrounds of the families and languages of the place. Early mission memories are also waning with the passing of this senior generation.

However, important parts of this knowledge have been transmitted to the generation in late middle age. Kinship relationships, important places and their associated stories, technological and ecological knowledge have been passed to the children of the oldest generation from the early Cape Bedford days. Some of these people, in addition, have wide experience of life outside Hopevale, on pastoral properties, in towns and down south. Many participated in 'Outreach' and other programmes but have actively chosen to return home, valuing their community, and valuing living among Aboriginal people and kinsmen. Many of their children have completed secondary school, trained in employment skills, and like their parents chosen to live in their home community.

Others have not left Hopevale, except for visits. Fear of racism in the wider community and an unwillingness to live as unknown strangers have meant that when they travel they go to relatives in other Aboriginal communities. Many of the older people have both traditional and Christian knowledge and education, but are diffident about putting themselves forward. They are discouraged about the difficulty of controlling or managing their lives and possibilities on or off the community. Their children often lack hope about their chances to earn a living, or about making any active choices about their lives at all.

For the older generation, then, some are still accustomed to the paternalistic regimes of the past, and have little real faith in the possibility of self-determination, either for individuals or for the community. The people currently in middle age are more inclined to believe that Hopevale people can influence their own destinies, though they differ in the degree to which they have experience of the institutions outside the community which are avenues to personal or community change.

Some young people in their twenties have considerable secondary and post-secondary training. They have lived away from Hopevale for extended periods and have begun to think about the implications of being Aboriginal in 1990s Australia. These youth are the group perhaps most aware of their rights and their possibilities, though factors detailed below contribute to considerable differences among this age group in both experience and intention.

ii) Origin

While many families have at least one recent ancestor who came from very distant places, almost all Hopevale residents are connected by genealogy to estates either within the Hopevale DOGIT, or within geographic reach of the community, even if their lands are held in pastoral holdings or farms.

Thus almost everyone is familiar with the landscape of their estate lands, with their histories in this century, with the current non-Aboriginal property owners of their estates, etc. But since only some people's estates actually lie within the Hopevale DOGIT, people have different interests in the matter of traditional ownership and different visions of any hope they might have to effect their own traditional ownership.

Thus many people are traditional owners of lands which lie outside the DOGIT, and may have no close claim to traditional ownership of DOGIT lands at all. On the other hand, some people belong to traditional owner groups of the key farmlands within the DOGIT, or of the key beach holiday areas. Thus, the question of the role of traditional owners has different implications for people in different positions in the community.

Some ideas, however, seem to be generally held. The validity of the notion of traditional ownership does not seem to be in any question. People belong to certain tracts of country for which they would have had authority, had all rights in land not been taken from them early in the century. Since mission residents were also subject to the decisions of the missionaries over where they would live and where they could travel or camp, almost no one has had any opportunity to take up their sense of attachment, authority or care for their estates.

Some people express a sense of longing for their country, whether near or far, and express an alienation that they have been able to have so little active contact with their traditional lands. When Roger Hart, for example, first reached (after 3 attempts) his own country at Barrow Point, he was able to find his way directly to the remembered fresh water spring there. He last had seen that place some 60 years earlier when he was a lad of six years.

On the other hand, the late Billy Jacko used to take me up the road toward his country of Munbaar whenever he could, but he was too uncomfortable to ask the pastoral leaseholder for access to his father's country.

Another line of thought held in common by Hopevale people is their historical collective identity after all these years of mission living.

The geography of the former mission lands is a historical mosaic of the stages of the mission's attempts to find an economically viable use for the land in order to support the children and their families once they had grown up. In the early years at Cape Bedford swamps were drained for sisal hemp farming, and later for pineapple and coconut production. When the McIvor River parcel was acquired both collective farming by the unmarried men and individual gardens by the married couples were attempted. When this land gave out, new gardens were opened at Spring Hill, and a farm at 8-mile (now the Cooktown airport) which

was Rev. Schwarz's own property. The Flattery region was used from the 1920s on as the main region of the mission fishing industries. After the war, when the Boiling Springs property was acquired and the modern Hopevale community was built, farming, gardening, forestry and beef cattle raising all were tried. These undertakings were decided upon by the European mission staff and the Mission Board. The Aboriginal residents were not in decision-making positions. But each new project, with its new villages, camps and locations, represented a collective enterprise and experience for the people of Hopevale.

Always subject to direction and to sanction by the mission staff, they put their economic efforts generally into community farming ventures and pastoral enterprises, which some people supplemented over the years by individual share-farming of fruits, peanuts, vegetables, or grass seed on plots which they were allotted.

Long family histories of work and residence on mission projects give people today intimate historical ties to many parts of the community lands - places where they or their children were born, where they built cattle yards and homes, where the school children fished for their dinners, where they camped and waited for flooded creeks to subside, where grandparents died and were buried.

Just as everyone acknowledges traditional ownership as a special relationship to land, so does the community in general acknowledge its collective history as mission inmates to whom the Hopevale lands have been home in an institutional, but nonetheless intimate, way for many years - generations, in most cases.

So another aspect of origin in regard to how people relate to the places of Hopevale has to do with their community history from the time the mission was opened up to the present. Testimony to this collective history are the returned men who left the community in search of autonomy and of wives, and lived on pastoral properties or worked on the cane fields for many years in their middle lives who have come home to Hopevale. Further testimony are the families who went south in the Outreach Programme years or who lived in other communities as evangelists and who also have returned to the community in the past decade or so.

The land tract which comprises the Hopevale DOGIT as a geographic entity is the outcome of European institutional policies (government, church and police) to make some provision for Aboriginal needs. Its core area were the lands no European wanted but which the government could be convinced to set aside for Aboriginal use. Later, a few bordering properties were added to the Reserve. As it happens, these lands are part of the traditional Guugu Yimidhurr estates, but the Hopevale DOGIT does not represent the Guugu Yimidhurr people's full traditional lands, nor does it represent the lands of the many Hopevale members whose traditional lands are contiguous to the Guugu Yimidhurr area or which lie elsewhere.

iii) Ideology

a. Aboriginal sharing

All along the values of private enterprise have been in a kind of eternal contradiction with the notions of free sharing and mutual responsibility which all children at Hopevale learn

intimately and which characterises family relations and adult behaviour with children. In all sectors of the community children are fed and bedded down in any house they might choose to go to. Family networks are extensive, resources are shared, and people who don't pull their own weight materially are complained about but are supported, nonetheless.

Another contradiction with private enterprise and values of individual success is the strong community spirit and sense of mutual belonging which characterises Hopevale, and which is a product of the traditional past together with the particular history of the Cape Bedford/Hopevale mission. During its long isolation under Missionary Schwarz a general ethos of mutuality developed which saw the whole place fattening or starving together. This was aided by group life throughout childhood in dormitories. Perhaps the most profound influence in this direction was the traumatic experience of forced evacuation to Woorabinda, where the community huddled for 8 years, from 1942 to 1950-51, losing many members to new illnesses and cold, refusing to intermarry there for fear they would never be allowed to return to their home up north (a realistic fear). When eventually they were allowed to return north the first decade was devoted to very hard communal work to build their housing, stock and farm up from scratch.

b. Value of Aboriginal ways

In the 1990s, as Hopevale people no longer live in isolation, but go outside the community for secondary education and further training, and often work at other places on the Peninsula for long stretches of time, the question emerges for everyone about what it means to be an Aboriginal person, what it means to be a Hopevale person. The people in their 20s and 30s with whom I spoke in 1991 were overtly asking themselves about the aspects of Aboriginal life which they valued, and which they wanted to hold on to. The themes which came up around this topic were the importance of place and the land in providing a context where people can continue to live in intimate touch with traditional Hopevale styles of camping, fishing and hunting, where children can move freely and safely amongst kinsmen anywhere in the community, where people know one another intimately and can care for each other as needed. Aboriginal people are acutely aware of the dangers of starting to live in the anonymous and impersonal mode of European culture, and they see the preservation and enlivening of their township, in its traditional context and a bit removed from Europeans, as essential to keeping their values.

For many, their family employment histories over the past 30 years provide the primary model of how they can relate to the land as a place both to live and to gain money enough to have what they and their children modestly need. When the Cape Flattery mining arrangement was being renegotiated in 1991-92, the weight of sentiment in the community (not, by any means undisputed) was for mining to continue, but with important provisos for

- ▶ careful preservation of the environmental values
- ▶ access to fair employment for the Hopevale community
- ▶ an end to racist interactions and practices
- ▶ benefits for the general welfare of the community to be clear and substantial.

These same matters are very likely to be the concerns of the community over any future economic development on their lands.

At the same time, many within Hopevale are devotees of an ideal of private enterprise, and are actively seeking ways to put into practice either farming, gardening, timber milling or pastoral skills which they have acquired over the generations of mission undertakings. Similarly, tourist, fishing and fish farming hopes are and have been entertained by many in recent years. These ideas need serious consideration, since the need for employment remains an acute problem for the majority of Hopevale residents, and the question of why one might bother to get up in the morning can be felt by most people in the community as a serious question.

It is also the case that the "outstation" idea has a pertinent place at Hopevale. The crush of many competing demands created by suburban-style housing at the Hopevale community, allowing little space from shouted complaints, drunken voices, crying children and the many matters of privacy create overwhelming conditions for most people in the community. Many who can have already elected to build outlying homes for themselves and sometimes their near kin. Others repair regularly to 'holiday homes' at the beach, or in the bush on land they have gained access to for their smaller family units. This is a movement, residential in character, which is about personal space and needs a good deal of consideration in the community. There is no question that physiological levels of stress, sufficient to kill people (especially women) have existed in the township for 20 years. These need modification, to allow greater quiet, greater control over children, and to let the local preferences for self-definition to work in the ways they were developed for, over many generations of Aboriginal culture, where people and individuals could get away from overbearing degrees of social pressure by putting a few kilometres of bush between themselves and trouble. Women are particularly clear about these matters and need to bring their voices forward to set in place possibilities for both silence, mutual cooperation and ready access to vehicles for themselves and their children if the coming generation of youngsters at Hopevale is to grow up free of the trauma of interpersonal hostility and stress.

There is no question that the primary basis for trust and social reliability remains the extended family at Hopevale, and collectivities of any form which undertake or sustain economic activities in this community are going to have to have some coherent anchor in this relationship. It is still the case that male-female relationships need to be contained within marriages or kin ties to form a harmonious working relationship. These matters are the foundation stones of any structure that the community may erect to carry their economic aspirations forward.

10.5 Caveat

Because I have not been able to visit Hopevale since 1991 and I have had only telephone contact with people there over these last turbulent years of rapidly changing legal possibilities about land and identity, this report is rather historical in tone, and must rely on the input of politically active people in touch with the current structures which Hopevale has put in place to deal with the many bureaucracies and opportunities which the current state and federal arrangements allow. This draft report is a sketch and in no way can represent accurately the

current aspirations of the many groups at Hopevale speaking with loud voices into the present set of possibilities to influence land and sea resource management on the Cape York Peninsula. This sketch has been offered in order to fill in aspects of what might otherwise go unnoted, but it is in no way meant to substitute for the active engagement and self-representation of Hopevale people, who can, in their many distinct voices, quite adequately speak for themselves. As mistress of the written form, I offer these words as provisional statements, to be modified and replaced by the many eloquent speakers of the Hopevale community as they wish.

CHAPTER 11

THE CAPE YORK PENINSULA LAND SUMMITS

Diane Hafner

CHAPTER 11

THE CAPE YORK PENINSULA LAND SUMMITS

Diane Hafner

CONTENTS

11.1	Social process at work	11-1
11.2	Workshop topics at the 1994 Summit	11-4
11.3	References	11-6

CHAPTER 11

THE CAPE YORK PENINSULA LAND SUMMITS

11.1 Social process at work

The first forum in recent years in which Cape York Peninsula (CYP) Aboriginal people were in control of the agenda was likely the first Land Summit in 1990, organised by the then incipient Cape York Land Council (CYLC). In that case, Aboriginal people from around the Peninsula met to discuss issues relating to land ownership and management as a response to proposals such as the national party government's plan to locate a space base on the north-east of the Peninsula at Shelburne Bay. Since then, the CYLC, with financial assistance from the Peninsula (Cooktown) Regional Aboriginal Torres Strait Islander Commission (ATSIC) Council has convened a Cape York Land Summit, which provides for a meeting of the primary actors with whom external organisations playing a role in Aboriginal matters on CYP need to be concerned. Aboriginal people who attend do so on the basis of representing individual and group interests.

Equally importantly, the gathering allows the CYLC and its collegial agencies to come to grips with the issues of current concern to their constituents, expressed in a forum that deals with the regional corpus of issues on CYP. Each year, external agencies whose operations impact on CYP societies are invited to attend, and to present their policy positions to Summit participants. This opportunity has been welcomed and taken up by organisations as diverse as the Wilderness Society, Cairns and Far North Environmental Centre (CAFNEC), Cape York Land Use Strategy (CYPLUS), the Great Barrier Marine Park Authority (GBMPA), and the Department of Environment and Heritage (DEH). The chapters that follow are concerned with the role that such organisations play on CYP, as well as with expanding perceptions of ways in which they might operate through reference to economic history, training arrangements, and principles for resource management both in Australia and abroad.

Aboriginal perceptions of the value of the annual Summit can be crudely quantified by reference to numbers of participants, both in terms of individuals and separate communities, but are more accurately judged by the continuing occurrence of the Summit, the range and intensity of dialogue in formal sessions, and the fact that such discussion is taken away from the structured meeting and continued around camp fires and family hearths over a period of five days. The operation of the Summit is an example of the way in which Bama social and political processes can be crystallised to create a platform for action shared by Aboriginal people and organisations, and external agencies. Non-Aboriginal people who come into contact with Bama often comment on their friendliness and welcoming demeanour. While there is merit in this perception as a general comment, it is one that would be regarded as likely to reflect the more or less public face of engagement by many researchers with long experience with Peninsula Aboriginal people. It is also one that can work against Aboriginal people in their attempts to negotiate on their resource interests, if the other parties at the bargaining table are not versed in Aboriginal social practice.

The imperative here is possessing a grasp of the structural inequalities that exist between Bama and the agencies with which they engage. While it is the case that Aboriginal people live as the members of various communities throughout the Peninsula, to regard the aggregation of a community's inhabitants (usually in the form of a community council) as an appropriate representative of the interests of its members is erroneous. Such a body is more appropriately regarded as representing the corporate interests of the community, (especially with regard to the distribution of funding, provided for largely, though not exclusively, local government functions), than as representing what we might regard as the full spectrum of cultural interests of its members and constituents, which come to them as of right under Aboriginal tradition. The representatives of agencies approach negotiations with the full authority to represent the interests of that agency. The case is somewhat different for Aboriginal people, who have both individual and corporate interests of various types, and must represent all of these fairly when engaging in any negotiations with external organisations.

Thus it may be that it is a senior woman who has the traditional right (discussed elsewhere in this volume) to direct decision-making about a particular tract of land, chooses because of personal inclination or for other and more cultural reasons, not to put herself forward as the chief public negotiator, designating instead a male relation. Similarly, it may be that interests in certain resources, including land and waters, may be shared by separate individuals or social groups (which we would generally refer to as clans), and any decision-making about the area must be made jointly.

In these cases, it is incumbent on Aboriginal people through the principles of Aboriginal Law to ensure that all legitimate interests are accounted for. Since the demise of the national party government, the introduction of the *Aboriginal Land Act* 1991, and the advent of the formal recognition by the State of the existence of native title, contact between Aboriginal people and others has considerably increased. In this more enlightened and broader theatre of action, many of the non-Aboriginal actors are able to appreciate the complexities of Aboriginal social practice.

Many for example understand that traditional interests may be jointly held, and that consultation must therefore be conducted broadly, but fewer seem likely to understand the importance of women as owners of cultural property and knowledge in their own right. Even fewer seem to understand that the process of consulting appropriately with such people is likely to be best achieved (though not exclusively so) by other women, who at worst might be more familiar with female discursive codes, even if they are not intimately familiar with Aboriginal culture. However, to apply a one-to-one approach to consultation is simplistic, and ignores the significant fact that Aboriginal discourse, be it with regard to highly-charged political matters or daily conversation, involves a process of initial dissemination and discussion of information, followed up by joint discussion by all interested parties before ratification of any decision can occur.

Within this broad context, the annual Land Summits provide a formalisation and extension of the inherent processes of Aboriginal social process and discourse. In the first place, the elders of the particular estate on which the Summit is convened give an opening speech of welcome; elders of tribal and language groups in attendance then make addresses in response. This process is a formalisation of the etiquette that applies when going on to someone else's

country, and provides an appropriate introduction to the business at hand. With four of an allotted five days being given over to meetings (allowing a day for travel to and from the venue), an increase in the potential for Aboriginal people to regain land within their traditional estates through land claims and acquisitions, as well as the recognition of government and other agencies of the higher Aboriginal political profile that this produces, time for the consideration of issues is short and densely packed. (Indeed, there was a noticeable intensification of the participation in discussion by the Bama who attended this year's Summit in comparison to at least that of last year's, when engagement with the state through processes such as land claims involved fewer of those in attendance). Each meeting day is usually broken up into two morning and two afternoon sessions, with occasional sessions also occurring in the evening. On each day, the two morning sessions are usually thematically linked, as are the afternoon sessions. On occasions, single sessions are broken up into a series of separate workshops when there is a complex set of issues to consider.

This temporal and issues-driven division of resources - Aboriginal people, consultants, agency representatives and Land Council and other organisational staff - allows Bama participants to attend the sessions of relevance to them. It also works to ensure that non-Aboriginal participants have the opportunity to present their positions and canvas a consensus of response. Sessions usually proceed with matters of business being presented and discussed, and resolutions, if necessary, being sought at the same time, or at a later time in the proceedings, with the latter being the most common procedure. In this way, Aboriginal participants have the chance to discuss matters with relations and countrymen, as well as those neighbours and friends who may also be affected by any decisions about the matters at hand.

Invitation to the annual Summit is open to Peninsula Aboriginal people and organisations, but non-Aboriginal participants attend only by invitation of the convenors. Again, this approach formalises the conventions of Bama Law in relation to being present on someone's country, as well as recognising the important tenet that concerns rights of representation about all matters to do with territory as belonging to its traditional owners, and is a procedure developed at the direction of the Council of Elders of the Cape York Land Council. This process occurs within the context of the informal and vibrant domain of Aboriginal culture which forms the backdrop to meetings, providing the substance for all matters of business, and indeed, the opportunity for interested outsiders to gain insights into the culture with which they seek to interact.

In 1993, when the Summit was hosted by the Lamalama people at the Yintjingga outstation at Port Stewart, a senior Lamalama spokesman informed the meeting of the rules for behaviour that pertain in the region. This included proscriptions against using terrestrial or freshwater bait to fish in saltwaters. He also explained that there were consequences that proceed from ignoring these rules, the most pertinent of which were illness, or the possibility of bringing on early and severe rains which could cut the roads and prohibit travel home. His concern in doing this was not simply to inform non-Aboriginal people present, but to protect Aboriginal people from inland areas against the behavioural phenomenon of "shame" incurred by breaking Bama Law. In 1994, the Summit was hosted by Kaanju people in the Wenlock River region, at a place close to an important and powerful Story-Place (a sacred place referred to as a Dreaming site in other parts of Australia). A similar process of informing the meeting of relevant rules was followed, with the senior land-owner also

applying "smell" to outsiders who requested it. By doing so, that is, by taking his underarm sweat and applying it to the body of strangers, he was ensuring that they would be recognised by the spirit beings present in the landscape, thus obviating the possibility of harm to anyone.

Such demonstrations represent the more spiritual dimensions of Bama culture, but exist as an aspect of an integrated system of belief and practice that infuses quotidian life. Yet this more secular plane is replete with practice that is undeniably Bama, and different to mainstream Australian ways of being. The organisation of space, with countrymen pitching camp close to each other, for example, indicates affective ties, but also more structural kinship linkages. Principles of respect, as demonstrated in the formal role taken by elders in opening proceedings, are intrinsically an expression of those that are embedded in the use of appropriate kinship terminology for differing categories of relations. More informally, the sense of relatedness that Myers (1986) observed in other Aboriginal society is demonstrated in patterns of interaction that occur continuously throughout the duration of the Summit.

Relations and friends who live at distance from each other take advantage of the opportunity for contact, and there is considerable visiting and conversation between camps. While this may seem mundane, it may seem less so when it is put into the context of a code of behaviour that demands that most people respect, as a first principle, that they are visitors in someone else's country. This calls on them to demonstrate respect to those people and that country as the basis of their daily behaviour. At this year's Summit, one senior man, angered by comments made by a consultant addressing a workshop, threatened to bring along his spears next year, an almost unconscionable demonstration of anger by a guest. He voluntarily addressed the meeting the next day, apologising for his outburst. Even smaller details such as keeping the camp clean are a reflection of regional Aboriginal principles of caring for country.

11.2 Workshop topics at the 1994 Summit

Fourteen topics were broached at the 1994 Land Summit, held at Rocky Crossing on the Wenlock River in northern Cape York Peninsula. These were economic development, regional agreements, land justice, a national campaign to pursue environmental protection and Aboriginal ownership on CYP, issues relating to Aboriginal management of land and sea, the need for State and Commonwealth governments to recognise environmental planning and management as an essential service for CYP Aboriginal communities, CYPLUS, a women's task force, health, outstations planning strategies, reconciliation, displaced people, equal representation, and the annual election of the CYLC executive and Governing committee (CYLC 1994:2).

Of particular interest here were resolutions on land and sea management, environmental planning and management, CYPLUS, and outstations planning strategies, although it is also interesting to note the range of issues that are of present concern to CYP Aboriginal people. The concept of self-determination and the recognition of Aboriginal rights of ownership of resources underpinned these broad-ranging concerns and resolutions. In relation to land and sea management, the Summit resolved (CYLC 1994:7) that the CYLC develop a strategy to amend the *Nature Conservation Act* and the *Aboriginal Land Act* in relation to Aboriginal ownership of National Parks; that access to marine resources in the traditional waters of

Aboriginal people should be subject to the granting of permission by those traditional owners, and that in the case of quotas being determined for specific marine resources in Aboriginal traditional waters, first right of access be given to traditional owners, with a preserved right of determination of access in the event that the quota is not filled.

Proposed rezoning of the Great Barrier Reef Marine Park produced the following resolution:

The Aboriginal communities and traditional owners of Eastern Cape York Peninsula demand to be actively and openly involved in current negotiations to change the Great Barrier Reef Marine Park Act to ensure that Aboriginal representation on the Marine Park Authority and other proposed changes truly reflect Aboriginal interests in the Marine Park (CYLC 1994:7-8).

The issue of western CYP fisheries was addressed, with a resolution to discuss the establishment of a "formal representative body to address the broader regional interests of the West Coast indigenous fishery" (CYLC 1994:8). As well, the resolutions of the Summit endorsed principles expressed in the United Nations Draft Declaration on Rights of Indigenous Peoples in relation to individual and collective rights of ownership of traditional lands and waters, protection and rehabilitation of the productive capacity of such resources, the right to develop and maintain economic, social and cultural structures within their lands, and the right to self-determination and determination of their relationships with the states in which they live (CYLC 1994:8-9).

In relation to environmental planning and management, it was resolved by the Summit that environmental planning and management must be recognised by government as an essential service equivalent to health, housing and education. The establishment of a Land and Sea Resource Agency, the employment of community environmental planning and management officers, and the employment and resourcing of Aboriginal Community Rangers were seen as necessary adjuncts to the successful application of this principle (CYLC 1994:10).

The Summit supported 50/50 representation by indigenous people on the CYPLUS Stage 2 Committee as a minimum position for Aboriginal owners of Cape York Peninsula, but noted cautious support for the continuation of CYPLUS, and urged the Queensland and Commonwealth governments to promote a climate of harmony by "keeping true to the need for sensible land use planning in the Peninsula involving Aboriginal traditional owners" (CYLC 1994: 12). Issues of resource management on outstations produced several resolutions. In part these concerned the need to fund a Regional Resource Agency, the provision of funding to ensure good quality water supplies, waste disposal, and cyclone-proof shelter, with due consideration being given to outstation occupation patterns in the provision of funding.

This brief delineation of some of the resolutions of greatest significance to indigenous interests in relation to land and sea management represents the most comprehensive and recent indication of the seriousness of these issues to CYP Aboriginal people. It also indicates their willingness and determination to be included in the structures and processes of government, which, ironically, increasingly encroach upon them at the historical moment in which they are more likely to attain the status of ownership of resources such as land and sea that is both a right and a duty under regional Aboriginal tradition.

11.3 References

Cape York Land Council, 1994. Resolutions of the Cape York Land Summit, 24 -28 October, 1994. Unpublished manuscript. Cairns: Cape York Land Council, Pp 1-21.

Myers, F.R. 1986. Pintubi Country, Pintubi Self: Sentiment, Place, and Politics among Western Desert Aborigines. Washington and London: Smithsonian Institution Press and Canberra: Australian Institute of Aboriginal Studies.

CHAPTER 12

**LOOKING BACK, LOOKING FORWARD: OUTSTATIONS AND INDIGENOUS
MANAGEMENT OF LAND AND SEA ON CAPE YORK PENINSULA**

Peter Cooke

CHAPTER 12

LOOKING BACK, LOOKING FORWARD: OUTSTATIONS AND INDIGENOUS MANAGEMENT OF LAND AND SEA ON CAPE YORK PENINSULA

Peter Cooke

CONTENTS

12.1	Introduction	12-1
12.2	Background	12-1
12.3	Motivating factors	12-4
12.4	Role of government	12-7
12.5	Management issues	12-10
12.6	Subsistence	12-13
12.7	Enterprise opportunities	12-14
12.8	Conclusion	12-15
12.9	References	12-17
	Figure 1	12-18
	Attachment 1	12-19
	Attachment 2	12-23

CHAPTER 12**LOOKING BACK, LOOKING FORWARD: OUTSTATIONS AND INDIGENOUS MANAGEMENT OF LAND AND SEA ON CAPE YORK PENINSULA****12.1 Introduction**

Since the early 1970s there has been a recognisable movement of Aboriginal people away from centralised settlements such as former missions and settlements to establish smaller, more dispersed communities, usually in remote areas. This has been most clearly discernible in northern and central Australia. In most cases the permanent population in these emerging centres is exclusively Aboriginal, in contrast to the larger centres where non-Aboriginal people often occupy administrative positions and are employed as nurses, teachers, police and so on. A change in State Government and subsequently in policy towards decentralisation has provided an opportunity for Aboriginal people on Cape York Peninsula to begin realising a vision of returning to traditional country, or in other cases, establishing long term settlement on areas of historical attachment. This paper provides a brief overview of that movement and identifies a number of associated issues of land and resource management, while asserting that management of land, sea and resources is central to the nature of the decentralisation phenomena.

12.2 Background

At the end of the 19th century and well into the 20th century the word outstation was associated with the non-Aboriginal pastoral industry, mainly in Northern Australia where land holdings were large and daily management difficult to accomplish from a single central residential and administrative point. Outstations were more permanent and more substantial than stock camps, which shifted with mustering or other stock management operations. Outstations were nevertheless controlled by management from the principal homestead, which in turn may have received orders from distantly located absentee landlords.

The word outstation has almost lost currency within the parlance of the mainstream, contemporary pastoral industry. Four-wheel-drive vehicles, helicopters and aircraft and generally improved logistics have allowed stations to be run from central locations. Labour has to a great extent been replaced by technology, with the numbers of people living on properties reduced to rarely more than few individuals or a single families.

Since the early 1970s, the most commonly understood meaning of the word outstations has come to refer to particular patterns of settlement and land and resource management by Aboriginal people. The reason for widespread adoption of the pastoral term, principally by Aboriginal people, is difficult to determine, particularly when the majority of outstations have been established on what have been Aboriginal reserve lands where there is little direct history of pastoral settlement and management involving outstations¹. Indeed, some

¹ On Cape York Peninsular however cattle herds have a long historical association with missions on the west coast, particularly Aurukun and Mapoon.

Aboriginal and non-Aboriginal people reject the term outstations as inappropriately reflecting its pastoral and therefore colonial origin as well as implying a subservient relationship between the settlement and a "central" and administratively more powerful point. The most commonly advanced alternative to outstation is "homeland", used extensively in north-east Arnhem Land and on the west coast of CYP, particularly those settlements associated with Aurukun.

The Cape York Peninsula Outstations Project, conducted in 1994 and co-ordinated by the author, used the word outstation because it is the name most commonly used by Aboriginal people and others to describe decentralised locations of Aboriginal settlement. In framing a definition of outstation appropriate to Cape York Peninsula (CYP) and to the strategic planning requirements of the brief, a definition emerged which is more inclusive than those currently used by ATSIC (and earlier by DAIA) and that used in the most major examination of the decentralisation movement, the 1985-87 Inquiry of the House of Representatives Standing Committee on Aboriginal Affairs into what it chose to refer to as "the homelands movement" (Blanchard 1987). The current ATSIC definition refers to outstations being established by Aboriginal people "with a strong traditional orientation". If a modern understanding of tradition is applied, with tradition being recognised as a dynamic continuum in which change is a natural and "healthy" feature, then the reference to tradition is redundant. It might be that some people could be described as non-traditionally oriented if they wished to completely cast off their Aboriginal heritage, but such individuals are unlikely to be found in small family-based Aboriginal communities in Cape York Peninsula.

The definition adopted in the outstations project, and adapted from a similar definition used by Moran (1994) was:

a small, family-based settlement of Aboriginal people beyond the present limits of mainstream municipal type services and infrastructure.

The inclusion of "family-based" within the definition was intended to reflect a commonality discernible in almost all situations existing on CYP, regardless of position within the continuum of modern traditionality. Use of this definition excluded one Aboriginal cattle station on CYP which is operated principally as an economic enterprise by a larger, distant, legally incorporated "community" and where there is no apparent desire of people with traditional affiliations to the land, to occupy it, or of any particular family to occupy and work it in the long term. The other Aboriginal cattle stations, as well as the "farms" of the Hopevale DOGIT area and the scattered households of Old Mapoon all fit the definition used in the outstation project, inasmuch as they are all family concerns directed towards developing futures for particular families in association with particular tracts of land, whether or not that relationship to land is "traditional" or by "historical" ² association. While there

² The terms traditional and historical are used here because they have been given particular importance within the *Aboriginal Land Act* 1991. In that context they distinguish between people whose affiliation to country has a long-standing spiritual base through relationships to story places (sacred sites) (as well as continuing occupation or specific knowledge of historic occupation by ancestors) and those people who have only an historical association to land, primarily as a result of individual removals and banishment and group relocation under Queensland State Government policies which continued until the very recent past. Inter-marriage and co-residence blur these distinctions in many aspects of mundane life.

are good reasons (in terms of framing strategies for efficient delivery of basic infrastructure and services) for aggregating these various kinds of communities, this grouping is not necessarily perceived as a "natural" one by Aboriginal people on Cape York. Indeed, an ATSIC council member was keen to assert that the aspirations of families on Hopevale "farms" were essentially "capitalist" (his word) whereas the aspirations of people at outstations were to do "traditional" things. However, the author maintains his view that in terms of strategic planning it is appropriate to group all these settlements together, and additionally, that significant commercial aspirations also exist amongst those groups perceived by others to be more social and culturally oriented.

Included within the scope of "family-based" are older Aboriginal kinship structures such as those referred to by anthropologists and others as "clans", a term usually implying descent from either a common male or female ancestor but also usually encompassing a commonality of other cultural property, whether totemic associations, or songs, dance, ceremonial performance or emblems as well as the holding of larger areas of territory and discrete sites in common. Although it is common for clans to claim ownership of their own distinctive language, those features which distinguish one such "clan language from that of other closely related and geographically situated groups may be linguistically slight but nevertheless significant in classifying people as socially (and therefore politically) close or distant.

Anthropologists, linguists and Aboriginal people also distinguish aggregation into larger language groups in which languages may differ very significantly in vocabulary or structure, from that of neighbours. As these aggregations link people, they also link territory and thus people may say "wanem (site) is thingummy (language group) country". While that is true, a further distinction may be made at a more detailed level that the site is within territory of a particular clan within the thingummy group, or that the rights of a particular lineage within that clan are stronger for that site than for other common clan lands. It is possible for this definition of levels of ownership to come down to that of individual proprietorial interest in particular trees. Rigsby has noted this in Lamalama territory between Port Stewart and Lakefield National Park in respect of cabbage palm trees³ which provide fibre for weaving. Ownership exists to the extent that people other than the women recognised amongst the Lamalama as owners would not presume to gather fibre from those particular trees (Bruce Rigsby, pers comm).

"Family-based" may also, in a contemporary context, refer to kinship affiliations in which language, song, dance, ceremony or recognition of either patrilineal or matrilineal lines of descent are less important than a broad range of less particularly Aboriginal affinal arrangements, which may be as fluid or as rigid as those people recognised as having authority within the system decide to allow, or which they deem to be appropriate in varying contexts. In some contexts family may have much the same meaning as it does for the average Australian in the suburbs.

Some situations in respect to land and family may be much more unfamiliar, however, to non-Aboriginal Australians. For example, a particular outstation may be seen by support workers or government officials as belonging to a family made up of "so-and-so, his wife

³ *Livistona australis* syn. *Corypha australis*.

and kids" by virtue of the fact that they have been living there as a family unit for 20 years or more. In such a case it is highly likely that these outsiders are likely to refer to the outstation as "so-and-so's" (the husband's) place despite the fact that within the family the husband (and other Aboriginal people) recognise that it belongs to his wife (and her clan). His own clan country, and the principal territory of their children (if the usual pre-eminence of patrilineally inherited rights is strictly applied) may lie at a great distance. The continuation of clear distinctions of differing rights within families is an important land management issue. If not recognised by outsiders in dealing with Aboriginal "families" about land, a continuing lack of recognition over time breaks down the clear-cut internal perception of how things work, leading to confusion, conflict and ultimately family breakdown. Thus in the example proposed, the children or grandchildren may come to accept, to some degree at least, the flawed external perception of social reality and find themselves in conflict with their mother/grandmother's people over "ownership" and super-ordinate management rights vis-a-vis secondary rights which are limited largely to use or occupation.

In other situations the "family-based" nature of outstations may be more closely analogous to the notion of the family farm. This is particularly the case within the Hopevale DOGIT area, where settlements which fit the author's definition of outstation are referred to locally as "farms". A majority of these farms are occupied by people with historical associations to Hopevale land generally and who were allocated their blocks of land during the 1980s. Here there is a complicating issue of the land tenure status of these blocks and the relationship of these occupiers and users of discrete areas of land to groups with underlying native title rights to traditional estates. This is a sensitive local issue which the aggregated community of both "traditional and historical" people is working through in its own way. But amongst the "historical" people there is not the same level of distinction between rights attached to the lines of descent of the founding couples, that may be apparent in places where older forms of Aboriginal social structure persist more overtly and which define rights of ownership, occupation or management.

Despite these differences within the range of meaning of "family based" in different locations and social situations, there are also important similarities, particularly in terms of long-term aspirations and the motivation to establish and develop outstations. In informal interviews conducted throughout CYP during the Outstation Project, outstation leaders regularly spoke of their grandchildren eventually enjoying the fruits of their labour in establishing outstations. Thus they see continued occupation and use occurring over generations indefinitely. This forward-looking towards unborn generations is deeply emotional, it is as charged with spiritual connection as reflection on the past and ancestral connections and the sacred trust that exists in respect to ancestral land. Where ancestral connections of particular families with particular tracts of land have been broken, the delimitation of contemporary space provides a starting point for construction of a new tradition and a sacred trust in respect of land into the future.

12.3 Motivating factors

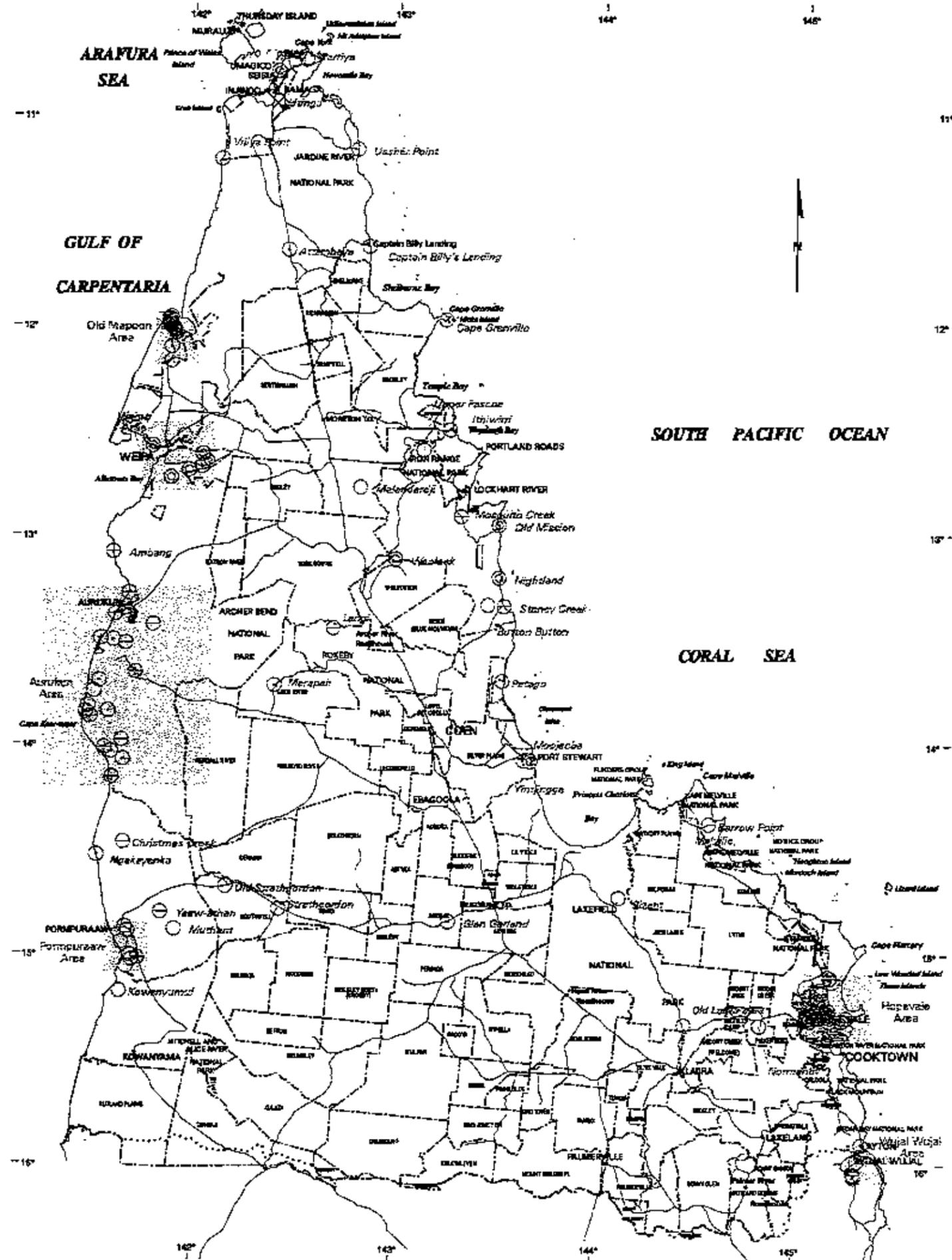
Negative social situations which Aboriginal families may face in the larger aggregated Aboriginal communities and towns of CYP are important factors motivating movement to outstations. But motivation also reflects positive "pull" factors as well as negative "push"

factors. During a survey of some 311 adults at Aurukun conducted by the Yalga Binbi Institute for Community Development in late 1993/early 1994, more than half the respondents (51 per cent) said they wanted to make a future in the bush (at outstations) while 39 per cent said they would like to be able to live out bush sometimes and in Aurukun at other times (Yalga Binbi 1994: 8). A further question aggregated those with preference for bush life in these two groups to determine that 68 per cent wanted to live out bush all or most of the time. When these people were asked the reasons for their residential aspiration (multiple answers were allowed), 83 per cent ascribed their preference for a bush life to a desire to escape social disruption caused by drinking and/or fighting in town. Fifty seven per cent nominated the availability of bush tucker out bush and 34 per cent gave reasons to do with keeping the culture strong, including teaching young people about the country and story places and "looking after the country". Twenty four per cent gave various other reasons, of which escaping the social aggregation of town (living on other people's country) for residence on their own country were noted as significant by Yalga Binbi (*ibid*).

The work of Yalga Binbi and the author's own experience during the Outstations Project both point to aspiration for a form of small group autonomy as central to the outstation movement. Small group autonomy may refer to a capacity to take control of family life and deal with family problems in an Aboriginal way. Withdrawal from situations where external factors such as alcohol tend to make families dysfunctional is one such strategy aimed at achievement of autonomy. Other aspects leading to a desire for autonomy may be less to do with dealings within families (extended or nuclear) and within the domestic sphere and more to do with relationships between the outstation group and outsiders, whether Aboriginal or non-Aboriginal. In this sphere, issues of land and resource management are extremely important. The assertion of strong land management roles by outstation groups calls into the question the long-term roles of community councils in this field, in which, the councils have been the officially sanctioned and recognised managers of land, since the changes from Reserve Lands to DOGIT lands. This is just one of a number of significant effects of the *Aboriginal Land Act* 1991 which will take time for communities and interest groups within communities to resolve locally.

While movement to outstations is obviously not a move to recreate a pre-contact Aboriginal lifestyle, the demographics of outstations do parallel important pre-contact demographics, as they have been reconstructed by anthropologists or were observed in early contact. The anthropologist/economist Jon Altman observed (1987:4) a correspondence between the average size of outstations nationally (about 25 persons) and that of the "band", the term anthropologists use to describe the primary socio-economic (land-using as distinct from land-owning) group in "traditional" Aboriginal society. The band was a group that utilised a loosely demarcated area termed the "range" for economic purposes. The band was a flexible unit. The social unit he describes is one suited to autonomous action and day to day self governance. Typically a band might consist of closely related members of a land-owning group (often siblings in the parental age group), their non land-owning spouses and offspring. The average size of core populations at occupied outstations recorded during the CYP Outstations Project was much smaller than Altman's 25⁴ but when aspiring residents to

⁴ Average core population 8.5 persons, average core plus aspiring, allowing for under-enumeration in some areas about 16-20 persons.



CYPLUS

CAPE YORK PENNINSULA

LAND USE STRATEGY

CYPLUS is a joint initiative between the Queensland and Commonwealth Governments.

OUTSTATIONS

Information concerning location of outstations has been drawn from the reports of the Cape York Outstation project, 1994, produced by the Cape York Land Council.

Where possible outstations were plotted from on-site GPS readings. In other cases locations are taken from a variety of maps or positioned on the basis of locally obtained verbal descriptions of location. In the Aurukun region, most locations refer to outstation airstrips. In some cases there, residential locations may be at some distance from those airstrips.

Occupation status relates to the calendar year 1993. The coverage is not necessarily exhaustive.

LEGEND

- Unoccupied (includes planned only)
- ⊙ Permanently Occupied (10 - 12 months)
- ⊗ Seasonally Occupied (4 - 9 months)
- ⊖ Occasionally Occupied (up to 3 months max.)
- ⊕ Anomalous (Closed because of custom relating to a death during 1993)

Shaded areas are depicted on larger scale maps

- ~ Pastoral Holding
- Roads and Tracks
- ~ Rivers and Creeks
- CYPLUS Project Boundary

Locational information, Pastoral holdings, roads and tracks supplied by Department of Lands QLD. Coastline, rivers and creeks supplied by the Australian Surveying and Land Information Group (AUSLIG).

SCALE 1 : 250000

KILOMETRES



Albers Equal Area Projection, Central Meridian: 142° East
Standard Parallels: 8° and 18° South

Prepared and produced by the Department of Lands, Queensland, January 1995.

Copyright © The State of Queensland, Commonwealth of Australia and the Cape York Land Council, 1995.

outstations are included with core-residents the numbers still support some analogy to the band. Viewed nationally, the size of outstations in general seems to be getting smaller, and this may well be a result of the children of the founding families growing up, marrying and dispersing to establish space of their own.

The Cape York Peninsula Outstations Project attempted to reconstruct population and occupation patterns for the year 1993. A summary of results follows⁵: Some 130 locations which fit the definition of outstation were identified. (Map 1) These included permanent, seasonal, occasional and proposed outstations. Locations are listed in Attachment 1, and Attachment 2 depicted as maps 1,2,3,4,5, and 6. The number of outstations increased by more than 50 percent between 1990 and December 1993.

Fifty three locations were occupied permanently in 1993. Most of these were amongst the scattered households of Mapoon or the farms of Hopevale. Fifteen outstations were occupied seasonally (defined as 4-9 months) and 27 occasionally (few weeks to three months). Two outstations were unoccupied because of customary closing of country following a death. All but two respondent groups wanted their outstations to be permanently occupied. In those two latter situations the outstations were being built as weekenders with the possibility in mind of the builders perhaps one day retiring there.

Core population were determined by asking the question "which people were you most likely to find at this outstation during 1993" and recording the age and sex of these people. The core population recorded for those locations occupied permanently, seasonally or occasionally in 1993 was 826. Core populations for permanent outstations totalled 485, for seasonal outstations 249 and occasional outstations 46. A further 800 people were noted as wanting to live at outstations. Allowing for recognised but unquantified undercounting of aspiring residents at Aurukun and Lockhart River it is estimated that about 2000 Aboriginal people either live, or aspire to live, at outstations on CYP that is about one third of the ABS 1991 Census population for the ATSIC Peninsula (Cooktown) region⁶.

The core population was compared with 1991 ABS data for the Aboriginal/Islander population for the Peninsula (Cooktown) ATSIC region (Figure 1). Population was grouped by ages: 0-4 years, 5-14 years, 15-19 years, 20-39 years, 40-59 years and 60 years plus. The profile of outstation population differs markedly from overall (ATSIC) regional Aboriginal population only in the 0-4 years and 40-59 years age groups. The percentage of persons under 5 years of age at outstations is roughly half that observed overall. This reflects the view expressed by many residents that Aboriginal people worry about having small children in the bush, away from access to medical attention. The percentage of people between 40-59 years at outstations is slightly more than in the overall regional population. This reflects the fact these mature but still active adults are the principal "pioneers" in the decentralisation movement on CYP.

⁵ Extract from draft final reports of Cape York Outstations Project.

⁶ This differs from the CYPLUS study area significantly only inasmuch as the ATSIC region does not include the primarily Torres Strait Islander mainland communities of Bamaga and Seisia. However, there is also evidence that the relevant ABS 1991 census figures are significantly under-enumerated (see CYPLUS population study).

The largest number of people seen at an outstation during the project was 32 people living at Ngakayenka in June 1994. The same number of people were reported to be living in two improvised dwellings at one of the Mapoon locations. A core group of 36 was identified for Peppan outstation and at Old Site, near Lockhart, the core group from 1963 occupation was said to comprise 67 persons. The smallest populations noted for permanently occupied outstations were at one of the China Camp (Wujal Wujal area) locations where one elderly man lives permanently with a grand-daughter staying occasionally; at Attambaya, on Injinoo lands, where one Aboriginal woman and her non-Aboriginal partner live; and a Hopevale farm where only one person stays.

12.4 Role of government

It is clear that the change of Government in Queensland in 1989 has been an important factor in the rapid increase in the numbers of Aboriginal people on CYP attempting to establish outstations. The previous Government's opposition to outstations was of long standing and the curtailing of the outstations movement is widely understood to be a major factor in the Bjelke-Petersen government's "takeover" over Aurukun in 1978. The Premier wrote to Bishop W. Murray in February 1979 (Brennan 1992:13) stating:

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

Opposition to outstations was linked to the association between decentralisation and "land rights" and thus the intensity of government opposition to outstations paralleled the growth of pressure on the Queensland Government to catch up with other parts of the country in recognising Aboriginal rights to land. In 1987 the position of the Queensland Government put to the Blanchard Inquiry was (Blanchard 1987:98):

The Queensland Minister for Community Services made it clear during informal discussions that Aboriginal groups who choose to move from established communities will not be provided with assistance by the Queensland Government.

But despite there being a real link between aspirations for land rights and outstations, outstations existed in Queensland long before the beginnings of the modern land rights movement in the late 1960s. Indeed, it can be argued that in some areas Aboriginal occupation of "homelands" was never completely broken by the influence of mission or government. In a report to the Department of Aboriginal Affairs concerning outstations at Aurukun in 1985, David Martin wrote:

...to understand the political background to people's commitment to their traditional country it is important to realise that through the

Mackenzie⁷ period there were people out bush on holidays, for punishment, (or) after marriage for example - and that a significant number of people over the age of 35 or so have been born out bush and spent considerable time there. It is these people who by and large have formed the core of outstation groups, around which others have coalesced.

Similar situations existed at some other locations. Rigsby and Williams (1991) point to similar historical depth for the "modern" Lamalama community at Port Stewart on the east coast. The Lockhart River mission was abandoned during at the outbreak of World War II and Aboriginal people there instructed to live in bush camps. When they returned in 1944 an epidemic struck killing about one third of the population (Athol Chase cited by May, this volume).

What is new about the post-1972 outstation movement on CYP and elsewhere, is the commitment of successive Commonwealth governments since Whitlam to provide financial support to the decentralisation movement. In an earlier phase, external (ie non-Aboriginal) inputs to the movement were almost exclusively small-scale items of material culture or consumables, largely unofficial and often based on trade for native products (eg crocodile skins) or seasonal labour.

Dialogue between ATSIC and outstation residents about what forms of support are "appropriate" to outstations in a modern community development framework continues. A national review of ATSIC outstation support policy is currently underway. The ATSIC Peninsula Regional Council and State Department of Family Services had still not decided on an official response to the recommendations of the Cape York Outstations project at the time of writing. However, the Cape York Land Summit at Malandadji in October 1994, attended by approximately 300 representatives of Aboriginal communities throughout CYP, endorsed by resolution the following recommendations for outstation support policy:

- Funding bodies should provide different levels of support depending on whether outstations are occupied occasionally, seasonally or permanently.
- Priority should be given to providing all outstations with a good quality water supply, showers and toilets; proper waste water disposal; as well as buildings to provide a secure place to store gear and to shelter in a cyclone.
- High priority should also be given to developing airstrips at outstations and establishing a Peninsula outstations air service. This, and provision of water and storage facilities should take precedence over funding of vehicles or boats for outstations.
- In order to get the most out of money available for outstations, larger building projects and services should, wherever possible, be delivered through local outstation resource centres or a regional resource agency.

⁷ Missionary administrator of Aurukun from mid-1920s to mid-1960s.

- ATSIIC and DFS should fund the establishment of local outstation resource centres, where people have made decisions to establish these centres after community discussions. A local outstation resource centre could be either a part of a local council or a separate organisation. A major role for local outstation resource centres would be to provide transport help to people at outstations.
- ATSIIC and DFS should fund the establishment of a regional resource agency which would include a section to provide support for outstations, particularly with programs for outstation water supplies, waste disposal, shelter and storage, airstrip construction, an outstation air service and a regional outstation radio and telephone network. A regional resource agency should work under the governing committee of the Cape York Land Council. As well as working for outstations, a regional resource agency would also provide services for community councils, other Aboriginal organisations and Aboriginal landowners. These services would include community development planning, land management support, advice and other support for development of community or private Aboriginal enterprises. A regional resource agency could also provide help for places not linked up with DOGIT councils or Aboriginal organisations — groups like those claiming land on national parks and vacant crown lands.
- Where possible housing and CDEP⁸ arrangements for outstations should be made by negotiation between outstations and community councils or other appropriate Aboriginal organisations.
- IMMEDIATE ACTION: That the State Government and ATSIIC provide the funding necessary for an interim resource agency operated by the CYLC to conduct technical planning and costing for basic infrastructure and airstrip construction as outlined in the CYP outstations strategy in order for this work to be completed in time for consideration in budget allocation for 1995/1996.

With a rise in outstations numbers on CYP from six in 1987⁹ to 130 known actual or potential sites in 1994, the financial implications of current State and Federal general policies for outstation support are significant. A few outstations have received support in the vicinity of \$200,000 for a variety of forms of assistance. Most outstations have sought 4WD vehicles or boats to overcome the obvious and real transport difficulties they face. However, these do not provide efficient or durable means of overcoming the inherent logistic difficulties posed by the tropical climate and terrain. The Cape York outstation project has recommended a shift in support policies away from direct provision of vehicles/boats to outstation groups

⁸ CDEP (Community Development Employment Projects scheme) is a Commonwealth funded scheme operating in most Aboriginal communities and in which communities, rather than individuals, receive the equivalent of per capita welfare entitlements, plus program support costs, in order to provide jobs in remote areas of low employment opportunity.

⁹ Official figure in the Blanchard report, but artificially low because of the definition of outstation used which excluded the growing number of households at Mapoon and some Hopevale farms.

to developing a regular outstation "milk run air service", similar to that operated to (some) non-Aboriginal cattle stations on CYP and which is possible through the continued operation of the Commonwealth Government's Remote Air Services Subsidy (RASS) (see Gerritsen 1990).

The other primary thrust of support recommendations is for priority to be given to establishing good quality water supplies and basic reticulation at outstation locations, together with a simple cyclone shelter/lock-up store. This would provide a basis for at least on-going seasonal occupation of outstations. Because permanent movement to outstations must have an effect on population in major communities, it is proposed that wherever possible the provision of formal outstation housing be a matter for negotiation between outstation groups and councils/associations receiving Commonwealth/State Housing Agreement (CSHA) or ATSIC Community Housing and Infrastructure Program (CHIP) funds.

The scale of requirement for fiscal subvention is limited by the location of a large number of outstations close to service centres (eg around Weipa, Hopevale and Mapoon) and therefore not requiring airstrips, which are likely to be the largest single item capital cost for outstations in most instances. Thus the author has proposed an initial program for basic infrastructure (water/cyclone proof store) for 65 locations and airstrip construction at 25 locations at an estimated cost \$6.5m. A central element of achieving economy in program delivery is co-ordinated implementation and construction through a regional resource agency.

The capacity of outstation groups to finance basic infrastructure costs is extremely limited. The cash income base of people at outstations is, almost without exception, limited to CDEP wages or pension entitlements. It would be reasonable to assume that these cash incomes are lower than for the Aboriginal and Torres Strait Islander regional population generally. Census figures for 1991 indicate that 72.4 per cent of Peninsula Aboriginal and Torres Strait Islander people aged over 15 years have an income below \$16,000 pa compared to 51.5 per cent for all races within the State; 45.7 per cent of Peninsula Aboriginal and Torres Strait Islander people have an income below \$8000 compared to 30.3 per cent for all races within the State (see Cooke 1994 (b): 5). In this context, the author's recommendation that outstation groups meet the cost of purchasing and maintaining 4WD vehicles presents serious financial difficulty for those groups, given the high cost of such vehicles and the exceptionally high operational costs created by road conditions on CYP.

12.5 Management issues

This paper has focussed so far on issues which may not appear immediately concerned with indigenous management of land and sea, and land and sea resources. However, outstation groups are intrinsically involved with land and resource management, as users and owners by tradition or by historical circumstance, operating in a physical and political context, whether relating to other Aboriginal people or to non-Aboriginal individuals or interests.

Living on the land is by itself management of the land, whether, to whatever degree, of positive or negative effect. Land reoccupied ceases to be wilderness, an aberrant and "un-Australian" state which has only existed in the context of colonisation and Aboriginal containment. Through reoccupation it returns in varying degrees to a "normal" Australian

landscape, that is one in which people have a significant effect, as they have for at least 60,000 years for the continent as a whole.

The environment, however, cannot be returned to the state it was before the arrival of non-Aboriginal people, largely because of the dispersal of those exotic species which have accompanied colonisation. Aboriginal people have accommodated, indeed, assimilated key non-indigenous species into their views of what is a "normal" environment. This is particularly true of cattle. Perhaps a majority of today's "elders" have been involved in the cattle industry for a significant part of their life. It is not just the quantity of time spent with the cattle that gives it particular importance to those who experienced it, it is the quality of that time inasmuch as recollections focus on adventure, action, heroic or perhaps foolhardy deeds and a camaraderie enjoyed by participants. Boys or young men were recruited into the cattle industry at very early age, and the isolation for long periods in the predominantly male world of these stock camps, either took the place of similar isolation from normal family life during important rites of passage in Aboriginal society or provided additional similar social experience.¹⁰

Older former stockworkers do not deny the hardship of those days, but in looking back emphasise the richness of heroic experience rather than the brutality. This looking back to past personal "glory" colours visions of the future expressed by elders. A significant (but unquantified) number of outstation group leaders see the running of cattle as a viable economic strategy. This evaluation would seem to be in most cases more emotional and optimistic than based on economic reality, in light of the marginal nature of the cattle industry on CYP and the fact that few cattle stations can sustain more than a single (small) family and their mortgage. Nevertheless, at the scale of cash income found at CYP outstations, a subsistence cattle herd is of great relative value locally.

Where Aboriginal people are coming into roles in management of national parks through the process of claim and compulsory "leaseback", the Aboriginal vision of "sensible" land management may be coloured more by pastoral experience than national park land management philosophy. Thus some older people may be puzzled at why perfectly good cattle country purchased by Government for national parks should be destocked. This is not to suggest that Aboriginal land managers are too set in their ways to take a place on the board(s) of national parks which clearly must be managed to satisfy conservation values. However, no-one should imagine that Aboriginal people on the Cape have a natural and pre-existing inclination towards western style environmentalism. Indeed, there are areas of real or potential contradiction. If, however, both Aboriginal people and departments charged with responsibility for environmental management of national parks approach the process of negotiation of plans of management in a non-adversarial manner, the outcomes of this meeting of philosophies may well be land management practices which are very much specific to the management needs in particular locations rather than generic (in either Aboriginal or non-management systems). The fact that there may be differences of opinion should lead to issues being dealt with in far greater detail than they otherwise might. For this partnership to be meaningful Aborigines themselves, as well as their knowledge, must have an active and at least equal role in the implementation of the resulting management regime.

¹⁰ Although some women were stockworkers, this was predominantly men's work.

Personal observation of the initial processes of the pre-negotiation phase of management plan development between Aboriginal claimants to national parks and the Queensland Department of Environment and Heritage (DEH) indicates that Aboriginal people are demanding greater levels of management (in at least some areas) than are at present being delivered by DEH. A particular case in point is Cape Melville National Park where in the past a land area of some 36,000 ha has been open to public use as a national park without the management benefit of on-location park staff. The area has of course achieved considerable notoriety concerning smuggling of seeds of the local unique floral species, the fox tail palm. Australian Customs Service public affairs officer Leon Bedington is reported (Cairns Post 18 April 1994) as endorsing estimates that 700,000 fox tail palm seeds had been removed from the park in the previous summer and that these seeds had a market value of \$7 each in the United States and \$3 each in Australia. Mr Bedington reportedly estimated the value of flora and fauna smuggling on CYP at \$20m in the past four years. This estimate puts the flora and fauna smuggling business on an economic par with the CYP cattle industry, on figures for cattle turnover provided by P. McKeague in a working paper prepared for the Cattlemen's Union (McKeague 1990). Regardless of the current position as to legal recognition of Aboriginal property rights in flora and fauna, Aboriginal people with traditional affiliation to land such as Cape Melville feel a proprietorial interest in the natural species there. Thus they feel that "under-management" of national parks like Melville is aiding and abetting theft of resources which they believe to be "theirs".

During various visits to the Melville area in the early stages of preparation for the claim, claimants discovered abandoned polythene irrigation pipes in remote areas of the park, drawing the inference that they were observing the remains of what had apparently been marijuana farming ventures. Again, Aboriginal claimants reasonably feel anger and frustration that the current level of national parks management is so inadequate, or in Aboriginal parlance "slack", as to allow non-Aboriginal criminals to make millions of dollars from national parks, while traditional owners are subjected to an elaborate and tortuous process in order to establish some rights to be involved in the management of their traditional lands. Further, those rights do not explicitly provide for Aboriginal people to live on successfully claimed areas of national parks. Such rights may be considered in negotiation for leaseback arrangement and management plans but ultimately are subject to ministerial decisions at the state level in which political considerations affected by both anti-black and hard-line "green" public opinion must be addressed. From the point of view of the Aboriginal people who want to establish outstations within national parks, the ambivalence of the government on this issue is puzzling, to say the least. To Aboriginal people it seems common sense that their ongoing presence within national parks is going to subject the areas to a level of scrutiny which is likely to result in smugglers and marijuana growers forming the opinion that they are likely to be discovered and that the risk in such ventures is getting too great.

Not only in national parks, but also in isolated areas of DOGIT, marijuana farming activities have been noted by Aboriginal people. As a leader from one group, attempting to set up an outstation in the far south of the Lockhart DOGIT says: "If we were here all the time, we would see those people and report them, but we can only visit from time to time in the dry season". A permanent presence of Aboriginal people in the isolated areas of the Cape has obvious benefits in control of a whole range of illegal activities, but without development of logistic support such as airstrips and an outstation air service permanent occupation is not possible in the particularly remote areas which at present provide the best opportunities for

clandestine criminal activity. Most communities are attempting to establish community ranger services, but the effectiveness of these services is restricted by the limited extent of funding available for vehicles, boats and other operating costs of patrolling. A system involving both rangers and outstation communities, using radio to link "bush" and "town" and mobile units, would arguably provide an effective strategy for surveillance of a large part of CYP with regard to a range of activities.

12.6 Subsistence

Even if Aboriginal people are able to secure rights to live within national parks then the extent to which they are able to harvest food resources within those parks is unclear. Despite the appearance of explicit provision for this in the *Qld Nature Conservation Act 1992*, it is nevertheless hedged with uncertainty. Widespread negative public opinion about Aboriginal subsistence is reported by Ponte, Marsh and Jackson (1994) who express concern that without a program of public education inappropriate restrictions may be placed on indigenous hunting and the reconciliation process jeopardised. In the Northern Territory within successfully claimed or negotiated Aboriginal parks, traditional owners are guaranteed rights to use natural species and their products under the *Territory Parks and Wildlife Conservation Act*. These rights do not extend to commercial use, although in practice Aboriginal gather materials for weaving items which are sold and men and women may harvest timber for artefacts. The impact of such activity is minimal. Traditional rights to take protected species are recognised, unless regulation expressly removes that right. While many other issues concerning Aborigines achieve controversial prominence in the local media, Aboriginal subsistence hunting rights appear not to provoke strong feelings amongst non-Aborigines.

Without substantial resource rights within national parks the economic prospects for Aboriginal people living within the parks is bleak, particularly when considered against the lack of opportunity for Aboriginal employment within parks services afforded by current levels of funding on CYP. If park work is to be supported by CDEP scheme funding (without additional "top up") then average annual adult incomes will continue to be under \$9,000pa. At that kind of income level subsistence activities are not recreational, they are important for survival. Aboriginal tradition itself provides a basis for regulation of hunting, prescribing in various circumstances rules for who can hunt in certain areas, protocols for seeking permission to hunt on other people's lands and even in some cases imposing *de facto* bag limits in that a catch must be eaten on site rather than transported. The public focus on whether people travel by vehicle to reach their hunting spot or whether they use nylon lines to fish or a rifle to bag a wallaby are not as important as the net effect of hunting on ecological sustainability. If outcomes are to rest on a public debate, it must be a debate involving an informed public.

During the Cape York Outstation Project the author was unable to find hard data documenting subsistence resource use by outstation groups. In Australia there is no Division of Subsistence within its land and management services as there is in Alaska's Department of Fish and Game and which provides data on volumes and locations of subsistence resource use (Altman 1987:14). But despite a lack of quantitative data, anecdotal evidence across CYP suggests that bush foods continue to be of considerable dietary and economic importance to Aboriginal people in the larger "communities" and at outstations. A social impact assessment study survey at Hopevale community indicated that even in this most

urban of CYP Aboriginal "towns" bush foods comprise a significant proportion of diet (Annie Holden, pers comm). Bush foods include both native species and feral species, the latter importantly including wild pig and unmanaged feral cattle herds. People in the larger centres may not hunt as often as people in the bush, but they do have access to electrical power and are able to own freezers and therefore able to utilise surplus catches more effectively within their own households. People at outstations would also like to have freezers and power, but at this stage very few do.

Throughout CYP Aboriginal people maintain that their resource use is governed by the central Aboriginal subsistence ethic that people hunt and gather to meet needs and that food should not be wasted. Thus by rigid application of this ethic, it is not "the Aboriginal way" to, for example, fillet fish and throw away the frame or head. Similarly, Aboriginal people are not as "fussy" as many non-Aborigines about what (fish) species they will eat — if they catch catfish or shark when actually hoping for something else they will still eat the catfish or shark — at least that is what most say they will do. This is not to propose that Aboriginal people's subsistence strategies do not involve epicurean values — various species are targeted at the time of year when they are known to be "fat", and this is often indicated by known floral or other seasonal indicators.

In some areas customary subsistence and resource use rules may be more rigidly followed than in others, but the continued existence and practice of such rules is still broadly acknowledged.

12.7 Enterprise opportunities

As well as direct benefits from subsistence activities there is potential on CYP for tourism ventures which include experience of Aboriginal hunting and gathering. In the Northern Territory the possibility of experiencing something of Aboriginal culture is very high on the lists of reasons why international tourists visit. But present circumstances on CYP, the inadequate level of infrastructure and logistics at outstations does not provide a sufficient basis for permanent occupation by Aboriginal people, let alone to support a movement of tourists to and from bush locations. The potential for Aboriginal eco-tourism to enhance the regional appeal of CYP to tourists is a further argument for speedy development of a basic outstation infrastructure and logistic network. Experience in the Northern Territory has shown that there can be no "recipe" for Aboriginal tourist ventures — success or failure is determined by many complex factors, some within and others beyond the control of the Aboriginal instigators but all dependent on genuine commitment of Aboriginal people to such projects and ultimately dependent on whether they enjoy working up close to tourists.

Aside from the economic development potential of tourism, tourists present management problems. There are no general legal mechanisms to support Aboriginal protection of "story places" (sacred sites) from inappropriate visitation or desecration. Many Aboriginal people continue to believe that desecration of sites may cause illness or death to custodians or owners, as well as possibly to perpetrators of desecration. Such deep psychological belief clearly may be manifest as physical symptoms in at least some instances. The level of legal control over trespass on leasehold or freehold land enjoyed (mostly) by non-Aboriginal landowners/managers seems to be at least effectively considerably greater than that on DOGIT and other Aboriginal land. Outstation residents on both the west and east coast report

incidents in which gear left unattended at outstations (eg outboard motors, radios, solar panels) have been stolen by tourists (or in some cases professional fishermen). Land management strategies being developed by the Injinoo community involve development of outstations partly as bases from which rangers can extend management of tourist use of Injinoo lands.

Art and craft production is usually linked to tourism. At present the level of Aboriginal art and craft production on CYP is minimal (Cooke 1994b:78). While markets are distant and logistics difficult, there is little opportunity for cash returns and therefore limited incentive. In the Northern Territory production of art and craft utilising natural resources (eg bark, timber, grass, palm leaves, rushes) are important elements of the outstation economy. Development of cultural tourism may create a more accessible market for items at the lower (priced) end of the market, but the best opportunities for CYP artists will be in southern and international fine art markets once a process of development work has identified potential artists with a capacity to participate in the fine art market and has assisted them to find a comfortable medium and a market niche. Such a process requires professional advice and assistance, as well as the basic logistics already discussed.

While most inland outstation groups (as well as a considerable number of coastal ones) propose cattle as the primary vehicle for economic development, coastal groups, in varying degree, suggest fishing as an enterprise opportunity. The evolving Aurukun fishing project has equipped six Wik people with an extensive complement of formal qualifications, including status as Master Fishermen (Castelain 1994). Much of the aspiration concerning fishing in this area is to fish in traditional sea and estuarine territories, which raises issues of financing and implementing even basic infrastructural development to support fishing in the homeland areas.

12.8 Conclusion

Levels of infrastructural and logistic support for decentralisation on CYP compare most unfavourably with the situation in the Top End of the Northern Territory, an area with many physical and indigenous cultural similarities. The present State Government, hopefully in co-ordinated partnership with the Commonwealth and its agencies, is faced with a significant burden of "catching up" in providing support for the variety of small communities which have been referred to here as outstations. Different kinds of support are needed in different areas, for example the scattered households of Mapoon are so closely situated that extension of reticulated power and water to these locations is a real possibility. Elsewhere, most outstations will need to develop stand-alone domestic systems.

The author's report to ATSIC and DFS has proposed "escalating" levels of support determined by levels of use and occupation of sites. Further, it stresses an immediate and widespread need for provision of the most basic of utilities taken for granted by most Australians, a clean water supply reticulated for drinking, bathing and washing of clothes and bedding. In many areas permanent occupation will not be possible without construction of airstrips and establishment of air services, similar to the Cape York Air Service "milk run".

Implementation of a range of basic development strategies can be most effectively and efficiently met by regional programs, particularly for water and airstrips. However, the role

of the Aboriginal Co-ordinating Council notwithstanding, there is no long term precedent amongst Aboriginal communities on CYP for regional development action. The aspiration for autonomy at outstations and parochial power arrangements, at the level of the larger communities, make regional co-operation and co-ordination difficult. The ATSIC Regional Council has a pivotal role in the development of regional approaches, but it too is constrained by the local perspectives which its members bring to their deliberations. However, the ATSIC Council is still relatively new and still developing its own vision. It is currently engaged in development of a broad regional plan. As elected representatives, its members face much the same problems as politicians on the broader stage, should they make decisions based on electorate pressure or on measured and disinterested consideration of issues? Further, co-ordination between state and ATSIC programs for outstations is in effect non-existent. Thus the future of support for Cape York outstations remains uncertain.

While State Government belief that outstations are beneficial is implicit in policies offering development support, and ATSIC (and formerly the Department of Aboriginal Affairs) have for more than 20 years professed belief that outstations are of social benefit, it is not clear that these official policies permeate and guide bureaucratic action in a broad range of administrative areas. The economic benefit of outstation infrastructure development is not as easily and publicly visible as perhaps in the case of public infrastructure associated with a mining or tourist development which can be expressed relatively easily in concrete, cash terms. Yet the decentralisation movement does provide benefits which are observable even if difficult to quantify. The longer term effect of decentralisation as an Aboriginal social mechanism addressing disorder in the larger Aboriginal communities and in non-Aboriginal urban centres is significant. The effect of resettlement of remote areas in curtailing illegal activity may be widely perceived as of great social benefit¹¹ and find parallels with spending on more formal surveillance, customs and quarantine measures. The involvement of Aboriginal people (associated with living areas inside national parks) in working on national parks has financial implications in terms of benefits of employing long term local workers against transient employees.

A changing vision, influenced by application of what have been termed the *new growth theories* should lead to the economic benefit of infrastructure development in remote areas being more clearly recognised rather than being typified as just a drain on the public purse (Snowdon 1994). Support for remote communities (including outstations) is also a question of equity and requires action based on a realistic inclusion of disabilities relating to the infrastructure backlog, and locational costs, across the whole of government funding (ibid). There are thus good reasons for continuing and escalating support for outstations, both on economic terms and in terms of social justice and realisation of Aboriginal self-determination as well as the practical effects of bringing large areas of Cape York back under hands-on management by indigenous landowners.

¹¹ Ironically, moral and legal issues aside, this of course reduces the cash value generated by human activity on CYP which obviously must flow into the economy generally somewhere.

Attachment 1: Cape York Outstation locations

(Includes permanent, seasonal, occasional, unoccupied/planned, #nomalous).

<u>Q'stn name</u>	<u>Q'stn also known as</u>	<u>Service centre</u>	<u>Lat long</u>	<u>AMG Co-ordinates</u>
Aayka	Old Aayk, New Aayk	Aurukun	S 13°52.320 , E 141°30.380	
Fisher Camp		Aurukun	?	
Big Lake	Uthuk Aweyn, Big	Aurukun	S13°45.020 , E 141°31.480	
Bulljerd	Am	Aurukun	S14°02.330 , E 141°36.420	
Emu Foot	The 'Achamp	Aurukun	S 13°30.240 , E 141°36.990	
Hagan's Lagoon	Ochengan-ihathenh,	Aurukun	S 13°31.290 , E 141°40.670	
North Kawkiy	Kawkiy, North Kalkie	Aurukun	S 13°49.150 , E 141°29.770	
South Kawkiy	Weethan, Whintian,	Aurukun	S 13°50.930, E 141°29.140	
Kencherrang	Kencherrang	Aurukun	S 13°50.730 , E 141°35.540	
Love River	Munhth	Aurukun	S 13°20.250 , E 141°33.590	
Stoney Crossing	Koken	Aurukun	S 13°39.580 , E 141°43.470	
Ambang	Umbeng, Umbun,	Aurukun	S13°04.530, E141°39.900	
Watngat	Walengat, Wall Ngali	Aurukun	S14°04.530 , E 141°39.900	
Wathanhin	Peret	Aurukun	S13°42.000 , E 141°33.000	
Ikeleth	Eklel Red Cliff	Aurukun		
Mukiy		Aurukun		
Yaaneng	South Arm	Aurukun		
Ti Tree	Wankeniyeng	Aurukun		
Thaengkunh-nhila	Tonkarin, Knox River	Aurukun		
North Kendall	Kutchenteypenh,	Aurukun		
South Kendall	Empedha	Aurukun		
Pu'andha	(near Thuk River)	Aurukun		
Merepah		Aurukun/Coen	S13°43.500 , E 142°24.300	
Ngakeyengke	Hokroyd R.	Aurukun/Porm	S14°32.000 , E141°32.250	54 558063 L8393428
Dabu Jajikai		Ayton		55 322599 , L 8240878
Bizant		Calrns/Cookto	S14°44.183 , E144°07.094	
Old Laura area		Calrns/Cookto	? S15°20.500 , E 144°27.000	
Wenlock	Kgenhandji/	Coen	S13°07.350 , E 142°59.993	54 716818 L8548473
Langi	Archer Bend	Coen	S13°27.110 , E142°41.795	
Matandardji	Mulundudji	Coen		54 697982 L8586338
Moojoebe		Coen	S14°04.956 , E 143°38.440	54 785256 , L 8441438
Yialjingga	Port Stewart	Coen	S 14°05.121 , E 143°40.267	54 787500 , L 8441148
Stoney Creek	Button Button	Coen	S13°20.805 , E143°32.106	
Glen Garland	Edmulpa	Coen	S14°51.050 , E143°16.471	54 744693 , L8358923
Flying Fox	(part of Glen Garland)	Coen		
Lucy	(part of Glen Garland)	Coen		
Normanby		Cooktown	S15°20.552 , E144°49.717	
Lakefield		Cooktown/Cair	S14.94789 E144.20061	
Melville		Hopevale	? S14°20.000 , E144°27.000	
Barrow Point		Hopevale	? S14.23.000 , E 144°34.000	Cape Melville 1:100000
HV 1	Gurtil (Stormbird)	Hopevale		
HV 2	Barramundi Hole/WK	Hopevale		55 308347 , L 8297545
HV3		Hopevale		55 310602 , L 8305913
HV 4	Wobbly Boot Hill	Hopevale		55 310579 , L 8296409
MV 5	Warroll Hill/ Mieslon	Hopevale		55 307000 , L 8296409

Attachment 1: Cape York Outstation locations

(includes permanent, seasonal, occasional, unoccupied/planned, anomalous).

<u>O'stn name</u>	<u>O'stn also known as</u>	<u>Service centre</u>	<u>Lat long</u>	<u>AMG Co-ordinates.</u>
HV 6		Hopevale		55 3040144 , L 8307896
HV 7		Hopevale		
HV 8	Triple BBB	Hopevale		55 312957 , L 8307619
HV 9		Hopevale		55 303689 , L 8309108
HV 10		Hopevale		55 303354 , L 8311130
HV 11		Hopevale		55 301825 , L 8310341
HV 12		Hopevale		55 301381 , L 8310318
HV 13		Hopevale		1km W of 55 301381 , L
HV 14		Hopevale		55 299780 , L 8309080
HV 15		Hopevale		55 298895 , L 8310012
HV 16		Hopevale		55 303821 , L 8328371
HV 17		Hopevale		55 293305 , L 8319127
HV 18		Hopevale		55 292664 , L 8308283
HV 19		Hopevale		55 292361 , L 8307658
HV 20		Hopevale		55 292363 , L 8306893
HV 21		Hopevale		55 293374 , L 8306964
HV 22		Hopevale		55 293392 , L 8305572
HV 23		Hopevale		? 55 305009 , L 8326389
HV 24	Muguulbigu	Hopevale		55 293266 , L 8320281
HV 25		Hopevale		? 2km N of 55 299266 , L
HV 26		Hopevale		55 299811 , L 8316557
HV 27		Hopevale		55 297648 , L 8315600
HV 28		Hopevale		55 296800 , L 8317180
HV 29		Hopevale		55 295377 , L 8311626
HV 30		Hopevale		55 29447 , L 8311163
HV 31		Hopevale		55 294541 , L 8310844
HV 32		Hopevale		55 293638 , L 8311850
HV 33		Hopevale		55 298347 , L 8309144
HV 34		Hopevale		2km E of 55 302013 , L
HV 35		Hopevale		55 296450 , L 8307890
HV 36		Hopevale		55 296177 , L 8307515
HV 37		Hopevale		55 296872 , L 8309034
HV 38		Hopevale		
HV 39		Hopevale		55 295200 , L 8311312
HV 40		Hopevale	915°16.810 , E145°07.383	
Stacke x 3		Hopevale		
Uttingu	Simpson Bay	Injiloo	? S10°48.000 , E 142°24.000 ?	
Attambays	McDonald, Inbing	Injiloo	S 11° 39.036 , E 142° 27.512 54 659038 , L 8711542	
Wthya Point		Injiloo	S 11°13.044 , E 142°07.808 54 623383 , L 8759770	
Parrys	Palra	Injiloo	S 10°44.674 , E 142°32.196 54 668030 , L8811846	
Shelburne Bay		Injiloo		
Usher Point		Injiloo		
Kowanyumul	Kowanyumul Pocket	Kowanyama	? S15°11.00 , E 141°43.00	
Oriners	Helmsley Holding	Kowanyama	S15.4005 , E 142.9455	1:100000 7467: 087 952
Wents		Lockhart		

Attachment 1: Cape York Outstation Locations

(includes permanent, seasonal, occasional, unoccupied/planned, anomalous).

<u>Outst name</u>	<u>Outst also known as</u>	<u>Service centre</u>	<u>Lat long</u>	<u>AMG Co-ordinates</u>
Nightland	Tinta, Night Island	Lockhart	? S13°12.750 , E143°30.500	
Upper Pascoe	Ampuyu, Anganamu	Lockhart	? S12°36.178 , E143°07.942	
Ithwirri		Lockhart	? S12°30.500 , E143°15.500	
Button Button	Euthen Euthen	Lockhart	? S13°20.500 , E143°27.330	
Patago		Lockhart	? S13°42.250 , E143°31.750	
Old Mission	Old Site	Lockhart River	S 12°57.664 , E 143°30.412	54 771999 , L 8565873
Cape Grenville		Lockhart River	? S11°59.000 , E143°14.000	
Mosquito Creek	Claudia	Lockhart River	?S12°55.254 , E143°19.080	754 751447 , L8570493
Angkum		Lockhart River	?	
OM1		Marpuna	S11°59.827 , E141°53.133	54 596499 , L 8673541
OM2		Marpuna	S12°02.900 , E141°34.997	54 599768 , L 8667939
Tharng (OM 3)		Marpuna	S12°06.694 , E141°53.743	54 597514 , L 8660907
OM 4		Marpuna	S12°02.731 , E141°54.981	54 598745 , L 8668257
OM 5		Marpuna	S12°02.104 , E141°54.793	54 599306 , L 8669547
OM6		Marpuna	S12°01.800 , E 141°54.581	54 599060 , L 8670093
OM7		Marpuna	S12°01.147 , E 141°54.050	54 598046 , L 8671160
OM8		Marpuna	S12°00.496 , E 141°53.468	54 596977 , L 8672358
OM9		Marpuna	S12°00.426 , E141°53.328	54 596755 , L8672758
OM10		Marpuna	S11°58.609 , E 141°53.179	54 596488 L 8675871
OM11		Marpuna	S11°58.914 , E141°53.198	54 596528 L 8675224
OM12		Marpuna	S12°01.753 , E141°54.577	54 599263 L 8670158
OM13	Batavia	Marpuna	S12°10.734 , E141°53.675	54 597307 L 8653500
OM14		Marpuna	S11°58.786 , E141°53.184	54 596481 L8675529
OM 15		Marpuna	S11°59.523 , E141°53.045	54 596053 L 8674167
OM 16	Town centre	Marpuna		54 598422 L 8670826
OM 17		Marpuna	S11°58.100 , E141°53.556	54 597142 L86766703
OM 18		Marpuna	S12°00.600 , E141°53.471	54 597014 L8672179
OM 19		Marpuna	S12°00.220 , E141°53.241	54 596594 L 8672834
Bowchat	Bowchat, Boijet	Napranum	S12°34.964 E141°48.364	54 587555 L8608875
Luang	Luwang	Napranum	S12°32.116 E141°57.698	54 604502 L8614066
Mobngam	High River, Hay	Napranum	? S12°44.000 , E 141°53.750	
Pepper 2		Napranum	S12°39.629 , E142°04.299	54 616349 , L8600109
Pepper 1		Napranum	S12°37.393 , E142°02.891	54 613854 , L 8604289
Dhingwulum	Spring Creek,	Napranum	S12°40.899 , E142°02.748	54 613565 , L 8597843
Wathayo	Wathine	Napranum	S12°41.942 , E141°58.982	54 606759 , L8595902
Old Strathgordon		Pormpuraaw	S14°41.050 , E142°10.243	54 626378 , L 8376270
Police Lagoon		Pormpuraaw	S14°52.665 , E141°40.651	
War-puant		Pormpuraaw	S14°53.869 , E141°41.374	
Christmas Creek	Kunanga	Pormpuraaw	S14°28.350 , E141°40.035	
Strathgordon		Pormpuraaw	? S14°47.500 , E 142°26.900	
Chillagoe Pocket		Pormpuraaw	? S15°04.000 , E141°41.000	
Penkeidan		Pormpuraaw	S14°57.019 , E141°39.628	54 571020 , L 8347052
Melaman 1		Pormpuraaw	S15°00.744 , E141°42.130	
Melaman 2	Kun'jlan	Pormpuraaw	S15°02.013 , E141°42.613	
Melaman 3		Pormpuraaw	S15°01.520 , E141°44.358	

Attachment 1: Cape York Outstation locations

(includes permanent, seasonal, occasional, unoccupied/planned, anomalous).

<u>O'stn name</u>	<u>O'stn also known as</u>	<u>Service centre</u>	<u>Lat long</u>	<u>AMG Co-ordinates</u>
Muthant	Fish Hole?	Portpurnaw	S14°53.303 , E141°55.256	
Yasw-athan	Serpentine Ck	Portpurnaw	S14°48.402 , E141°51.158	
Lundimwarra	Thompson's Creek	Wujal Wujal	S 15°57.297 , E 145°20.747	
Zig Zag	Walbamurru	Wujal Wujal	S15°58.941 , E145°19.344	55 320474 , L 0232292
China Camp (PF)	Burrungur	Wujal Wujal	S16°03.165 , E145°18.358	
China Camp	Ounbanga/Saltbox	Wujal Wujal	S16°03.554 , E145°18.456	
China Camp (BC)		Wujal Wujal	S16°02.754 , E145°18.221	
Chitza Camp (GK)		Wujal Wujal	S16°02.745 , E145°18.361	

CYPLUS

CAPE YORK PENINSULA

LAND USE STRATEGY

CYPLUS is a joint initiative between the Queensland and Commonwealth Governments.

OUTSTATIONS OLD MAPOON AREA

Information concerning location of outstations has been drawn from the records of the Cape York Outstation project, 1994, produced by the Cape York Land Council.

Where possible outstations were plotted from on-site GPS readings. In other cases locations are taken from a variety of maps or positioned on the basis of locally obtained verbal descriptions of location. In the Aurukun region, most locations refer to outstation airstrips. In some cases there, residential locations may be at some distance from those airstrips.

Occupation status relates to the calendar year 1993. The coverage is not necessarily exhaustive.

LEGEND

- Unoccupied (Includes planned only)
- ⊙ Permanently Occupied (10 - 12 months)
- ⊗ Seasonally Occupied (4 - 6 months)
- ⊕ Occasionally Occupied (up to 3 months max.)
- ⊕ Anomalous (Closed because of custom relating to a death during 1988)

- ▤ Pastoral Holding
- ▬ Roads and Tracks
- ▬ Rivers and Creeks
- ▬ CYPLUS Project Boundary

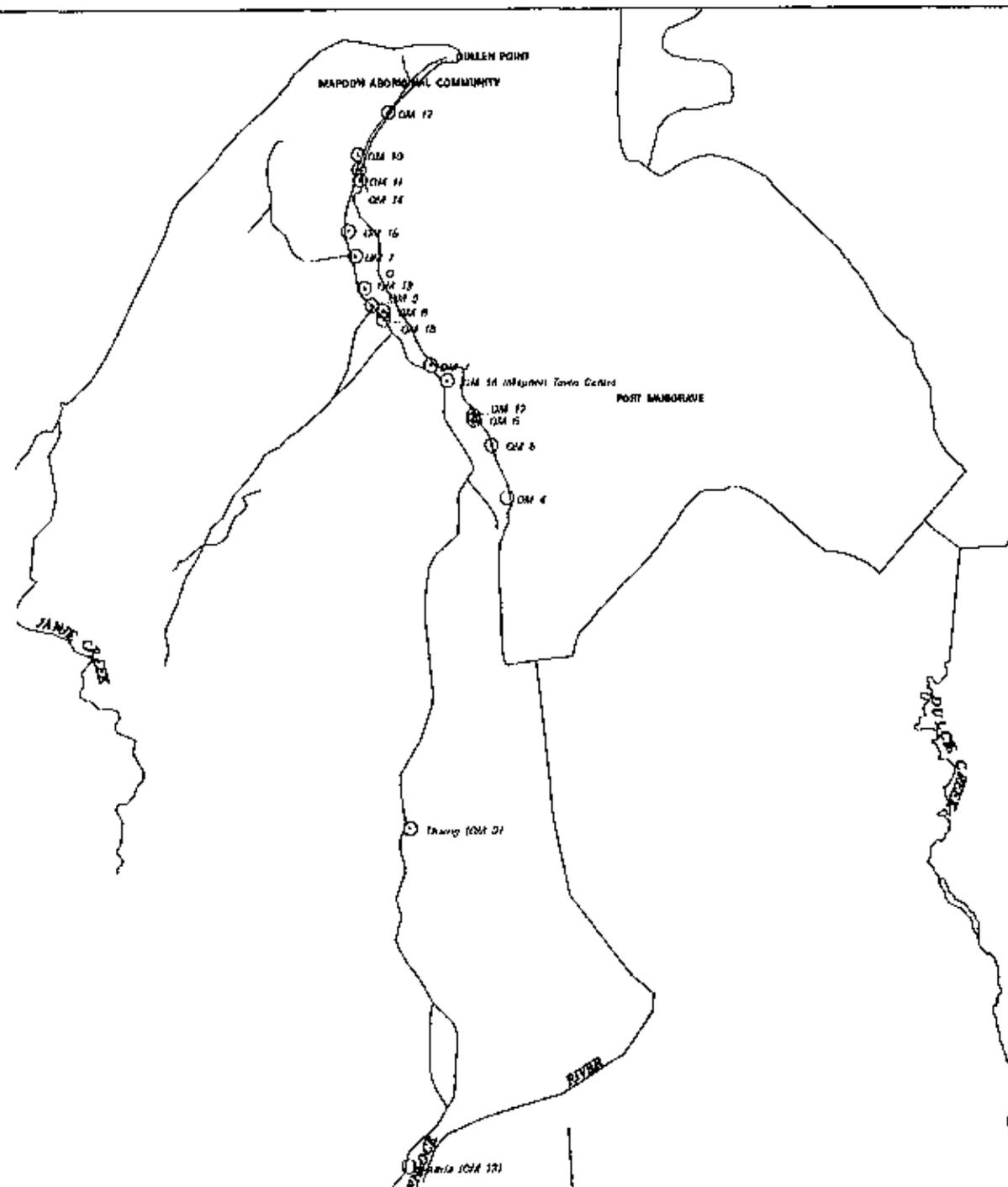
Locational information, Pastoral holdings, roads and tracks supplied by Department of Lands QLD. Coastline, rivers and creeks supplied by the Australian Surveying and Land Information Group (AUSLIG).

SCALE 1 : 100000 (approx)

KILOMETRES

UTM Equal Area Projection, Central Meridian: 142° East
Standard Parallels: 8° and 18° South

Prepared and produced by the Department of Lands, Queensland, January 1995.





CAPE YORK PENINSULA LAND USE STRATEGY

CYPLUS is a joint initiative between the Queensland and Commonwealth Governments.

OUTSTATIONS AURUKUN AREA

Information concerning location of outstations has been drawn from the reports of the Cape York Outstation project, 1984, produced by the Cape York Land Council.

Where possible outstations were plotted from aerial photographs. Where locations are shown from a variety of maps or sources, the best of readily available aerial photographs of localities in the region, most locations refer to outstation sites. In some cases there are additional locations may be at some distance from those shown.

Occupation status relates to the calendar year 1985. The coverage is not necessarily exhaustive.

LEGEND

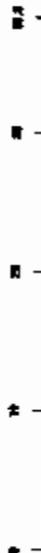
- Unoccupied (includes planned only)
- ⊙ Permanently Occupied (10 - 12 months)
- ⊗ Seasonally Occupied (4 - 6 months)
- ⊕ Occasionally Occupied (up to 3 months max.)
- ⊖ Anomalous (Closed because of custom relating to a death during 1985)

- ~ Pastoral Holding
- ~ Roads and Tracks
- ~ Rivers and Creeks
- ~ CYPLUS Project Boundary

Locational Information, Pastoral Holdings, roads and tracks supplied by Department of Lands QLD. Coastline, rivers and creeks supplied by the Australian Surveying and Land Information Group (AUSLIG).

SCALE 1 : 50000 (approx)

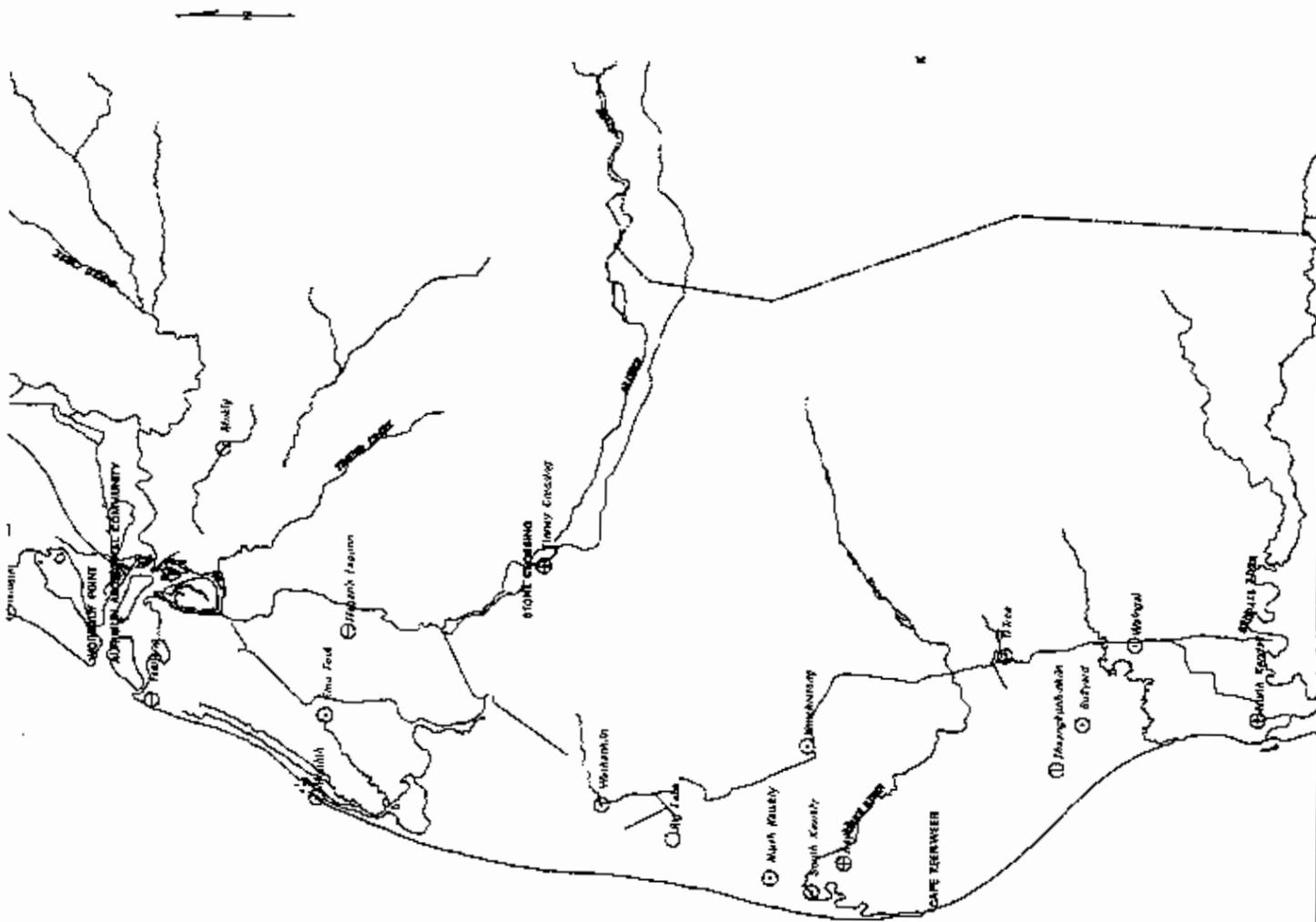
MILES



Above Road Area Protection, Contour Markings, 1:25 Scale
Standard Projection, 2° and 10° South

Prepared and produced by the Department of Lands, Queensland, January 1986.

Copyright © The State of Queensland, Commonwealth of Australia and the Cape York Land Council, 1986.



CYPLUS

CAPE YORK PENINSULA LAND USE STRATEGY

CYPLUS is a joint initiative between the Queensland and Commonwealth Governments.

OUTSTATIONS WUJAL WUJAL AREA

Information concerning location of outstations has been drawn from the reports of the Cape York Outstation project, 1994, produced by the Cape York Land Council.

Where possible outstations were plotted from aerial GPS readings. In other cases locations were taken from a variety of maps or positioned on the basis of locally obtained verbal descriptions of location. In the Aurukun region, most locations refer to outstation airstrips. In some cases there, residential locations may be at some distance from those airstrips.

Occupation status relates to the calendar year 1993. The coverage is not necessarily exhaustive.

LEGEND

- Unoccupied (includes planned only)
- ⊙ Permanently Occupied (10 - 12 months)
- ⊗ Seasonally Occupied (4 - 9 months)
- ⊖ Occasionally Occupied (up to 3 months max.)
- ⊕ Anomalous (Closed because of custom relating to a death during 1988)

- ∩ Pastoral Holding
- Roads and Tracks
- ~ Rivers and Creeks
- CYPLUS Project Boundary

Locational information, Pastoral holdings, roads and tracks supplied by Department of Lands QLD. Coastline, rivers and creeks supplied by the Australian Surveying and Land Information Group (AUSLIG).

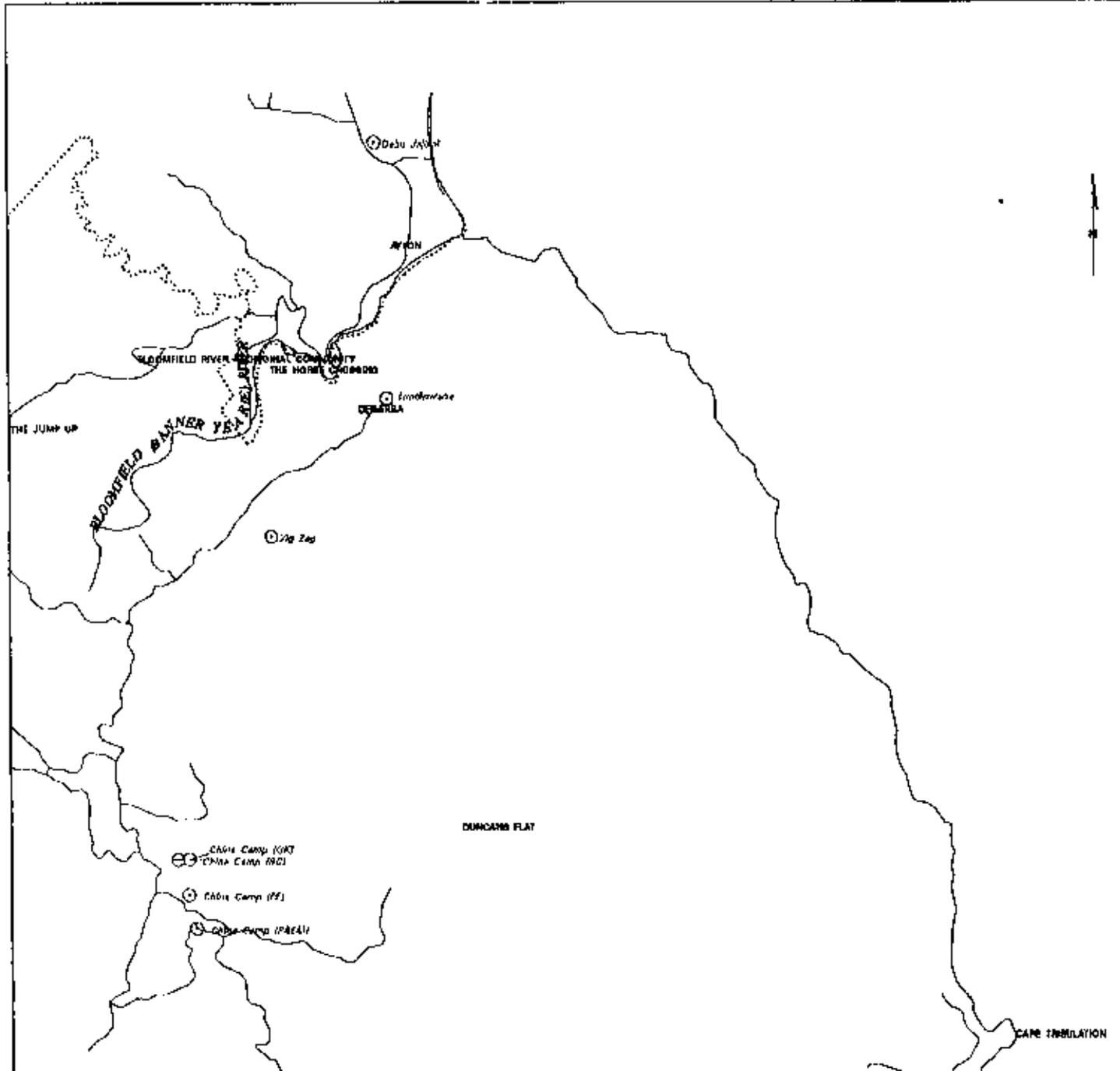
SCALE 1 : 25000 (approx)

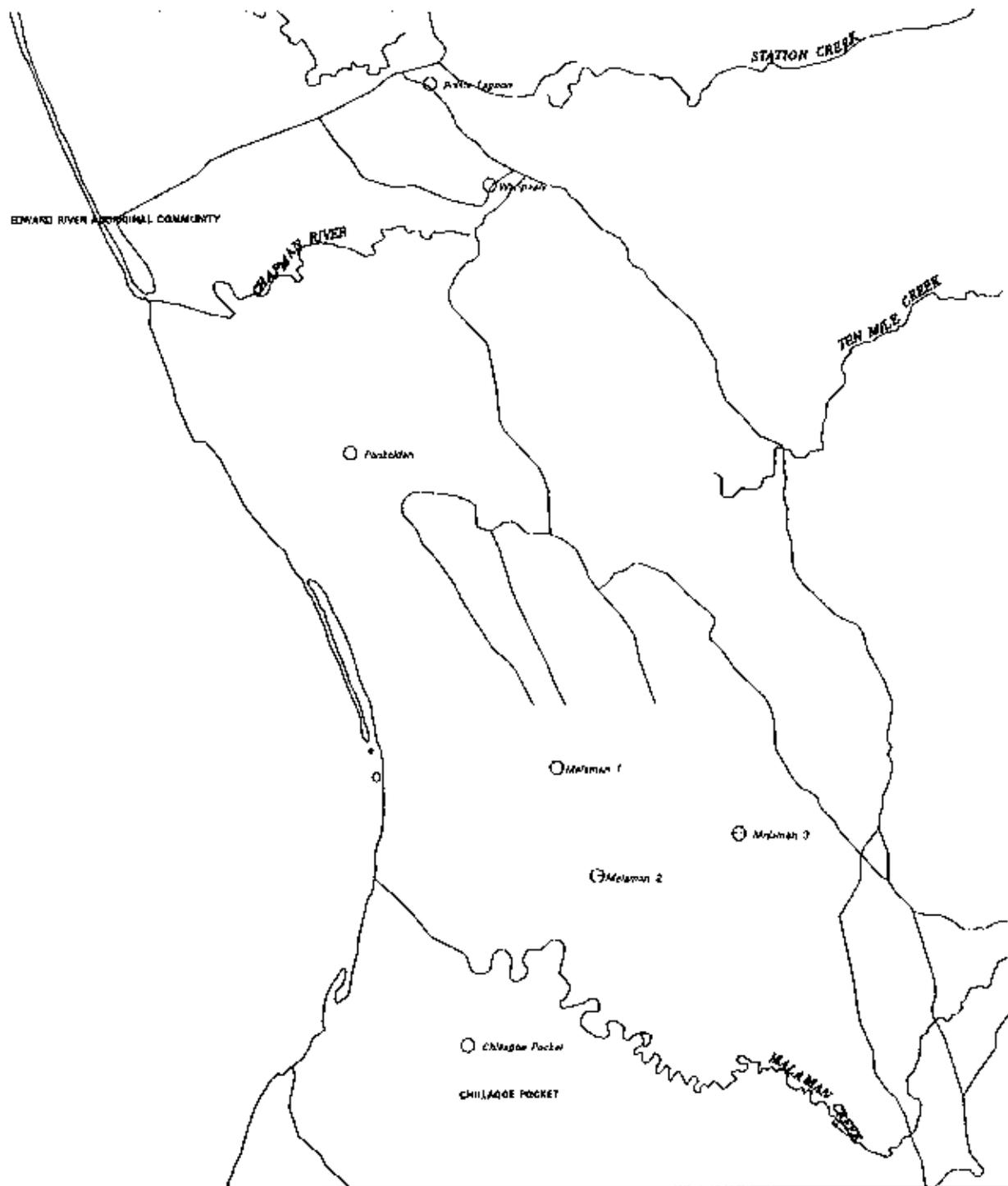
KILOMETRES



Always Equal Area Projection, Central Meridian: 142° East
Standard Parallels: 8° and 18° South

Prepared and produced by the Department of Lands, Queensland, January 1995.





CYPLUS

CAPE YORK PENINSULA

LAND USE STRATEGY

CYPLUS is a joint initiative between the Queensland and Commonwealth Governments.

OUTSTATIONS

PORMPURAAW AREA

Information concerning location of outstations has been drawn from the reports of the Cape York Outstation project, 1994, produced by the Cape York Land Council.

Where possible outstations were plotted from on-site GPS readings. In other cases locations are taken from a variety of maps or positioned on the basis of locally obtained verbal descriptions of location. In the Aurukun region, most locations refer to outstation strips. In some cases there, residential locations may be at some distance from these strips.

Outstation status relates to the calendar year 1995. The coverage is not necessarily exhaustive.

LEGEND

- Unoccupied (includes planned only)
- ⊙ Permanently Occupied (10 - 12 months)
- ⊗ Seasonally Occupied (4 - 8 months)
- ⊕ Occasionally Occupied (up to 3 months max.)
- ⊖ Anomalous (Closed because of custom relating to a death during 1995)

- ∩ Pastoral Holding
- Road and Tracks
- ~ Rivers and Creeks
- - - - - CYPLUS Project Boundary

Locational information, Pastoral holdings, roads and tracks supplied by Department of Lands QLD, Coastline, rivers and creeks supplied by the Australian Surveying and Land Information Group (AUSLIG).

SCALE 1 : 50000 (approx)

KILOMETRES



Albers Equal Area Projection, Central Meridian: 143° East
Standard Parallels: 9° and 18° South

Prepared and produced by the Department of Lands, Queensland, January 1995.

Copyright © The State of Queensland, Commonwealth of Australia and the Cape York Land Council, 1995.

CYPLUS

CAPE YORK PENINSULA
LAND USE STRATEGY

CYPLUS is a joint initiative between the Queensland and Commonwealth Governments.

OUTSTATIONS HOPEVALE AREA

Information concerning location of outstations has been drawn from the reports of the Cape York Outstation Project, 1984, produced by the Cape York Land Council.

Where possible locations were derived from aerial GPS readings. In other cases locations are taken from a variety of maps or justified on the basis of locally obtained verbal descriptions of location. In the AUSTRALIAN region, most locations refer to outstation sites. In some cases there, residential locations may be at some distance from these sites.

Occupation status relates to the calendar year 1985. The coverage is not necessarily exhaustive.

LEGEND

- Unoccupied (includes all vacant sites)
- ⊙ Permanently Occupied (10 - 12 months)
- ⊕ Seasonally Occupied (4 - 9 months)
- ⊖ Occasionally Occupied (up to 3 months max.)
- ⊗ Anomalous (Closed because of custom relating to a death during 1985)

- ~ Pastoral Holding
- ~ Roads and Tracks
- ~ Rivers and Creeks
- ~ CYPLUS Project Boundary

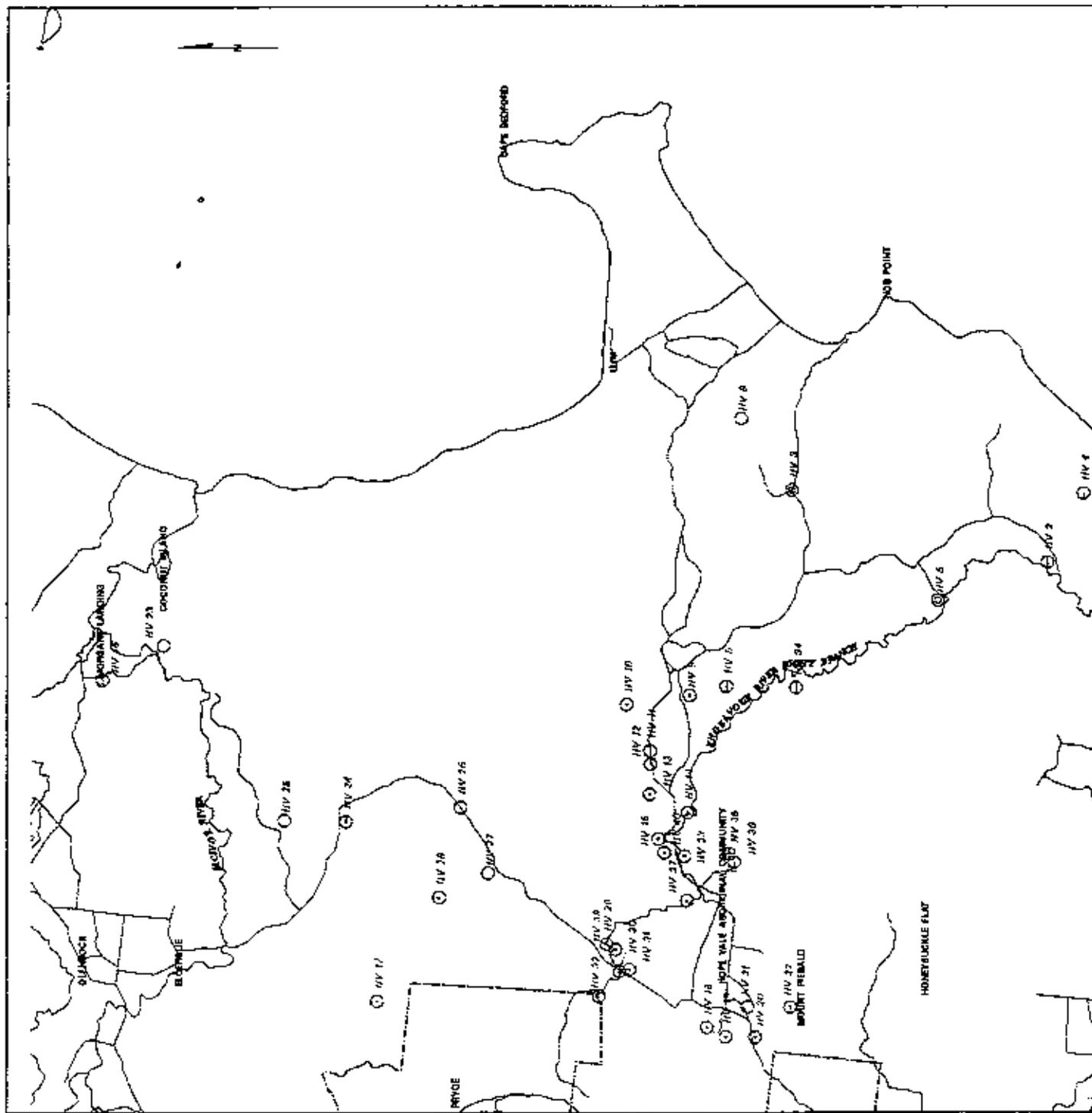
Locational information, Pastoral holdings, roads and tracks supplied by Department of Lands QLD. Coastline, rivers and creeks supplied by the Australian Surveying and Land Information Group (ASLIG).

Scale 1:10000 (approx)
METERS



Aerial Aerial Area Photographs, Contour Map, 1:50,000 Scale, 1964 and 1970

Prepared and produced by the Department of Lands, Queensland, January 1985.



CYPLUS
CAPE YORK PENINSULA
LAND AND RESOURCE MANAGEMENT
LAND USE STRATEGY



CYPLUS is a joint initiative between the Queensland and Commonwealth Governments.

**OUTSTATIONS
 WEIPA AREA**

Information concerning location of outstations has been drawn from the reports of the Cape York Outstation project, 1984, produced by the Cape York Land Council.

Where possible outstations were placed from on-site GPS readings. In other cases locations are taken from a variety of maps or positioned on the basis of locally obtained verbal descriptions of location. In the Aurukun region, most locations refer to outstation strips. In some cases there, residential locations may be at some distance from these strips.

Occupation status relates to the calendar year 1993. The coverage is not necessarily exhaustive.

LEGEND

- Unoccupied (Includes planned only)
- ⊙ Permanently Occupied (10 - 12 months)
- ⊗ Seasonally Occupied (4 - 9 months)
- ⊖ Occasionally Occupied (up to 3 months max.)
- ⊕ Anomalous (Closed because of custom relating to a death during 1993)
- ∩ Pastoral Holding
- ≡ Roads and Tracks
- ~ Rivers and Creeks
- ▭ CYPLUS Project Boundary

Locational information, Pastoral holdings, roads and tracks supplied by Department of Lands QLD. Coastline, rivers and creeks supplied by the Australian Surveying and Land Information Group (AUSLIG).

SCALE 1:10000 (approx)

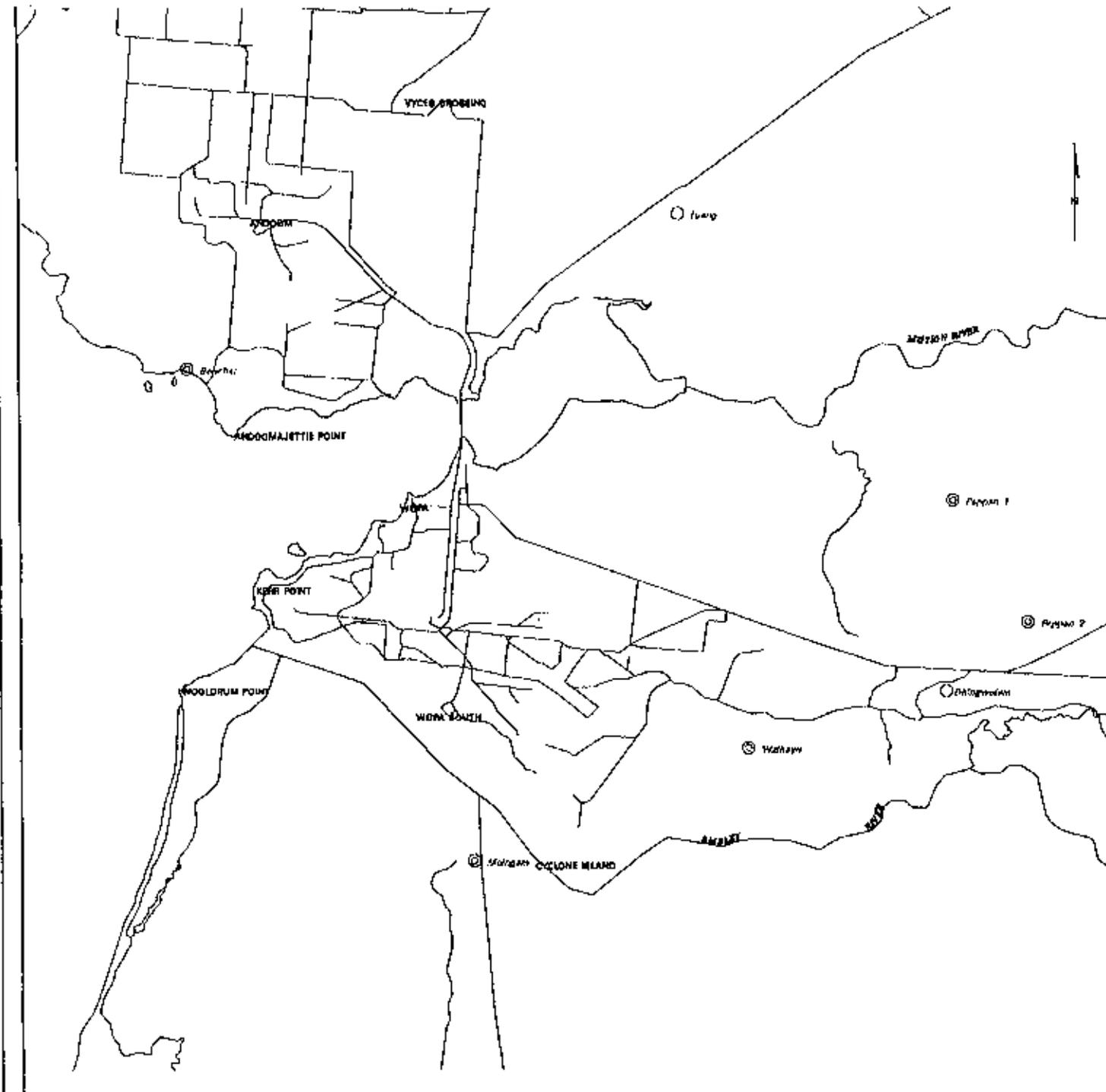
Kilometres



Albers Equal Area Projection, Central Meridian: 142° East
 Standard Parallels: 8° and 18° South

Prepared and produced by the Department of Lands, Queensland, January 1995.

Copyright © The State of Queensland, Commonwealth of Australia and the Cape York Land Council, 1995.



CHAPTER 13

**INDIGENOUS PEOPLES' INVOLVEMENT
IN TERRESTRIAL PROTECTED AREAS**

John Cordell

CHAPTER 13

INDIGENOUS PEOPLES' INVOLVEMENT IN TERRESTRIAL PROTECTED AREAS

Community Resource Management Program (CRMP)

CONTENTS

13.1	Introduction	13-1
13.2	History of protected area planning	13-1
13.3	Biodiversity and national parks	13-5
13.4	Aboriginal involvement in Cape York Peninsula's protected areas . . .	13-5
13.5	Joint management	13-7
13.6	Hunting and gathering	13-9
13.7	Native title	13-11
13.8	Conclusion	13-11
13.9	References	13-12
Figure 1	Cape York Peninsula Protected Areas	13-17
Figure 2	Cape York Peninsula Claimable National Parks	13-18
Attachment 1	Land Claim Process	13-19
Attachment 2	Potential Inconsistencies	13-22
Attachment 3	QDEH Employment Strategy	13-23

CHAPTER 13

INDIGENOUS PEOPLES' INVOLVEMENT IN TERRESTRIAL PROTECTED AREAS

13.1 Introduction

Of paramount concern to indigenous peoples on Cape York Peninsula are their rights and interests in national parks, particularly in respect to management arrangements. One quick measure of peoples' concern, as this paper points out, is that protected areas constitute an estimated 11.2% of the CYPLUS study area. Furthermore, of the 12 national parks gazetted for claim in Queensland, 11 are in Cape York Peninsula (see Figures 1 & 2). This sphere of resource management was not specifically recognised in the original terms of reference for the IMLS project, but the CYPLUS process would be incomplete and deficient if it did not take into account indigenous peoples critical stakes in protected areas.

The intention in this review paper is to step back from debates about immediate problems surrounding particular parks or reserves, proposals to establish protected areas, and indigenous claims. Sometimes the path to fruitful negotiations lies in gaining a perspective on how problems have evolved. In this case, an international perspective on national park frameworks is instructive, indicating that protected area policies and managers are gradually becoming more sensitive to indigenous societies and more open to possibilities of establishing meaningful partnerships with local communities (Kemp 1993; IUCN 1990).

Also, in dealing with government agencies, Cape York Peninsula's indigenous communities seldom have access to adequate background materials to inform their positions on issues. So this study is intended to work mainly along lines of a briefing paper on protected area issues for indigenous communities and organisations, as they prepare strategies and future options to reclaim traditional countries.

Just as the Mabo decision overturned the legal fiction of *terra nullius*, the image of Australia as wilderness, where Aboriginal people supposedly never had, and still do not have, any control over environmental matters, should be rejected (Ross 1994:7). The implications of doing this, however, would require extensive re-assessment and overhaul of government policies in terms of the structure, management, and administration of protected areas where indigenous communities are affected.

13.2 History of protected area planning

The idea of protecting natural landscapes and ecosystems in national parks is a comparatively recent development. In little more than a century, however, the concept of national parks has become a world-wide phenomenon which has substantially altered human land-use patterns (Stevens 1986:1). Protected areas continue to gain increasing acceptance. In 1972 there were 1,823 protected area sites around the world covering 217 million hectares (IUCN 1984). Over the next two decades this increased to 8500 sites covering some 850 million hectares in more than 120 countries (IUCN 1993:18).

In spite of innovative approaches such as Integrated Conservation and Development Projects (ICDP) promoted by WWF and the Global Environment Facility (GEF) administered by the World Bank, and Man in the Biosphere reserve systems, national parks frameworks continue to predominate in protected area strategies. Efforts to emulate the United States park system, notably in developing countries, put national parks on a collision course with local communities, many of whom are impoverished indigenous peoples who depend on living off of land being set aside for protected areas (West & Brechin 1991:10).

The U.S. concept, known as the 'Yellowstone model,' is named after Yellowstone National Park, created by an Act of the United States Congress in 1872. Parks are national symbols which tend to become part of a nation's image as well as emblems of national identity and pride (Stevens 1986:1). Unfortunately, management ideals and blueprints that work for circumstances in the U.S. don't easily transfer to cross-culturally (West & Brechin 1991:16). The national park model that, until recently, has been most vigorously promoted by international conservation agencies stresses wilderness values and nature preserve qualities. In this formulation there is not a lot of room for people except visitors (Stevens 1986:4).

According to Lane (1993:4) two cardinal principles direct the management of Yellowstone National Park:

- (i) protection of the unique natural features of the area;
- (ii) the guarantee, for all time, of a public right of access to the park

Principle (i) equates with wilderness--uninhabited land where the course of nature progresses without human intervention. Stevens (1986:7) suggests that the original United States concept of a national park was intended to protect Native American subsistence lifestyles. This, however, contradicts official policy which assumed all declared parks to be uninhabited. In reality, there were few subsistence lifestyles to protect. There were only remnants of broken tribes which had already been displaced to reservations.

The only exception was Yellowstone itself, where until the late 1880s Bannock and Shoshone continued to cross through the Park each summer until the Park administration put an end to this annual migration. There was some irony in the Yellowstone decision that the safety of tourists came before the subsistence of Indians (Stevens 1986:7). Yellowstone remained the only United States national park for some two decades, but the principles by which it was established laid the foundation for the original definition of a national park drafted at the 1933 *Convention Relative to the Preservation of Fauna and Flora in Their Natural State*. This was to be known as the London Convention, which assembled European imperial powers to discuss the need to establish a system of wildlife preserves and national parks in African colonies (Stevens 1986:8).

In recent years, the International Union for the Conservation of Nature and Natural Resources (IUCN), has been developing and refining management categories for the world's protected areas (West & Brechin 1991:7). According to the IUCN, national parks have been conventionally defined as areas where one or several ecosystems are not materially altered by human exploitation and occupation and where the highest competent authority of the country has taken steps to prevent or to eliminate as soon as possible exploitation or

occupation in the whole area (Young 1991:134). This definition gives rise to debate about what qualifies as 'natural'.

In Cape York Peninsula the entire landscape has been and continues to be affected by Aboriginal occupation and use. So who is to say what is 'natural' and what is 'cultural'? National parks authorities continue to act as if they know where to draw the lines.

Before the 1960s most protected areas had been selected to protect outstanding scenic or aesthetic resources, to protect the habitats of mammals and birds with a high public profile, or to provide outdoor recreation opportunities. In essence, until the early 1960, systematic protected area planning was essentially non-existent. During the late 1960s and early 1970s biogeographical principles began to be recognised as a foundation for planning (IUCN 1993:148). McMichael and Gare (1982) suggest that it was during this period that 'nature conservation in Australia turned professional (IUCN 1984:259).

Up to that time the business of identifying and setting aside areas of land with nature conservation value had been a part-time interest of a few government officials, as often as not in response to protracted lobbying from local enthusiasts and various community conservation and recreation organisations. The parks and reserves which had been established were, by and large, managed by untrained rangers, if they were managed at all. None had any published management plan, and few if any had been the subject of any resource surveys (IUCN 1984:259). In the 1980s concepts such as sustainable development, island biogeography, population dispersal and extinction theories ultimately evolved into the current focus on biodiversity (IUCN 1993:148).

Today, the IUCN recognises and accepts the principle that cultural diversity and biological diversity need to be conserved together if they are to prosper (McNeely 1988:2). Protected areas cannot exist with communities that do not support the conservation purposes for which these areas have been established (IUCN 1993:81). The success or failure of biodiversity conservation projects will in large measure depend upon the ways in which local people are bought into the protected area management process (IUCN 1993:1). A far greater effort must therefore be made to gain the understanding and active participation of local people in the establishment, management and monitoring of protected areas. This requires a better understanding of the cultural context of local communities and a greater responsiveness to their concerns, aspirations, and needs (IUCN 1993:81). Consideration of 'socio-cultural' issues (the rubric that subsumes 'indigenous' issues) associated with protected area management is now very much in vogue (Poole 1993:15).

If nature conservation in Queensland is any indication, however a wide cultural gap separates the emerging 'people participation' rhetoric and practice. Conservation management, as noted in the introduction to this volume, continues to be driven by misconceptions, stereotypes, and ignorance about Aboriginal peoples' uses and special connections to land and marine areas and resources. One extreme is a "noble savage" view of indigenous people as archetypical conservationists, 'nature's gentlemen;' the other defines Aboriginal people as careless and opportunistic exploiters of the land and its resources (Woenne-Green 1994:375). Both are, in the end, are a distorted, 'white' construct of Aboriginality.

Several recent studies examine the experience of local communities in relation to protected area management and other biodiversity conservation projects. Some interesting, community-based methods and alternatives are being developed. Examples include the Awa Ethnic Forest Reserve, Ecuador; Kuna Yala Nature Reserve, Panama; Sanikiluaq Inuit Community and Dene Cultural Institute in Canada (Kemf 1993). What underlies conservationists newly discovered interest in indigenous peoples issues, however, is not social justice, but primarily protection of biodiversity.

In fact, much of the world's biodiversity is not in gene banks, zoos, or even in national parks or protected areas. It is in landscapes and seascapes, long inhabited and used, by indigenous peoples, particularly in remote areas of the tropics (Nietschmann 1992). In many cases, indigenous societies possess knowledge and practices which have proven historically to be sustainable in such environments. Another reason why conservationists are having to pay attention to indigenous groups is that, either through national laws or ancestral claims, they possess rights to relatively large amounts of land which either overlap or are contiguous with protected areas (IUCN 1993:2).

A reasonable question for this CYPLUS study is how well are Commonwealth and Queensland Governments doing in recognising indigenous interests and rights in environmental management? Apart from vital, but limited support from a few Australian Nature Conservation Agency (ANCA) programs, the Commonwealth Government while attempting to maintain its environmental image internationally has been conspicuously inadequate in endorsing indigenous peoples' rights in protected areas. With the exception of four jointly managed national parks in the Northern Territory, the 1991 Queensland legislation, and proposed legislation in South Australia and New South Wales, where land has been reserved for purposes of conservation, Aboriginal rights and interests become, at best, a competing interest along with local government, tourism, resource development and non-government conservation agency concerns (Woenne-Green 1994:10).

One problem on Cape York Peninsula is the considerable confusion surrounding overlapping jurisdictions and duties of management agencies in charge of different categories of protected areas. A case in point concerns responsibilities of government agencies within the Great Barrier Reef Marine Park and the Wet Tropics World Heritage Area. Aboriginal communities expend considerable energy negotiating with agencies on issues like 'joint management' only to find their efforts undermined as competing government authorities were not engaged in when negotiations commenced.

In Cape York Peninsula, including the northern region of the Wet Tropics World Heritage Area, there is an incipient, but growing relationship between indigenous people and government conservation agencies on appropriate land tenure, marine zoning and protected area management. Some further notes are in order concerning biodiversity and sustainable development priorities to clarify what is at stake for government and indigenous landowners as negotiations proceed on management of national parks.

13.3 Biodiversity and national parks

Biological diversity (or biodiversity) refers to the variety of life: plants, animals and micro-organisms, the genes they contain and the ecosystems of which they form a part. Currently, the world is experiencing an alarming loss of biodiversity. Not surprisingly, national parks, wildlife reserves, and other types of protected areas are at the forefront of biodiversity preservation efforts. Despite efforts to stabilise protected areas, many are in crisis or failing to fulfil conservation purposes for which they were created. They have come under increasing pressure from uncontrolled expansion of human activities outside, and frequently inside their boundaries. Conflicts are on the increase in many areas of the world between protected area authorities and local people (Wells 1992:ix).

For ecosystems to function, their components and processes need to be protected. If national parks are to promote healthy, functional ecosystems, they have to be relatively large, that is around 1000 hectares or larger. Of the 317 national parks in Queensland 70 per cent are smaller than 1000 hectares and forty are less than 10 hectares. Quite a few smaller parks are offshore islands but others are small areas of bush, some close to each other but not linked (Coveney 1993:39). This situation stems in part from previous governments' policies on conservation which viewed small areas as ideal for recreational purposes and land considered of no economic value as appropriate candidates for national park status.

Gazetted protected areas on Cape York Peninsula in the 1970s now represent some of the largest national parks in Queensland. Locally, 44 protected areas cover 11.2 per cent or 1,535,565 hectares of the CYPLUS study area (see figure 1). This constitutes approximately 25 per cent of Queensland's National Park Estate which receives approximately six per cent (\$150,000) of the State's total operating budget for national parks.

13.4 Aboriginal involvement in Cape York Peninsula's protected areas

Australia now has a variety of official policies and legislation in place, not simply encouraging participation, but allowing for Aboriginal ownership and rights in protected areas. The Northern Territory provides Aboriginal people with the greatest number of options in this regard (Altman 1991:2). Agreements have been reached which give traditional landowners a majority on boards of management, employment, income from park visitation, economic enterprises, permanent homeland communities and renewable lease arrangements.

At the other end of a continuum is Tasmania, where Aboriginal people own no parks and play no role in park management (Altman 1991:4). Of the twelve national parks gazetted for claim by Aborigines on the grounds of traditional affiliation or historical association under Queensland's *Aboriginal Land Act 1991*, all are located in Cape York Peninsula apart from the Simpson Desert National Park in the State's far south-west (see figure 2).

The purposes, administration, regulations, and definition of what constitutes a protected area is mystifying, confusing, and has attracted much criticism from indigenous groups on Cape York Peninsula.

To date, conservation, generally, outside of the Northern Territory, is seen by many Aboriginal people as the new frontier of colonialism (CYLC 1991a:2). Several of the large terrestrial national parks on Cape York Peninsula, including Alice Mitchell Rivers, Iron Range, Archer River Bend, Jardine River, Cedar Bay and Starcke were gazetted by the conservative Coalition government in 1977, a move interpreted by some, to preclude Aboriginal people gaining title to those lands (CYLC 1991a:4). The highly controversial and contested gazettal of Archer Bend National Park (see CYLC 1991a:4) subsequent expansion of the national park estate, restrictions imposed on hunting and gathering, and the Commonwealth Government's disregard for Aboriginal views on the listing of the Wet Tropics World Heritage Area have not exactly endeared Aborigines to the Government's protected area policies and strategies on Cape York Peninsula.

In 1991 the Goss Government introduced the Aboriginal and Torres Strait Islander Land Acts which makes limited categories of land in existing national parks available for claim by Aborigines and Torres Strait Islanders. Under this legislation, Queensland is the only State or Territory to include national parks as a category of land available for claim under one statute (Woenne-Green 1994:233). In relation to national parks this Act operates in conjunction with the yet to be fully proclaimed *Nature Conservation Act 1992*. The land claims process (see attachment 1), development of a national park plan of management and associated lease agreement, which the Department of Environment and Heritage estimates will take a minimum of two years to complete, are matters which require expert advice and attention (see attachment 2).

Reaction to national parks becoming available for claim has resulted in Queensland being the focus of arguably the most strident 'traditional' conservationist campaign against Aboriginal people in national parks, particularly with respect to the principles of residence and hunting and fishing rights (Woenne-Green 1994:233). This campaign has resulted in a division within the conservation movement with organisations maintaining polarised views in relation to indigenous peoples' rights.

Land rights supporters include national organisations (The Wilderness Society and Australian Conservation Foundation), the premier State conservation organisation (Queensland Conservation Council) and the regional environment organisation (Cairns and Far North Environment Centre). The National Parks Association of Queensland, Wildlife Preservation Society of Queensland, Rainforest Conservation Society of Queensland and local group, Sanctuary are opposed to Aboriginal hunting in national parks. The argument between these opposing camps will continue to fester. It is important for Cape York Peninsula communities to know who these organisations are where they stand on the pivotal issue of indigenous rights in protected areas.

Despite its superficially progressive appearance, the *Nature Conservation Act 1992* perpetuates a 'Yellowstone' management philosophy, and embodies the cardinal principles for the management of national parks: permanent preservation of the area's natural condition to the greatest possible extent' while protecting and presenting 'the area's cultural and natural resources and their values'. The Act defines each protected area category in terms of a set of management principles. Legislative provisions recognising Aboriginal and Torres Strait Islander claims and rights to protected areas are included, but are limited to accord with the 'cardinal principles' for national park management and with conservation plans.

What is particularly onerous to Aboriginal people are the 'leaseback in perpetuity' provisions this legislation is inviting them to consider--the statutory relationship between regaining title to national parks whereupon they must be leased back forever to the State of Queensland (Woenne-Green 1994:241).

13.5 Joint management

Joint management systems, patterned on the Northern Territory experience, recognises Aboriginal title to land and incorporates Aboriginal natural and cultural resource practices in park plans.

The most often quoted examples of joint management and 'the longest established and best known Aboriginal-owned national parks are in the Northern Territory - Kakadu, declared in 1979; Gurig (Coburg), in 1981; Uluru-Kata Tjuta, in 1985; Nitmiluk (Katherine Gorge), in 1989. Each of these parks was established under different types of agreement (Young 1991:136). Land rights have been granted, in other words, on condition that the land be designated or retained as national park; no park, no land (Young 1991:135).

What is appealing about concepts of joint management or co-management (see section 0.6.3 of the Introduction) is their flexibility as an alternative to monolithic, state-run conservation area programmes. However, the Department of Environment and Heritage's (DEH) position is that joint management can only occur on those lands gazetted for claim under the *Aboriginal Land Act 1991*. This provides both parties, traditional landowners and the Department, with a legally binding contractual agreement. DEH is on record in proclaiming that Aboriginal co-operation in the development of management plans will also be encouraged for lands outside of protected areas. However it is unclear how this 'encouragement' will occur in practice, which groups will be encouraged to participate in joint management proposals and which won't.

The question of what specific form of joint management would be suitable, considering the social, political, economic and environmental characteristics of Cape York Peninsula has not yet been formally addressed. The idea is, if it's 'joint management,' it's got to be good, or at least better than existing arrangements. However, there has been little discussion with Aboriginal people on this issue. Is joint management co-equal management?

Unlike the Commonwealth's *National Parks and Wildlife Conservation Act 1975*, which provides for an Aboriginal majority on the board of management, the *Aboriginal Land Act 1991* does not specify the composition of a Board, apart from acknowledging that Aboriginal people particularly concerned with the national park land are to be represented.

In the Cape Melville National Park land claim, the first to be heard by the Land Tribunal, claimants expressed the view that 'their management of the National Park(s) "is to be meaningful, not merely token". Among the proposals to meet that objective, the claimants have asked that there be an absolute majority of the claimants on the board or boards of management (Land Tribunal 1994:188). The Department of Environment and Heritage also made representation to the Land Tribunal stating 'that appointments to a board of management will depend on circumstances surrounding the particular national park.'

According to the document, the establishment of a board for Cape Melville National Park with Aboriginal representation and representation from other local interest groups has the potential to enhance decision-making process by involving those people who have local knowledge with a considerable stake in the longer term management of the National Park (Land Tribunal 1994:188). The Land Tribunal itself has no powers in relation to determining a management board as the composition of the board must be approved by the Minister (for Environment and Heritage) in accordance with the Act (Land Tribunal 1994:188).

As a means of articulating principles for park management and issues to be negotiated in the plan of management claimants for Cape Melville developed, through a series of meetings, a restricted report "Managing the Country". The claimants clearly articulated the view that management of these national parks must be planned and developed as a part of their wider social and cultural strategies aimed at re-establishing the area as an Aboriginal domain, strengthening their links to these lands and their distinctive identity as the Aboriginal peoples of these areas.' (Land Tribunal 1994:190).

In response, the Department of Environment and Heritage suggested the issues needed further discussion, realising that dealing with claimants' aspirations would require increased funding to the Department. If such negotiations are to be seriously undertaken for each claimable park, this will require resources to ensure equitable participation by all parties, over and above funding needs anticipated to negotiate joint management.

The funding issue is critical. Over the past two decades the national park estate of Cape York Peninsula has expanded considerably without commensurate increase in resources for management. The projected inclusion of Starcke and Silver Plains into the national park estate must be factored into the substantial cost increases expected in negotiating and implementing joint management for national parks.

Indigenous communities also aspire to employment in the day-to-day business of park management. Among various employment possibilities, people clearly wish to have the option to work as park managers (see Attachment 3). Whether this is realistic, given current and projected levels of funding is questionable.

Apart from national parks gazetted for claim under the *Aboriginal Land Act 1991* other attempts at establishing joint management have recently been made in the Wet Tropics World Heritage Area. In 1993 the Wet Tropics Management Authority and Aboriginal representatives from the rainforest region undertook extensive negotiations centring around some 38 recommendations for Aboriginal joint management (Lane 1993, Dale 1993). As the Wet Tropics Management Authority is not a landholder it, along with rainforest Aborigines, are dependent upon the primary landholder to enter into a cooperative agreement on land management issues. Unfortunately, implementation of these recommendations and the goodwill of landholders has not been forthcoming and joint management is no further advanced in the Wet Tropics World Heritage Area.

Joint management ideally could offer a framework to reconcile land-use and resource conflicts. Apart from disagreements already noted concerning leaseback clauses and provisions, other crucial matters include rental arrangements and boards of management, preservation of parks as wilderness areas; the issue of permanent Aboriginal settlement or

outstations in parks (see Cooke this section); Aboriginal use of resources for subsistence purposes; and Aboriginal and non-Aboriginal perceptions of how tourists should be accommodated in parks (Young 1991:140). Issues of continuing cultural practice and restriction of visitor access to sites will be a point of future negotiations.

13.6 Hunting and gathering

There is little quantitative or qualitative data on Aboriginal people taking and using wildlife on Aboriginal land or national parks. However, a preliminary analysis of traditional activities in Cape York Peninsula has been undertaken as a part of this project. (see Asafu-Adjaye, this volume). Previous policies and regulations in Queensland national parks simply restricted Aboriginal people from taking fauna or flora; research to shed light on this topic was not encouraged. Recent studies (Meehan 1982, Beck 1986, Altman 1987, Devitt 1988, Palmer & Brady 1988, Altman & Taylor 1989 and Walsh 1991) concentrate on hunting and gathering on Aboriginal land rather than national parks, but as Altman (1991) suggests, extrapolations from these studies can be used to estimate the extent of subsistence activity in national parks.

Issues of subsistence hunting, sports fishing and conservation values within protected areas rank among the most contentious issues in environmental policy in Australia in recent years. For example, in some national parks, the recreational fishing lobby is in conflict with Aboriginal traditional owners who regard their subsistence livelihood as jeopardised by people who basically fish for sport. On another front, conservations have called for eradication of feral species, especially pigs, that have become an integral part of the Aboriginal subsistence economy (Altman 1991:13).

The *Nature Conservation Act 1992* (s.85) provides for Aboriginal and Torres Strait Islanders to take, use or keep protected wildlife under Aboriginal tradition or Island custom subject to the provision of a conservation plan. This has been met by a concerted campaign by a number of conservation organisations to have the provisions withdrawn completely or amended to accord with an unenlightened, basically primitive, view of tradition. The *Nature Conservation Act 1992* also provides that national parks be managed to ensure that their only uses are nature-based and ecologically sustainable (Land Tribunal 1994:186). How Department of Environment and Heritage is supposed to develop conservation plans in conjunction with indigenous communities remains unclear.

As this report is being written, the *Nature Conservation Regulations 1994* and *Nature Conservation (Wildlife) Regulations 1994* were in draft form. In theory, these will provide the day-to-day operational procedures for implementing the 1992 *Nature Conservation Act*. DEH will incur substantial increases in costs, if these regulations are to be effectively implemented. Apart from increased allocations from the State Treasury there will no doubt be an increase in regulatory and user fees to meet the necessary costs of enforcement.

Here is a preview of what the future may hold:

Procedures to regulate traditional hunting and gathering on protected areas apparently are being established under these new regulations. Possibly, Aboriginal hunting on protected areas will be prohibited other than by an authority issued by DEH to an Aboriginal or Torres

Strait Islander corporation. The authority may only be issued for a twelve month period and only for the take of an animal which is of significance according to tradition or custom. Regulations may also be adopted to prohibit the hunting of rare, endangered or vulnerable species and do not allow for the use of firearms except in the case of feral animal control programs. Further, the authority may only be issued where traditional use can be policed.

It appears the proposed new regulations may restrict hunting to only those parks gazetted and claimed on the grounds of traditional affiliation or historical association under the *Aboriginal Land Act 1991*. In theory, this could also preempt many of the central issues which require discussion and negotiation in the development of a national park plan of management for claimable national parks.

The Land Tribunal in its hearing of the Cape Melville National Park claim determined that 'hunting, gathering and fishing in accordance with the principles of ecological sustainability would supplement the diet of store bought food and the incomes of Aboriginal people, as well as being an important indication of their traditional rights and cultural identity' (1994:217). Although the Land Tribunal cannot influence regulations and policies of other State government agencies, it has at least recognised here the role which hunting provides traditional landowners in relation to health and spiritual matters.

It is unclear if these regulations meet the Law Reform Commission's (1986) recommendations made in its report on Aboriginal Customary Law. These recommendations cover a range of issues associated with Aboriginal hunting and gathering. In relation to regulatory regimes, the Commission does not consider it necessary or appropriate for detailed legislation to be enacted. However it recommends that a set of general principles should be adopted, with detailed resource management and administrative decisions made at the appropriate levels in consultation with Aboriginal people affected by these decisions (para 973, 978) (LRC 1986:200).

The environment organisation, Sanctuary, in association with other environmental organisations opposed to Aboriginal claims to national parks, coordinated a petition opposing the rights of Aboriginal people to hunt in protected areas and presented some 14,349 signatures which were tabled in State Parliament in 1993. This indicates what kinds of attitudes towards indigenous hunting persist in some sections of the community. In a recent survey conducted by James Cook University's Department of Tropical Environmental Studies and Geography of attitudes towards traditional hunting, '61 per cent of the 400 respondents considered that indigenous peoples in Queensland should not be allowed to hunt traditionally in national parks (Ponte, Marsh & Jackson 1994:259). Three reasons for opposing traditional hunting in national parks were expressed by more than 30 per cent of interviewees:

- (i) that granting traditional hunting rights to Aboriginal and Torres Strait Islander peoples discriminates against non-Aboriginal people;
- (ii) that indigenous peoples do not need to hunt any longer as they have become urbanised, have lost their traditional values and knowledge, and receive welfare to obtain conventional foods; and

- (iii) that traditional hunting conflicts with the concept of national parks as places for enjoyment and sanctuaries for wildlife.

13.7 Native title

The High Court's decision in favour of recognising native title, and subsequent legislation now stands to strengthen indigenous peoples' rights in natural resource planning and management processes. The Mabo case and native title negotiations fundamentally alters the parameters for land-use decision-making. This of course applies to protected areas. As Ross notes (1993:1), recognition of Aboriginal people's historical title to Australia, even where it is found to have been extinguished, creates an ethical demand for Aboriginal people to have a stronger say in land use planning and decisions (Ross 1993:1).

To date, two native title claims which include national parks in Cape York Peninsula have been lodged with the National Native Title Tribunal. In *Mabo v Queensland (No2)* the High Court held that native title is extinguished by a Crown grant which vests in the grantee an interest in land which is inconsistent with the continued right to enjoy native title in the same land (Land Tribunal 1994:210).

Wooten found on examination of State, Territory and Commonwealth legislation relating to national parks that in no jurisdiction has native title been generally extinguished, or expressly extinguished in national park legislation (Woenne-Green 1994:12). On the contrary, he suggests that an important finding from the examination of national parks legislation is the extent to which native title may have been inadvertently protected by general provisions which were drawn for the purpose of protecting ordinary interests in land, but were cast in terms that were wide enough to protect native title (Woenne-Green 1994:12).

Wooten also suggests that native title will not have been extinguished in a particular park unless the restrictions imposed by the relevant Act, regulations and management plan, and the actions validly carried out on the park, taken separately or together, create a situation which is clearly and plainly inconsistent with the continued existence of native title (Woenne-Green 1994:12). As the majority of national parks in the Peninsula do not yet have formal plans of management, the extinguishment of native title appears to be contingent upon the tenure history of a given park, and the nature of pre-existing regulations under the *National Parks and Wildlife Act 1975*, the *Land Act 1962*, the *Fauna Conservation Act of 1974*, the *Native Plants Protection Act 1930*, and soon to be instituted Nature Conservation Regulations 1994.

13.8 Conclusion

Aborigines have said of the leaseback arrangements for national parks gazetted for claim Queensland's Aboriginal Land Act: 'first they give the land back and then they find a way to take it back off of you.' We may expect this leaseback condition to be challenged as people assert their native title rights.

Controversies and disputes not only over land rights in national parks but over who has rights (or should have the rights) to control management of protected areas, show no signs of

diminishing. Although specific, contentious issues, like what restrictions on indigenous hunting and fishing are appropriate in national parks, and regulation of public access to parks, will continue to capture headlines and inflame these debates, all parties would do well to consult the sections of the Introduction to this report which deal with power-sharing and common property.

Indigenous communities should beware 'joint management' proposals being promoted as a panacea, before local indigenous initiatives have had time to work, and if people are pressured into negotiating from a position of weakness, before they have had time to map their countries, culture sites, and document their full range of interests in land and sea resources.

National park issues reviewed leave many unanswered questions. These partake of more encompassing debates about what takes precedence in environmental public policy: the environment or social justice, local rights vs. the rights of a broad range of communities and the health of the planet.

As indigenous groups on Cape York and elsewhere assert and establish their rights in protected area frameworks, government authorities should not lose sight of the fact that, to paraphrase Nietschmann (1992), the vast majority of the world's biological diversity is not in gene banks, zoos, or nature reserves. It is in landscapes and seascapes inhabited by indigenous peoples, sometimes over many generations. Biodiversity, which is increasingly threatened throughout the tropics, can be preserved and is renewable to the extent that cultural diversity is safeguarded and renewable. Why can't nature conservation agencies, then, enact programs to strengthen and defend indigenous peoples land and sea rights and territories?

Research undertaken for this as well as other papers in this report, together with workshops at the 1994 Land Summit, confirm that, for their part, the indigenous owners of Cape York are willing to work cooperatively with government agencies in managing and developing plans to manage gazetted protected areas that coincide with their traditional countries. Moreover, many communities and organisations are increasingly aware that the exercise of self-determination is from now on going to depend on strategic planning, knowing that in planning for environmental management, they can count on having resources in place for future generations.

13.9 References

- Altman, J. 1987. *Hunter-Gatherers Today: An Aboriginal Economy in North Queensland*. Australian Institute of Aboriginal Studies: Canberra.
- Altman, J. & Taylor, L. 1989. *The Economic Viability of Aboriginal Outstations and Homelands*, report to the Australian Council for Employment and Training. Australian Government Publishing Service: Canberra.

Altman, J.C. & Allen, L.M. 1991. *Living Off the Land in National Parks: Issues for Aboriginal Australians*. Centre for Aboriginal Economic Policy Research, Australian National University: Canberra.

Beck, W. 1986. Australian Diet Study in the Alligator Rivers Region: A Preliminary Report. unpublished report to the Supervising Scientist for the Alligator Rivers Region, Jabiru.

Brown, Michael & Wyckoff-Baird, Barbara. 1992. *Designing Integrated Conservation and Development Projects*. The Biodiversity Support Program: Washington D.C.

Coveney, Janet. 1993. *Australia's Conservation Reserves*. Cambridge University Press: Cambridge.

CSIRO. 1993. "Protecting Earth's Life Support System, What is Biodiversity." *Ecos*. Vol. 78: Melbourne.

CYLC. 1991. Why Are Aboriginal People From Cape York Peninsula Here in Hobart?. unpublished briefing paper to delegates of the Australian Labor Party National Conference, Hobart, 27 June. Cape York Land Council: Cairns.

CYLC. 1991a. Black, Green and Red(neck). unpublished response to recent criticisms of Aboriginal interests in National Parks. Cape York Land Council: Cairns.

Dale, A. 1993. Joint Management in the Wet Tropics. unpublished discussion paper prepared for the Wet Tropics Management Authority.

Davis, S. 1993. *Introduction in Social Challenge for Biodiversity Conservation*. Shelton H. Davis (ed). Global Environment Facility Working Paper No. 1: Washington D.C.

Devitt, J. 1988. Contemporary Aboriginal Women and Subsistence in Remote, Arid Australia. unpublished PhD thesis. University of Queensland, Brisbane

Drewien, G. & Richardson, G. 1994. *Monitoring and Management of Natural Resources by Aboriginal and Torres Strait Islander People*. A State Cooperative Assistance Project with the Australian Nature Conservation Agency, Queensland Department of Environment and Heritage and the South Australian Department of Environment and Natural Resources.

International Union for Conservation of Nature. 1993. *Parks for Life. Report of the 10th World Congress on National Parks and Protected Areas*. International Union for the Conservation of Nature: Gland, Switzerland.

International Union for Conservation of Nature. 1990. *Caring for the World: A Strategy for Sustainability*. Second Draft. International Union for the Conservation of Nature: Gland, Switzerland.

Woenne-Green, S., Johnston, R., Sultan, R., Wallis, A. 1994. *Competing Interests - Aboriginal Participation in National Parks and Conservation Reserves in Australia*. Australian Conservation Foundation: Fitzroy.

Wooten, H. 1994. "The Mabo Decision and National Parks." *Competing Interests - Aboriginal Participation in National Parks and Conservation Reserves in Australia*. Woenne-Green, S., Johnston, R., Sultan, R., Wallis, A. (eds.). Australian Conservation Foundation: Fitzroy.

Young, E., Ross, H., Johnson, J., Kesteven, J. 1991. *Caring for Country: Aborigines and Land Management*. Australian National Parks and Wildlife Service: Canberra.

Figure 1 - Cape York Peninsula Protected Areas

QDEH Area	Area (hectares)	Name
110	2960	Flinders Group NP
111	91	Turtle Group NP
112	15	Two Islands NP
113	40	Three Islands NP
114	174	Hope Islands NP
115	32	Rocky Islets NP
116	1010	Lizard Island NP
215	903	Black Mountain NP
232	5650	Cedar Bay NP
234	502	Mt Cook NP
249	36000	Cape Melville NP
250	220	Mt Webb NP
286	1840	Endeavour River NP
329	510	Possession Island NP
331	34600	Iron Range NP
337	37100	Mitchell & Alice Rivers NP
340	237000	Jardine River NP
341	7960	Starcke NP
343	166000	Archer Bend NP
376	537000	Lakefield NP
388	10	Round Island EP
392	65	Nymph Island NP
409	291000	Roakeby NP
411	8670	Iron Range Reserve RR
465	8	Moulter Cay (Formerly Pandora Cay) SR
466	4	MacLennan Cay Reserve SR
488	2150	King Park Reserve RR
492	126000	Heathlands Reserve RR
493	16200	Palmer Goldfields Reserve RR
543	19	Saunders Islands NP
544	129	Sir Charles Hardy Group NP
545	2	Quoin Island NP
546	43	Cliff Island NP
547	15	Flinders Group NP
548	7	Piper Islands NP
549	155	Howick Group NP
550	11	Sandbanks NP
551	41	Claremont Isles NP
552	41	Denham Group NP
554	46	Keatings Lagoon (Cooktown) EP
560	26	Restoration Island NP
586	7	Bloomfield EP
587	109	Forbes Islands NP
600	21200	Shadwell Reserve RR

Total - 44 Protected Areas = 1,535,565 hectares which constitutes 11.2% of CYPLUS study area.

NP = National Park EP = Environmental Park SR = Scientific Reserve RR = Resource Reserve

(Source: Queensland Department of Environment and Heritage, Geographic Information Services. Information is from the Estates Database as at June 1994.)

Note: Starcke Holding and Silver Plains Holding are not included in these figures.

Figure 2 - Cape York Peninsula Claimable National Parks

	National Park	Area (hectares)	Claim Status
1.	Archer Bend	166,000	Claim lodged
2.	Alice Mitchell Rivers	37,100	NCTD*
3.	Rokeby Kroll	291,000	Claim lodged
4.	Cape Melville	36,000	Tribunal hearing completed Report written
5.	Flinders Group	2,974.7	As above
6.	Forbes Island	109	NCTD
7.	Jardine River	237,000	Claim lodged
8.	Iron Range	34,600	NCTD
9.	Cliff Island	2.9	Tribunal hearings commenced
10.	Lakefield	537,000	Tribunal hearings commenced
11.	Cedar Bay	5,650	NCTD

* NCTD = No claim to date.

(Source: Summation of Claims Received by the Land Tribunals up to 30 August 1994. Aboriginal and Torres Strait Islander Land Tribunals. (Unpublished).)

Attachment 1 - Land Claim Process

Gazettal of National Parks (Aboriginal or Torres Strait Islander Land)

Areas of national park land are made available for claim under the Aboriginal and Torres Strait Islander Land Acts in recognition that land is of spiritual, social, historical, cultural and economic importance to Aborigines and Torres Strait Islander people. These Acts recognise that some Aboriginal and Torres Strait Islander people have a historical association with particular areas of national park land based on them or their ancestors having lived on or used the land or neighbouring land (QDEH 1992:3).

National parks can only be claimed if they have been gazetted for that purpose by the Governor-in-Council (Cabinet). Apart from those parks already gazetted for claim, four 'criteria which might be applied to identify other national parks for gazettal include:

- . the level of Aboriginal and Torres Strait Islander traditional affiliation and/or historical association with the park;
- . regional availability of other land for claim;
- . regional involvement of Aboriginal and Torres Strait Islanders in nature conservation and land management, and
- . the size and potential for expansion of the national park estate in the region.' (QDEH 1992:4)

Land Claim (National Park)

Land claims are determined by the Aboriginal or Torres Strait Islander Land Tribunal which performs its functions and is responsible to the Minister for Lands. Eleven national parks have been gazetted in Cape York Peninsula with each at a different stage of claim (see figure 2).

A Tribunal comprising the chairperson or a chairperson and two members will take evidence from people claiming land and from other people whose interests may be affected if the land is granted to the claimants (QDEH 1992:4). To date, those interested parties represented in national park land claim hearings in the Peninsula include:

- . Cook Shire Council
- . Queensland Commercial Fisherman's Organisation
- . Director, National Parks & Wildlife Service
- . Cattleman's Union
- . Queensland Sport and Recreational Fishing Council Inc.

- . Helicopter Association of Australia Inc.
- . neighbouring landholders

Evidence presented to the Land Tribunal to substantiate a claim on the grounds of traditional affiliation could include:

- . a history of the group after European contact;
- . the nature of the body of spiritual connection of the group with the land claimed;
- . the nature of other connections (say economic and social) with the land claimed;
- . historical and other references to the ancestors of the group which give historical depth to their affiliation to the land under Aboriginal tradition; and
- . areas, sites, rituals or laws of particular significance under Aboriginal tradition for the land being claimed (QDEH 1992:5).

Historical association claims could detail:

- . a history of the dispersal or movement of the groups, members and their ancestors;
- . the location where the group members or their ancestors lived on the land being claimed or in its district or region and how long they lived there; and
- . how the land being claimed or land in the district or region was used by the group and their ancestors (QDEH 1992:5).

Grant of Land

A number of conditions apply to the grant of land under the Acts and they are:

- . land must be managed as a national park;
- . land will not be granted until a national park plan of management is completed;
- . claimants must lease back the land to the government in perpetuity (forever);
- . lease agreement must include the national park plan of management;
- . plan of management must not decrease the right of public access; and

the government does not have to pay rent for the lease of the land from the claimants.

Once the management plan has been completed and the lease negotiated, the plan is submitted for approval by the Governor-in-Council (Cabinet). It is then the function of the Minister for Lands 'to deliver a deed of grant to the grantees and simultaneously the grantees will deliver a lease to the Minister for Environment and Heritage. The management plan will come into effect at or about the same time. An interest in granted land cannot be resumed, taken or otherwise compulsorily acquired, sold or dealt with except by an Act that expressly provides for the land's resumption.' (QDEH 1992:7)

Attachment 2 - Potential Inconsistencies

As the process for drafting a joint plan of management between the trustees and National Parks and Wildlife Service and associated lease agreement with the Department of Environment and Heritage have still to commence on any of the claimable national parks a number of perceived inconsistencies require clarification and/or amendment. There also appears to be a number of social problems which require attention.

Briefly several outstanding issues appear to be:

- . potential inconsistency with native title rights (constraints imposed by plans of management and maintenance of existing interests and access rights);
- . interpretation of definitions (nature based, traditional);
- . establishment, composition, functions, powers and procedures of boards of management;
- . review of plans of management;
- . statutory Aboriginal majority on boards of management;
- . authority of the board of management and relationship with the Minister for Environment and Heritage and the Governor-in-Council;
- . lease conditions (perpetuity, rental, termination);
- . inconsistencies in roles of and between the plan of management and lease document;
- . provisions for employment;
- . financial arrangements;
- . continued resistance to Aboriginal claims and management of national parks by interests with the non-government conservation organisations and the Queensland National Parks and Wildlife Service; and
- . inability of the state government to sustain its commitment to the *Aboriginal Land Act 1991*.

Attachment 3 - QDEH Employment Strategy

Aboriginal and Torres Strait Islander Employment and Development

The Queensland Department of Environment and Heritage (QDEH) is in the process of developing an Aboriginal and Torres Strait Islander Employment and Development Strategy. As of January 1994 the Department of Environment and Heritage employed a total of 1481 staff. 55 (3.5 per cent) of these staff were of Aboriginal or Torres Strait Islander descent. The level of employment of Aboriginal and Torres Strait Islander people within the Department exceeds the Queensland Public Sector goal of 2.4 per cent (QDEH 1994:2). The implementation of this strategy and the achievement of employment goals will be the responsibility of the respective Regional Directors and Divisional Directors. Each Region and Division will develop Action Plans to implement this Aboriginal and Torres Strait Islander Employment Strategy as part of the [Equal Employment Opportunity] EEO Action Plans (QDEH 1994:3).

The Draft Strategy outlines the goals, policies and strategies in the areas of employment, career development, education and training, cooperative programs, and corporate culture of the Department.

QDEH believes that 'this strategy will benefit the Department through:

- . the availability of a wider and more diverse range of employees;
- . the skills and knowledge of Aboriginal and Torres Strait Islander people;
- . a better relationship and improved communication channels with Aboriginal and Torres Strait Islander people;
- . a greater ability to protect and respect the traditional interests of Aboriginal and Torres Strait Islander people.

Aboriginal and Torres Strait Islander people will benefit through:

- . recognition and respect for their skills and knowledge;
- . better protection and respect for their traditional interests;
- . a wider range of jobs to choose from and a greater chance to achieve their career goals.

Other employees will benefit through:

- . working in a multicultural workplace and from the skills and knowledge of Aboriginal and Torres Strait Islander people.' (QDEH 1994:3)

CHAPTER 14

**INDIGENOUS PEOPLES AND THE MARINE ENVIRONMENT OF CAPE YORK
PENINSULA**

Dermot Smyth

CHAPTER 14

INDIGENOUS PEOPLES AND THE MARINE ENVIRONMENT OF CAPE YORK PENINSULA

*Dermot Smyth*¹

CONTENTS

14.1	Introduction	14-1
14.2	The marine environments of Cape York Peninsula	14-1
14.2.1	The west coast	14-1
14.2.2	The east coast	14-2
14.2.3	Torres Strait : Endeavour Strait and Andolphus Channel	14-2
14.3	Cultural seascapes	14-3
14.4	Marine resource use	14-6
14.4.1	Impact of commercial and recreational fishing on aboriginal utilisation of their marine estates	14-7
14.5	The recognition of indigenous peoples' interests in marine environment and resource management	14-10
14.5.1	Fisheries management	14-12
14.5.2	Fisheries management at Kowanyama	14-13
14.5.3	Aboriginal commercial fisheries	14-14
14.5.4	Community ranger training and employment	14-15
14.5.5	Planning the Trochus Fishery: a case study	14-15
14.6	Recognition of indigenous peoples' interests in marine park management	14-20
14.6.1	The Great Barrier Reef Marine Park	14-20
14.6.2	Far Northern Section	14-21
14.6.3	The Cape York Marine Park	14-25
14.7	Torres Strait Islanders and the Cape York Marine Eenvironment	14-26
14.7.1	Neighbours	14-26
14.7.2	Residents	14-27
14.7.3	Subsistence and commercial fishers	14-27
14.7.4	Islander marine estates south of Torres Strait	14-27
14.7.5	Torres Strait as a political model for indigenous marine rights	14-28

¹ Dr Dermot Smyth is a consultant in cultural ecology and an Honorary Research Fellow of the Department of Tropical Environment Studies and Geography, James Cook University.

14.8	The future	14-28
14.8.1	Native title in the sea	14-29
14.8.2	Joint planning and management of fisheries	14-30
14.8.3	Marine park management	14-30
14.8.4	Regional agreements	14-31
14.8.5	Resource rights and resource management	14-31
14.8.6	Public education	14-32
14.9	References	14-32

Figures

Figure 1	Schematic representation of customary marine estates on the east coast of Cape York Peninsula	14-4
Figure 2	Seasonal availability and exploitation of some marine resources by the Hopevale community	14-8
Figure 3	East coast of Queensland showing sections of the Great Barrier Reef Marine Park, adjacent Aboriginal communities and some Torres Strait islands	14-11

14.1 Introduction

The marine environment has been central to the lives of the majority of indigenous peoples of Cape York Peninsula since the stabilisation of the current sea level about 6,000 years ago. Of the 31 language groups on the Peninsula (Horton 1994), 23 are coastal peoples' whose estates extend out to sea and include adjacent reefs, cays and islands (Chase and Surton 1981). Extensive river estuaries on both the east and west coasts extend the marine environment many kilometres inland, so that marine resources have been and are also important to Aboriginal peoples living some distance from the coast.

The continental shelf surrounding the Peninsula was occupied, used and managed by Aboriginal peoples before these lands were flooded by rising sea levels over the last 20,000 years (Beaton 1978 & 1985). Stories, songs and cultural sites on land and sea of contemporary Aboriginal societies continue to link the terrestrial and marine environments of the Peninsula.

This paper summarises past and present indigenous peoples' interests in the marine environments of Cape York Peninsula, and discusses how those interests are currently recognised in environmental and resource management arrangements. The chapter concludes with a discussion on issues to be addressed to achieve greater recognition of indigenous peoples' interests in the marine environment, including native title interests.

14.2 The marine environments of Cape York Peninsula

Three distinct, though obviously connected, marine environments can be identified for Cape York Peninsula. They are: the west coast, the east coast and Torres Strait. A brief description of each marine region is given below, before discussing issues relating to indigenous peoples' environment and resource use and management.

14.2.1 The west coast

South of the Archer River mouth at Aurukun, the coastline is characterised by seasonally inundated flood plains and a series of parallel Pleistocene beach ridges up to ten kilometres from the current shoreline, which has been slowly prograding (advancing) over the last 2,000 years. The low profile of the coastal land continues beneath the sea, resulting in very shallow coastal waters (less than 15 metres deep) for up to 50 km offshore.

During the December to March wet season, runoff from the many rivers and creeks along the coast produce a floating lens of freshwater over the coastal sea several kilometres from the coast. Runoff from the creeks and rivers also maintains a high level of turbidity in the coastal waters. Unlike the east coast, there are few reefs or seagrass beds offshore and dugong and turtle are not abundant.

The real wealth of marine resources of the west coast are to be found in the large estuarine ecosystems formed when the westerly flowing rivers reach the coastal plain. In addition to the major rivers such as the Mitchell, Edward, Holroyd and Archer, there are countless

smaller rivers and creeks feeding into and draining the flood plain and forming permanent or seasonal estuarine environments where they meet the sea.

The Mitchell River delta drains a very large catchment area extending almost to the east coast of the Peninsula at Cairns. The extensive Mitchell River estuary system supports a diverse subsistence, recreational and commercial fishery, comprising about 30 species of saltwater and freshwater fish, as well as crabs, crayfish, prawns, shrimps and shellfish (Sinnamon Chapter 1 in this report). Similar resources are to be found in the other major estuarine systems of the west coast, especially the Edward, Holroyd, Kirke, Love and Archer Rivers.

North of the Archer River the coastline has a higher profile and is characterised by red bauxite cliffs, interspersed with large embayments such as Albatross Bay (at Weipa) and Port Musgrave at the mouth of the Wenlock River. Associated with these bays, and the outflow of other rivers to the north (the Skardon, the Macdonald and the Jardine) are large, resource rich estuaries similar to those south of the Archer. Offshore reefs occur with increasing frequency towards the northern tip of the Peninsula.

14.2.2 The east coast

The dominant feature of the east coast marine environment is the Great Barrier Reef, a mosaic of coral reefs forming an incomplete breakwater stretching from north of Cape York and south to Gladstone on the continental shelf. At Cape York the outer barrier reef lies some 130km offshore, but further south off Cape Melville, the outer barrier is less than 40 km from the coast.

The presence of the Great Barrier Reef has a considerable effect on the rest of the marine environment and on the dynamics of the coast itself. The reef shelters the coast from the worst effects of the strong prevailing southeast winds which blow for almost throughout the year, resulting in a coastline which is characterised by sandy, low energy beaches. By contrast, the seaward beaches of the islands on or near the outer barrier are characterised by high energy beaches formed of coral rubble washed up during storms.

The reef also creates rich and diverse biological environments, supporting many resources of interest to Aboriginal people, including turtle and dugong. The vast expanses of the resource-rich, sheltered Coral Sea, has led to a well established sea faring tradition among the Aboriginal peoples of the east coast (Hale and Tindale 1933 & 1934,).

14.2.3 Torres Strait: Endeavour Strait and Adolphus Channel

Joining the west and east coast marine environments are the Endeavour Strait and Adolphus Channel. The Endeavour Strait runs between the northeast tip of Cape York Peninsula and Prince of Wales Island; the Adolphus Channel runs between the northeast tip of the Peninsula and Adolphus Island. Together they form the northernmost marine environment of Cape York Peninsula, and constitute the southern portion of the Torres Strait, the body of water lying between Cape York and the southern coast of Papua New Guinea.

Endeavour Strait is generally less than 15 metres deep and subject to the strong tidal currents which run through all Torres Strait waters. The western entrance to Endeavour Strait is guarded by a series of long, east-west sand banks, parts of which dry at low tides and some of which support small wooded islands. Close to the mainland, the Endeavour Strait is lined with numerous sand banks, reefs and small islands. The largest of these is Possession Island, on which Captain James Cook "took possession" of the east coast of Australia for Great Britain in 1770. (The Torres Strait islands to the north were only annexed to Australia about one hundred years later).

Endeavour Strait is not a significant shipping channel, with most commercial vessels passing to the north of Thursday Island through the Prince of Wales Channel.

The Adolphus Channel is slightly deeper (over 18 metres in parts) and is characterised by scattered reefs within the channel and the western entrance, with numerous larger reefs to the east. Adolphus Channel is the main shipping channel for vessels travelling along the east coast and through Torres Strait.

14.3 Cultural seascapes

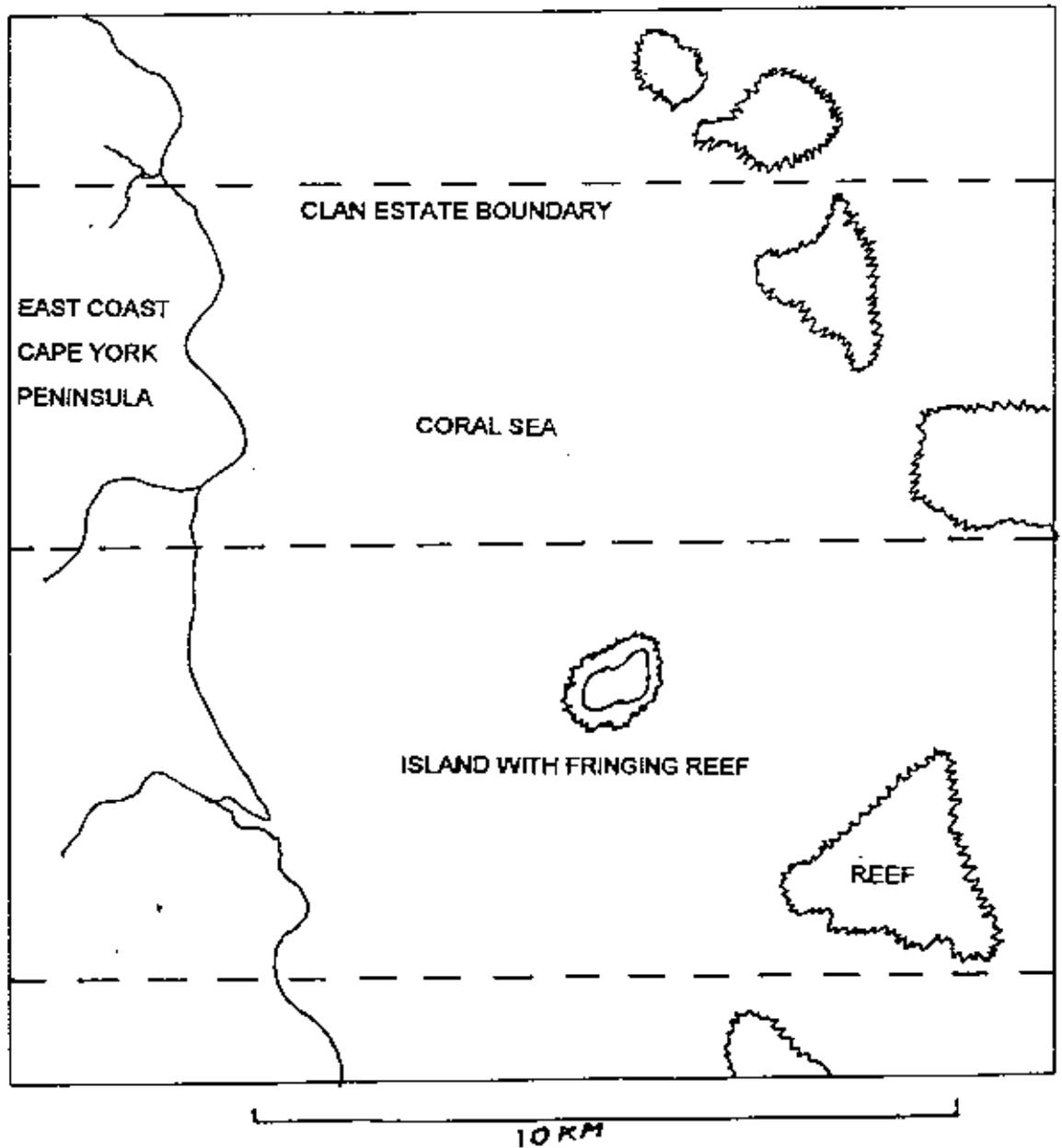
Aboriginal peoples have outlined their cultural relationship with the marine environments of Cape York Peninsula in numerous submissions to environment management agencies and several government inquiries in recent years².

Aboriginal peoples' views and belief systems relating to the sea have also been recorded and reported by anthropologists and other researchers working in coastal areas of Cape York Peninsula over the last 80 years. Anthropological research during the first half of this century focussed on aspects of social structure, material culture and language (eg Hale and Tindale 1933 & 1934) and Thomson (1933 & 1934), while more recently Chase and Sutton (1981), Chase (1978, 1980 & 1981) and Rigsby and Williams (1991), Sharp (1992), Taylor (1984) and others have addressed the totality of the relationship between coastal peoples and their environments, including the mapping of land and sea countries or clan estates.

Underlying all of this research on both coasts of the Peninsula is the principle that every portion of coastal land and sea lies within a clan estate for which the clan members (descent group) have primary customary ownership, access to and control over resources, and responsibility for management. Such clan estates invariably include both land and sea as an indivisible whole and are often delineated by the presence of significant cultural sites (see Figure 1).

² These include submissions to the Great Barrier Reef Marine Park Authority by the Wujal Wujal Community Council (1990), the Gungarde Community Centre (1990), Ziegelbauer 1991 and the Cape York Land Council (1994) and submissions to the 1993 Resource Assessment Commission's Coastal Zone Inquiry by Aurukun Community Council, the Cape York Land Council, the Tharpuntoo Legal Service and the Aboriginal Coordinating Council. Aboriginal peoples also made direct submissions to the Resource Assessment Commission during visits to Aurukun and Kowanyama in 1993.

Figure 1:
Schematic representation of customary maritime estates on the east coast of
Cape York Peninsula
(Adapted from Chase and Surton 1981)



Maritime cultural sites are places of mythological, spiritual, totemic or historical significance to Aboriginal peoples. They include places along the coasts, in estuaries, on tidal flats, on reefs, islands or on the sea floor. Some sites result from the activities of the Creator Beings who made the landscape, seascape, animals and plants during their travels in the mythological past. Others are the locations of special ceremonies associated with initiations or with the nurturing of particular resources, such as fish, shellfish, turtle or dugong. Some sites derive from the mythological past, while others (such as burial sites, fighting grounds or camping places) are derived from the historic past, or even within living memory.

Cultural sites in the sea, as on land, generally impose some level of behavioural restriction or responsibility - a responsibility which can extend to the caring for strangers who enter the proximity of a site. In this respect, maritime cultural sites are of importance to all who use maritime environments, not just the Aboriginal custodians. Many sites are dangerous places, in the sense that serious physical consequences result from inappropriate behaviour in their vicinity. Among these are the many wind and storm sites on coastal land and in coastal water of Cape York Peninsula. Inappropriate behaviour in the vicinity of such places can invoke strong winds, storms or cyclones and cause sickness among Aboriginal custodians and/or other people.

Maritime cultural sites are inseparable from the estates in which they are located and are generally more precisely located geographically than are estate boundaries. The seaward boundaries of customary maritime estates are seldom defined when such estates are mapped. It is likely that seaward boundaries and use of offshore marine resources have expanded with changing technology over time (eg the adoption of outrigger sailing canoes in the last 2,000 years (Beaton 1985)). This tradition may have continued with the arrival of pearling and beche-de-mer luggers in the mid 1800's which allowed greater access to offshore locations and resources than before. Recent consultations with Aboriginal peoples on the east coast (eg Smyth 1992) have reported Aboriginal assertions that their clan estates extend to the outer barrier reef.

This customary claim to offshore cultural sites and estates is consistent with Aboriginal maritime cultures elsewhere in northern Australia and overseas (Cordell 1989). Along the Arnhemland coast marine cultural sites have been documented over 80 km offshore (Davis 1989; Bergin 1991). Traditional owners of the northeast Arnhemland coast are currently seeking recognition of their rights to be involved in managing their customary marine estates, sites and resources, including places which now lie to the north of the fisheries demarcation line between Australia and Indonesia (Ginjirang Mala 1994).

On the west coast of the Peninsula coastal clan estates also extend into the sea. However, with marine resource use focussing mainly on estuaries rather than Gulf waters, west coast maritime estates may be less extensive than those on the east coast. As on the east coast, published maps of coastal clan estates typically show an open seaward boundary.

In addition to key important cultural sites, maritime clan estates contain very many named places and features, including headlands, reefs, currents, channels, stretches of water and islands. While the detailed knowledge of this cultural information may have been lost or diminished in some parts of the coast, the reality of coastal and marine environments as owned, humanised environments has not altered.

14.4 Marine resource use

Aboriginal peoples have harvested, managed and lived off the marine resources of Cape York Peninsula for over 2,000,000 days since the last great rise in sea level which ended about 6,000 years ago. Assuming a population of 10,000 on Cape York Peninsula and a modest consumption rate of 100gm of seafood per person per day³, it can be conservatively estimated that Aboriginal peoples have harvested a total of more than 2.2 million tonnes of seafood from the marine environments of Cape York Peninsula. Add to this the hunting, fishing, trapping and gathering activities of Aboriginal peoples at times of lower sea level, going back 40,000 or 60,000 or more years ago, we have a vast history of economic utilisation of the Peninsula's marine resources.

The tradition of marine resource use continues today on every coastal community and outstation. No comprehensive data are available for the size of contemporary Aboriginal marine harvests, but it is certain that locally caught seafood plays a significant part in the household economies of the great majority of coastal Aboriginal peoples in Cape York Peninsula. The activities associated with marine hunting, fishing and gathering are important not only for supplying food but also as a way of maintaining and passing on language, stories, traditional ecological knowledge and other aspects of culture associated with the relationship between Aboriginal peoples and their environments.

The following extract from Taylor (1984) of presettlement resource use around Edward River (Pormpuraaw) can be taken as typical of Aboriginal use of marine resources for much of the west coast of the Peninsula:

A large part of the flesh diet was supplied by marine and freshwater fishing. Fish, sharks and rays were speared on tidal flats and in the salt arms of rivers. The mangroves fringing tidal watercourses and the off shore inter-tidal zones supplied crabs and a variety of shellfish. Brush weirs were constructed at numerous points to trap fish caught by falling tides or flushed out by floodwaters, while a variety of "poisoning" techniques existed to stupefy and capture fish in shallow pools and deep lagoons. Occasionally, fishing rods and lines were employed using baited bone-barbed wooden-shanked hooks along saltwater reaches. Fish were so important in the diet that the word *ngat* also stood as a synonym for flesh foods in general (Taylor 1984:15)

Just to the south of Pormpuraaw at Kowanyama, Sinnamon (Chapter 1 in this report) lists 30 species of saltwater and freshwater fish, as well as crabs, crayfish, and shellfish which are currently used by the Yor Yorong, Koko-bera and Kunjen peoples in and around that community.

The contemporary utilisation of marine resources by Aboriginal peoples at Hopevale and Lockhart communities on the east coast have been documented by Smith (1989). He

³ Recent research on Torres Strait indicate seafood consumption by indigenous people on Mabuiag Island is in the order of 450gm per day (Johannes and MacFarlane 1991).

identified five categories of fishing and marine hunting equipment: fishing spears, harpoons, fishing lines and spearguns, all of which may be used in association with aluminium, wooden or fibreglass dinghies powered by outboard motors.

The harvesting of marine resources by Hopevale residents is dictated by numerous factors, including school holidays, availability of boats and transport to the coast, and good weather. The re-establishment of coastal outstations and the construction of new roads linking Hopevale with the coast has increased regular access to marine resources in recent years. The seasonal patterns of marine resource use in the 1980s is indicated in Figure 2.

Dugong and turtle continue to be of great importance to east coast Aboriginal peoples and most hunting takes place during the summer holiday period when families establish long term beach camps and when the sea is generally calm. Dugongs are usually only caught during this time (though the easier access to the coast referred to above is changing that pattern) while turtles are hunted all year (see Fig. 2).

14.4.1 Impact of commercial and recreational fishing on Aboriginal utilisation of their marine estates

Subsequent to the brief stay of Captain James Cook at the mouth of the Endeavour River in 1770, the first ongoing interaction between east coast Aboriginal peoples and the invading colonial settlers resulted from the commercial exploitation of marine resources within the waters of the Great Barrier Reef and in Torres Strait. Historians have referred to this point of contact as the "sea frontier" (Loos 1994).

Beginning with the exploitation of beche de mer and turtle shell in the 1840, and including the harvest of pearl shell, pearls and trochus shells after 1868, these commercial fishing operations represented a unique form of invasion in Australia. While Aboriginal peoples were not directly evicted from their lands as they were on the pastoral frontier, and to a lesser extent on the mining frontier, their societies came under immense pressure from the effects of Aboriginal participation in the new marine industries. Some joined the boat crews voluntarily, some became skippers, many were taken on as indentured labourers and many others were simply kidnapped. Many Aboriginal people never returned to their clans and clan estates, and those that did often brought back with them lethal diseases contracted during their association with fishing crews.

The combination of recruitment, disease and forced prostitution of women had a disastrous effect on coastal societies, and the fishermen had to progressively move their recruiting grounds further and further north. Loos (1994) concludes that:

By 1897 the north-east coast of Cape York Peninsula had been "worked out", (ie there were no more Aboriginal people left in the area to recruit) and the boats were resorting mainly to the Batavia River area at Mapoon on the west coast. The passing of the Aboriginal Protection Act of 1897 eventually saved the Aborigines south of Mapoon from the worst ravages of the fisheries.

The effects of the introduction of commercial fishing into Cape York Peninsula waters on the culture, population and distribution of Aboriginal peoples can still be seen today in the greater number of communities and greater number of Aboriginal people on the west coast than on the east.

The impact of current commercial and recreational fishing activities on contemporary Aboriginal societies was documented during a review of Aboriginal interests in the far northern section of the Great Barrier Reef Marine Park (Smyth 1992), during the Resource Assessment Commission's Coastal Zone Inquiry (Smyth 1993), during a review of commercial fishing ventures at Aurukun (Castelain 1994) and at the recent marine park Pajinka workshop (Cape York Land Council 1994). Issues of concern expressed by Aboriginal peoples include:

- A decline in subsistence marine resources, believed to be caused by commercial and recreational fishing;
- Wastage of marine resources by commercial fishers (eg by-catch discarded from prawn trawlers, and heads and backbones discarded after filleting fish);
- Illegal fishing taking place (eg fishing in reserved areas within marine parks and nets set in contravention of regulations);
- Lack of economic benefit flowing to Aboriginal people from commercial fishing operations taking place in their customary marine estates;
- Adverse social impacts from some commercial fishers - eg supply of alcohol to outstations and communities from time to time.
- Threats to coastal and marine cultural sites from commercial and recreational fishing activities.
- Lack of control by Aboriginal people over commercial fishing activities taking place within their customary estates.
- Destruction and theft of Aboriginal fishing equipment by non-Aboriginal fishermen.

For further information on commercial and recreational fishing off Cape York Peninsula see the separate CYPLUS report by WBM Oceanics.

14.5 The recognition of indigenous peoples' interests in the marine environment and resource management

As we have seen, coastal Aboriginal peoples of Cape York Peninsula view the coastal sea and its resources as an inseparable extension of coastal land. To them, the coastal sea is an owned domain in which members of the local clan or family group have primary and even exclusive use and management rights.

Government marine environment and resource management agencies, and the general community, on the other hand, view the marine environment as an open commons in which all Australians have legitimate commercial, recreational, aesthetic and scientific interests. As a result of this fundamental difference in perspective on human interaction with the sea, governments have provided far less recognition of Aboriginal ownership and management rights in marine environments than on land.

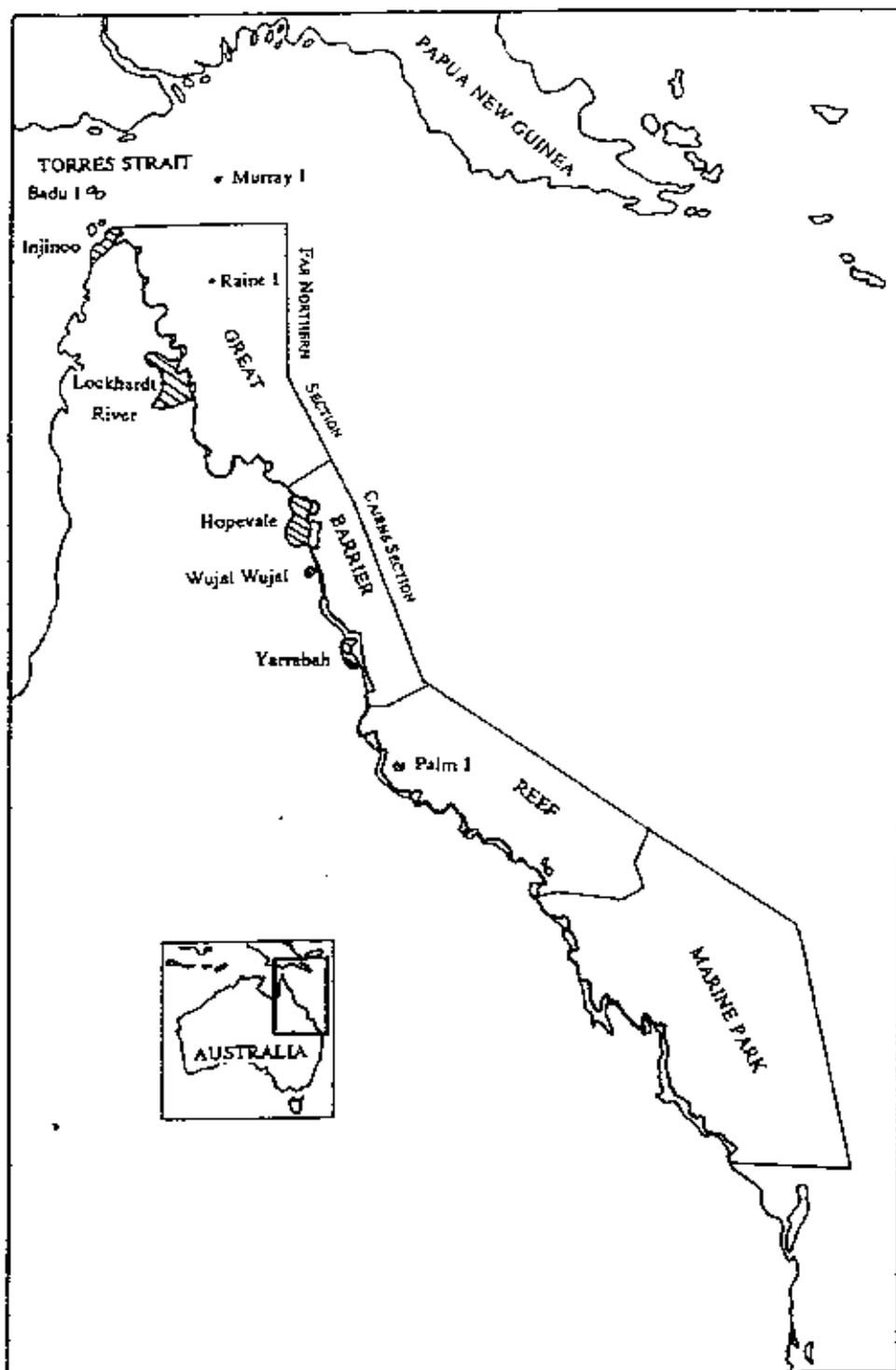
Two major government management regimes are in force in the marine environment around Cape York Peninsula. These are the fisheries management regime administered jointly by the Queensland Fish Management Authority (QFMA) and the Queensland Department of Primary Industries (QDPI) which applies in all Queensland water⁴ and the environmental management regime of the Great Barrier Reef Marine Park Authority (GBRMPA), which includes most waters on the east coast of the Peninsula (Figure 3).

The Queensland Department of Environment and Heritage (QDEH) also plays a major role in marine environmental and resource management around the Peninsula. QDEH is the day to day manager of the Great Barrier Reef Marine Park, and is also the sole manager of the Cairns Marine Park, which includes intertidal and some other coastal waters south of latitude 14°30' S. QDEH is also responsible for the management of non-fisheries marine organisms and their habitats; once the *Nature Conservation Act 1992* is fully proclaimed (expected in 1995) QDEH will take responsibility for the management of dugong and turtle populations, which are currently managed by QDPI as part of the Queensland fishery.

This section examines the extent to which these management regimes recognise Aboriginal peoples' marine environmental and resource interests; it also discusses initiatives undertaken by Aboriginal communities and organisations to achieve greater involvement in management.

⁴ With the exception of the Torres Strait Protected Zone for which there is separate Commonwealth legislation.

Figure 3:
East coast of Queensland showing sections of the Great Barrier Reef Marine Park,
adjacent Aboriginal communities and some Torres Strait islands



14.5.1 Fisheries management

Until recently, Aboriginal involvement in fisheries management has been via a process of exemption rather than inclusion. That is, Aboriginal peoples living on Trust Areas (formerly Aboriginal reserves) have been exempt from provisions of the fisheries legislation. That exemption has not, however, given them a role in fisheries management. So that while they have been free to pursue subsistence fishing they have been, with few exceptions, powerless to influence fisheries management decisions which impacted on their subsistence resources.

In 1994 the Queensland Parliament passed a new *Fisheries Act* which, when proclaimed, will repeal nine existing Acts which currently regulate recreational and commercial fishing in Queensland⁵. Recognition of Aboriginal and Torres Strait Islander fishing rights is contained in section 14 of the new Act, which reads:

Aborigines' and Torres Strait Islanders' rights to take fisheries resources

etc.

14(1) An Aborigine may take, use or keep fisheries resources, or use fish habitats, under Aboriginal tradition, and a Torres Strait Islander may take, use or keep fisheries resources, or use fish habitats, under Island custom.

(2) However, subsection (1) is subject to a provision of a regulation or management plan that expressly applies to acts done under Aboriginal tradition of Island custom.

(3) A regulation or management plan mentioned in subsection (2) may be developed only after cooperating with Aborigines or Torres Strait Islanders, considered by the fisheries agency to be appropriate, to reach agreement, or reasonably attempt to reach agreement, about the proposed regulation or plan.

The new Act therefore continues the tradition of previous Queensland fisheries legislation by exempting Aborigines and Torres Strait Islanders from provisions of the Act. Unlike the earlier legislation, however, this exemption will now be subject to provisions of management plans drawn up "after cooperating with Aborigines or Torres Strait Islanders, considered by the fisheries agency to be appropriate...". The effect of these provisions will be to retain the general principle of indigenous peoples' fishing rights in Queensland, but to subject those rights to the provisions of management plans. To this extent, the new Act therefore represents a curtailment of existing Aboriginal and Torres Strait Islander fishing rights in Queensland.

Subjecting indigenous peoples fishing and hunting regimes to conservation management plans may be consistent with underlying needs for sustainable utilisation of resources, and is

⁵ The Acts repealed are: *Fisheries Act 1976*, *Fisheries Act Amendment Act 1981*, *Fisheries Act Amendment Act 1982*, *Fisheries Industry Organisation and Marketing Act 1982*, *Fisheries Industry Organisation and Marketing Act Amendment Act 1983*, *Fishing Industry Organisation and Marketing Act Amendment Act 1984*, *Fishing Industry Organisation and Marketing Act Amendment Act 1987*, *Fishing Industry Organisation and Marketing Act and Other Acts Amendment Act 1989*, and *Business Licence Deregulation (Milk-sellers and Fish Buyers) Amendment Act 1993*.

consistent with the Australian Law Reform Commission's proposed management priorities of first conservation, second subsistence use and third recreational and commercial use (Australian Law Reform Commission 1986). However the requirement to consult with Aboriginals and Torres Strait Islanders *considered by the fisheries agency to be appropriate* is potentially disempowering of indigenous peoples' interests and obligations. This requirement falls far short of recognising indigenous peoples as legitimate partners in marine resource management; it relies on the ongoing goodwill of the fisheries agency and industry rather than securing a guaranteed role for indigenous peoples in fisheries management commensurate with their unique customary and historical relationship with their maritime estates.

Opportunities for general community participation in the management of Queensland's fisheries under the *Fisheries Act 1994* include:

- membership of the Queensland Fish Management Authority (a chairperson and 6 members appointed by the Governor in Council on the recommendation of the Minister);
- membership of the Queensland Fisheries Policy Council (QFPC) which advises the Minister on policy matters (comprising a chairperson and others considered necessary by the Minister);
- via consultation over the development of fisheries management plans.

The Act does not, however, specify the need for Aboriginal and/or Torres Strait Islander representation on either the QFMA or the QFPC, and makes no reference to the need for special consultation processes with indigenous peoples with the respect to the development of fisheries management plans (other than those that may limit Aboriginal or Torres Strait Islander exemptions from the Act)

Nevertheless, one indigenous person has been appointed to the QFPC and others are expected to be appointed to Zonal Advisory Committees (ZACs) and individual fishery Management Advisory Committees (MACs). Selection for membership of the new QFMA is currently in progress and it is not known whether an indigenous member will be appointed.

Notwithstanding the lack of formal recognition of Aboriginal fisheries management interests, several initiatives by Aboriginal communities on Cape York Peninsula in recent years has considerably increased their influence in regional fisheries management.

14.5.2 Fisheries management at Kowanyama

The Aboriginal community at Kowanyama has established itself as a key player in fisheries management on the west coast of Cape York Peninsula. It has succeeded in negotiating the closure of part of the Mitchell River delta to commercial fishing to protect subsistence fishery stocks and one of its Community Rangers has been appointed a fully authorised Fisheries Inspector. These achievements have resulted from the proactive role taken by the community and its Land and National Resource Management Office over the last five years. Initiatives taken include:

- The convening of a Mitchell River Watershed Management conference at Kowanyama;
- The purchase of two commercial barramundi licences, which were then not utilised in exchange for closure of part of the Mitchell delta to commercial fishing;
- The conduct of helicopter surveillance flights over the Mitchell River delta to monitor compliance to commercial fisheries regulation;
- The collection of camping fees from recreational fishers to fund the helicopter surveillance program;
- Frequent liaison with the Queensland Commercial Fishermen's Organisation, Fisheries Inspectors and the QFMA;
- The training of a Kowanyama Community Ranger to undertake the role of a Fisheries Inspector;

For further details on the developing fisheries management at Kowanyama are given elsewhere in this CYPLUS report see Sinnamon (see Chapter 1) and Sinnamon (1992).

14.5.3 Aboriginal commercial fisheries

Aurukun Community, on the west coast, is currently the only Aboriginal Community on the Peninsula engaged in commercial fishing. The Aurukun Shire Council was first granted a permit by the QFMA in 1974 to catch fish for distribution within the community, but not for sale. In 1988 the Council employed a Master Fisherman to help establish a fully commercial fisheries operation at Aurukun. In 1990 QFMA upgraded the Community Fishing Permit to a fully endorsed barramundi licence.

Special courses were provided to train local peoples in a range of skills associated with fishing, marketing and running a small business. Six Wik people from Aurukun currently hold Master Fishermen's Licence and other relevant qualifications, and the community now supplies barramundi to hotels and restaurants in Cairns. There is growing enthusiasm among the Aurukun community to become involved in commercial fishing - both as a source of independent income and as a means to regain control of their estuarine and marine resources. For further information on Aurukun commercial fishing ventures, see Castelain (1994).

Other Aboriginal communities and clan groups on the Peninsula have expressed interest in re-entering commercial fishing. Aboriginal people from Injinoo have formally requested an allocation of trochus stock to establish a commercial fishing venture in their traditional sea country in the Shelbourne Bay area. Other have expressed interest in cray fishing and aquaculture (Smyth 1993). Further active participation in commercial fishing industries will provide increased opportunities to influence fisheries management on the Peninsula.

14.5.4 Community ranger training and employment

Elsewhere on the Peninsula, Aboriginal Communities have participated in a Community Ranger training and employment program aimed at regaining Aboriginal control of natural and cultural resource management (Smyth 1990, Birkhead and Wallis 1993). Over 50 Community Rangers, most of whom have completed Certificates, Advanced Certificates or Associate Diplomas in Natural and Cultural Management at the Cairns College of TAFE, are employed by their respective Community Councils either under Community Employment Development (CDEP) funding or as full-time Council staff.

While only in Kowanyama has a Community Ranger been formally appointed as a Fisheries Inspector, the presence of Community Rangers on all communities has resulted in improved liaison and co-operation with fisheries managers and enforcement officers. Under the *Community Services Act 1982*, Aboriginal Communities can appoint "Authorised Officers" to enforce Council by-laws within Trust Area boundaries. However, those powers currently do not extend below high watermark into the marine environment.

The recent history of the planning and management of the trochus fishery off eastern Cape York Peninsula provides a case study in the past marginalisation and increasing recognition of Aboriginal peoples' interests in fisheries management.

14.5.5 Planning the Trochus Fishery: a case study

Trochus, *Trochus nilotic*, is a large gastropod mollusc inhabiting the shallow waters of Torres Strait and the Great Barrier Reef Marine Park (as well as elsewhere in northern Australian waters). The shell is used in the commercial manufacture of buttons and the flesh is used as a subsistence food resource by Aboriginals and Torres Strait Islanders. There has been a commercial trochus fishery in Queensland intermittently for over 130 years; a return to using natural materials in the global clothing industry has resulted in recent increased demand and prices for trochus products. In 1993 the Queensland Minister for Primary Industry established a Trochus Fishery Working Group to develop, in conjunction with the trochus industry, a five year Management Plan for the fishery.

The Working Group comprised one representative from each of the Queensland Department of Primary Industries, QFMA, the East Coast Master Pearlery Association and the Torres Strait Fishermen's Association. There was no representative of Aboriginal peoples appointed to the Working group.

The main outcome of the Working Group's activities was to:

"Recommend a five year management plan for the trochus fishery including:

- * resource protection (through measures such as Total Allowable Catch (TAC), individual quotas or size limits);
- * entry and exit criteria;
- * the need for and operation of inspection procedures;

Following the success of the Beche-de-mer Working Group, in December 1994 the Trochus Working Group was reconvened with a greatly increased membership (15), including representatives from the Cape York Land Council and the North Queensland Land Council. This Working Group again recommended that Aboriginal and Torres Strait Islander people share an allocation of 50 tonnes to be collected in waters off the east coast of Cape York Peninsula. The Working Group further recommended that:

Through appropriate bodies a process should be developed to:

- * identify indigenous traditional/geographic groupings to establish indigenous fishing areas;
- * develop joint management arrangements for use and access to trochus stocks within these defined areas on the east coast. These management arrangements should include full consultation with all stakeholder groups.

These 1994 recommendations therefore envisaged a process of negotiation between Aboriginal and Torres Strait Islander organisations about the allocation of a portion of the east coast Trochus resource, rather than the matter being decided on the advice of the Islander Co-ordinating Council as envisaged in the 1993 Working Group report.

As a result of changes to fisheries management in Queensland associated with the new Fisheries legislation, the 1994 Working Group report has so far not been formally considered or endorsed by Government. The 1993 Working Group report, however, has been adopted and currently forms the basis of Trochus management policy.

Following expressions of interest by the Injinoo Community near the tip of Cape York Peninsula, and a visit to the Community by the officer then responsible for the trochus fishery, the QFMA wrote to the community in June 1995 inviting them to apply for an authority to harvest an allocation of 15 tonnes of Trochus for 1995.

In summary, the recent history of Trochus management demonstrates both the extent of past marginalisation of coastal Aboriginal people from the management of fisheries that lie within what they regard as their own sea country and initiatives by fisheries managers and Aboriginal organisations to rectify that situation. While it is unfortunate that the recommendations of the 1994 Trochus Working Group have so far not been considered by Government, it can be expected that the moves towards joint management of fisheries within Aboriginal sea country, as envisaged in those recommendations, will occur in the coming years.

It is worth noting that in New Zealand it was the Government's move to establish ITQs that led to a major review of Maori interests in fisheries, resulting in the 1992 agreement which provided a multi-million dollar compensation package to Maori as well as a 35% Maori share in New Zealand's commercial fisheries (Smyth 1993). On the basis of this recent experience, it would seem prudent to embark on a review of Aboriginal fisheries interests, including native title interests, prior to the establishment of any new ITQs in Queensland.

Such a review would be in line with recommendations of recent government reports into fisheries and coastal management. Recommendation 29 of the ESD Final Report on Fisheries (Commonwealth of Australia 1991) proposed that governments:

- (a) undertake a comprehensive evaluation of government relationships to indigenous coastal communities, with regard to fisheries management issues and arrangements, laws, obligations, local needs and customs, and traditional environmental knowledge;
- (b) integrate the indigenous sector in a national framework for coastal fisheries and marine management;
- (c) investigate new co-management procedures with indigenous communities; and
- (d) ensure that indigenous communities have membership on management advisory committees of appropriate fisheries.⁶

Recommendation 23 of the Final Report of the Resource Assessment Commission's Coastal Zone Inquiry (Commonwealth of Australia 1993) proposed that the Ministerial Council on Forestry, Fisheries and Aquaculture, in conjunction with the Aboriginal and Torres Strait Islander Commission and representatives of land councils and other indigenous organisations, should prepare an Aboriginal and Torres Strait Island Fisheries Strategy. The key elements of the proposed strategy included:

- * assessments by all fisheries authorities of indigenous interests in fisheries for which they have responsibility;
- * representation of indigenous people on advisory committees;
- * identification of means by which indigenous communities can participate in the management of local fisheries and marine environments in which they have a traditional interest;
- * measures to improve economic development and employment opportunities for indigenous communities in fisheries and mariculture ventures;
- * measures to improve relations between indigenous communities, fisheries agency staff and commercial fishers, including cross-cultural awareness programs for agency staff and the organisation of local and regional workshops to discuss issues of mutual interest and concern.

As can be seen from the example of the development of the Trochus Management Plan, these recommendations have yet to be comprehensively taken up. In response to the Coastal Zone Inquiry recommendations, the Commonwealth Government has recently launched the

⁶These recommendations were developed on the basis of a consultant's report (Cordell 1991) commissioned by the ESD Fisheries Working Group.

Commonwealth Coastal Policy, which includes a proposal to develop a National Indigenous Fisheries Strategy. Such a strategy could be employed to assist State and Territory Governments to undertake the research and negotiations necessary to resolve Aboriginal and Torres Strait Islander Interests in fisheries management.

14.6 Recognition of indigenous peoples' interests in marine park management

14.6.1 The Great Barrier Reef Marine Park

As discussed in section above, much of the customary marine estates of Aboriginal peoples of eastern Cape York Peninsula lie within the Great Barrier Reef Marine Park. For these peoples it is therefore critical how their interests are recognised in marine park management. While Aboriginal peoples have been, until recently, marginalised from the management of the Great Barrier Reef Marine Park, they have generally been permitted to hunt, fish and gather subsistence resources within the marine park.

The Great Barrier Reef Marine Park Act, passed by the Australian Parliament in 1975, contains no reference to Aboriginal interests within the marine park. As a result, the Act provides no guarantees of Aboriginal fishing, hunting or access rights, no explicit protection of Aboriginal cultural sites within the marine park and no requirement for Aboriginal participation in marine park management, even in an advisory capacity.

In 1986 the Australian Law Reform Commission, in its report on the recognition of Aboriginal customary law (Commonwealth of Australia 1986), recommended that the *Great Barrier Reef Marine Park Act* be amended to:

- Recognise Aboriginal and Torres Strait Islander hunting and fishing rights;
- Provide for the appointment of an Aboriginal or Torres Strait Islander to the Great Barrier Reef Marine Park Consultative Committee (GBRMPCC);
- Ensure that, where potential conflicts occur, conservation of natural resources should take priority over Aboriginal and Torres Strait Islander hunting and fishing activities, and that in turn these activities should take priority over recreational and commercial fishing activities.
- Ensure that, where a zoning plan may affect Aboriginal fishing activities, consultations with "traditional inhabitants" are carried out.

To date, none of these recommended amendments have been made to the Act, though changes have occurred in the management of the marine park to increase the recognition of indigenous peoples' interests. These changes include:

- The appointment of an Aboriginal person to the GBRMPCC from 1988 onwards;
- The appointment to the GBRMPA staff of a full time Aboriginal Liaison Officer in 1992;

- The adoption of legally binding marine park regulations (Regulations 13AC(4)(b) and 13 AC(5)) relating to, respectively, the protection of cultural and heritage values in the marine park and criteria for assessing applications to engage in traditional fishing, hunting and gathering activities⁷;
- Support for Aboriginal Community Ranger training, through participation of GBRMPA staff in delivering training modules;
- Part time employment by the GBRMPA of Community Rangers on four communities, including Hopevale, and Lockhart River on Cape York Peninsula, to assist in local marine park management and monitoring of dugong and turtle catches⁸;
- The development and adoption of a 25 Year Strategic Plan for the Great Barrier Reef World Heritage Area in which Aboriginal interests are substantively recognised;
- A commitment by the GBRMPA to a process of joint planning with Aboriginal and Torres Strait Islander peoples of the Far Northern Section of the marine park with a view to establishing joint management arrangements in all or parts of the Section.

14.6.2 Far Northern Section

The Far Northern Section of the Great Barrier Reef Marine Park, extending from just south of the Howick Island Group to the tip of Cape York Peninsula, was first established in 1983

⁷ Regulation 13AC(4)(b) requires that, in assessing permits to undertake particular activities such as tourism ventures within the marine park, the GBRMPA must take into account the "need to protect the cultural and heritage values held in relation to the Marine Park by traditional inhabitants and other people".

Regulation 13AC(5) states: "In considering an application for permission to enter into or use a zone or designated area for the purpose of traditional fishing or for the purpose of traditional hunting or gathering, the Authority shall have regard, in addition to subregulation (4), to the following matters:

- (a) the need for conservation of endangered species and, in particular, the capability of the relevant population of that species to sustain harvesting;
- (b) the means to be employed in the proposed traditional fishing or traditional hunting and gathering;
- (c) the number of animals or plants, or the amount of marine product, proposed to be taken;
- (d) the purpose of the proposed taking;
- (e) whether the entry and use of the area in which the activity is to take place will be in accordance with Aboriginal tradition or Islander tradition, as the case requires;
- (f) the normal place of residence of the applicant;
- (g) whether the applicant is a traditional inhabitant.

Under current zoning plans neither of these regulations apply to the Far Northern Section of the Marine Park. They therefore apply only to Aboriginal peoples within the CYPLUS region south of the Howick Island group, in particular the Aboriginal communities at Hopevale, Cooktown and Wujal Wujal.

⁸ Community Rangers have been supplied with pro forma note books to record data on dugong and turtle hunting within their communities; however, the data remains the property of the community and is only passed on to the GBRMPA with the consent of the community.

and a Zoning Plan was put in place in 1986 (see Figure 3). The Section includes all reefs and waters from low water mark and to beyond the outer barrier reef, with the exception of ten areas which were set aside for potential future ports.

The ten areas (sometimes referred to as "exclusion areas" because they were excluded from the marine park) currently have unrestricted public access and use, and they include waters from low water mark to three nautical miles offshore adjacent areas of considerable interest to coastal Aboriginal interests. These exclusion areas may be included in the proposed Cape York Marine Park and their location and associated Aboriginal interests are listed overleaf.

Exclusion Area	Aboriginal Interests
Barrow Point	Adjacent to the successfully claimed Cape Melville National Park
Combe Point (Bathurst Head)	Adjacent to Lakefield National Park (under claim) and Flinders Island National Park (successfully claimed)
Yintjingga	Adjacent to recently transferred land and Yintjingga community
Bobardt Point (Night Island)	Adjacent to mainland outstation and potentially claimable Night Island
Cape Weymouth	Adjacent to claimable Iron Range National Park and near Lockhart community
Mosquito Point	Contains sites and other places of interest to Kukuu Ya'u people
North and south of Cape Grenville	Contains sites and other places of interest to Wuthathi people and adjacent to islands to be transferred to Wuthathi
Captain Billy's Landing	Adjacent to Wuthathi area and of interest Aboriginal peoples now living at Injinoo
Tern Island (south of Escape River)	Adjacent to potentially claimable Crown land and Jardine National Park

While the initial Zoning Plan was established via a process of public consultation, including some consultation with Aboriginal communities, the resultant plan and subsequent management of the Section did not provide adequate recognition of the customary rights and responsibilities of the members of coastal clan estates located within the marine park.

The Zoning Plan sets out the activities which can and cannot take place in particular Zones within the Far Northern Section. "Traditional" hunting and fishing by Aboriginal and Torres

Strait Islander peoples can take place throughout the Section on the granting of a permit⁹ from the Great Barrier Reef Marine Park Authority, with the exception of two "Preservation Zones", where scientific research only is permitted. One Preservation Zone includes waters to the north and south of Red Point (opposite the Howick Island Group). The other Preservation Zone includes a small reef on the Outer Barrier off Cape Sidmouth.

Activities which are regulated by the Zoning Plan include prawn trawling, commercial net and line fishing, spearfishing, shipping and tourism, as well as "traditional hunting and fishing" by indigenous peoples. In this context, "traditional hunting and fishing" means the collection of living marine resources by Aboriginals and/or Torres Strait Islanders for personal or family non-commercial use according to Aboriginal tradition or Islander custom.

The Great Barrier Reef Marine Park Authority has an obligation to review their Zoning Plans every five years, or as soon as practicable thereafter. The process of rezoning the Far Northern Section has just begun and the Authority has made a commitment to pay particular attention to the recognition of indigenous peoples' interests during this process. The Authority's intention is to enter into joint planning and negotiations with indigenous peoples leading to the development of a new Zoning Plan and new management arrangements, including the possibility of joint management of all or part of the Section.

The GBRMPA brochure released in November 1994 to encourage public participation in the review of the Far Northern Section Zoning Plan states:

The requirements of coastal indigenous peoples will play a major part in the development of plans for the future management of marine parks and island national parks. The Great Barrier Reef Marine Park Authority and the Department of Environment and Heritage (Qld) recognise that indigenous interests are of a strong and enduring nature and should be incorporated directly into management.

Coastal land, estuaries and marine resources are very important to Aboriginal and Torres Strait Islander peoples. Even when dispossessed of their traditional country, many indigenous people express a strong and continuing sense of belonging to, and responsibility for areas, including the sea, which form part of their traditional estates. They continue to care for special places

⁹ Two types of permit systems are in operation with the Far Northern Section. Some communities operate under the original permit system whereby the Community Council is issued with an annual permit which allows all residents of that community to carry out traditional hunting and fishing activities within a prescribed area of the marine park, with no restriction on the numbers of dugong or turtle which can be taken. Other communities are operating on a more recent system first introduced in the Mackay region of the marine park, and hence known as the "Mackay Model". Under this model, Community Councils, or other recognised groups such as Councils of Elders, are issued with an Authority to issue hunting permits to members of their community or group for an agreed number of animals during the period of the Authority. The Mackay Model represents a significant degree of devolution of management responsibility back to traditional custodians of maritime estates and allows questions of resource allocation to be decided at a local level. For further information on the operation of these permit systems see Cook (1994a & 1994b).

and sacred sites, maintain story places and continue to practise their traditional skills.

The Great Barrier Reef Marine Park Authority has begun to negotiate with indigenous custodians on Cape York about how joint decision making and on ground management might be put in place.

Preliminary consultations with Aboriginal clan groups, Community Council representatives and regional indigenous organisations took place at a workshop at Pajinka (Cape York) in April 1994 and at the Cape York Land Summit on the Wenlock River in October 1994. More detailed discussions at regional and local levels are planned for 1995, followed by another large workshop. There is no fixed date for the completion of the rezoning process, but it is expected to take at least two years.

The substantial involvement of indigenous peoples in the review of the Far Northern Section zoning plan can be seen as a significant step towards the comprehensive recognition of indigenous peoples marine interests around Cape York Peninsula; several obstacles, however, remain along the path to such comprehensive recognition. These obstacles include the separation of fisheries management from marine park management and the uncertainties surrounding the declaration of a proposed Cape York Marine Park in the intertidal and other inshore waters adjacent to the Great Barrier Reef Marine Park.

Some of the difficulties associated with fisheries management and planning have been discussed above. With respect to the marine environment off eastern Cape York Peninsula, a significant problem lies in the fact that the QFMA is not yet a partner with the GBRMPA and indigenous peoples in the joint planning of the Far Northern Section of the Great Barrier Reef Marine Park. Without such a tripartite arrangement there is the possibility of agreement being reached on the establishment of marine park joint management arrangements without providing a mechanism for addressing the major sources of concern to Aboriginal people in their sea country, that is, commercial and recreational fishing.

14.6.3 The Cape York Marine Park

The Queensland Government, through its Department of Environment and Heritage (QDEH), has a longstanding commitment to establish complimentary marine parks within the intertidal and other waters adjacent to the Great Barrier Reef Marine Park. A series of intertidal and inshore State Marine Parks have already been declared from the southern boundary of the Far Northern Section to the southern end of the Great Barrier Reef Marine Park. The intertidal waters and "exclusion areas" adjacent to the Far Northern Section are the only Queensland waters adjacent to the Great Barrier Reef Marine Park which have not been included within a State Marine Park.

The proposal to establish the Cape York Marine Park was formally initiated by the Queensland Premier in 1982. Public submissions were invited in 1985 and again in 1987 and a draft zoning plan was released in 1987. Some consultations occurred with representatives of Aboriginal communities, but extensive discussions with community and maritime clan estate members did not occur. Assurances were given by QDEH that the declaration of the Cape York Marine Park would not effect potential claims for intertidal land under the

Aboriginal Land Act 1991, and that successful claimants could subsequently voluntarily withdraw their lands from the marine park if they so chose¹⁰.

QDEH also argued that delays in establishing the Cape York Marine Park could leave areas of significant conservation importance vulnerable to increasing pressures of tourism and other developments in the Peninsula.

Aboriginal groups, however, continued to be concerned about the potential impact of the Cape York Marine Park on their interests, particularly in light of the native title High Court decision in 1992, and in the absence of effective models of joint management of marine parks elsewhere. Because of these concerns, and a lack of QDEH planning resources to embark on comprehensive consultations with Aboriginal groups, the declaration of the Cape York Marine park was postponed until proper consultations and negotiations could take place. It was decided that the best time to undertake those consultations and negotiations was when the review of the Zoning Plan of Far Northern Section of the Great Barrier Reef Marine Park was taking place.

The draft Zoning Plan for the Cape York Marine Park which was developed several years ago included all intertidal coastal waters and some estuaries considered to be of high conservation value along eastern Cape York Peninsula. However, because it is several years since that draft Zoning Plan was developed, and because significant changes have occurred in Cape York, including the recognition of native title and the potential for Aboriginal ownership of several large coastal national parks under the *Aboriginal Land Act 1991*, the development of a Zoning Plan for the proposed Cape York Marine Park is effectively starting again.

14.7 Torres Strait Islanders and the Cape York Marine Environment

Torres Strait Islanders interact with the marine environment of Cape York Peninsula as neighbours, residents, customary marine estate owners, subsistence hunters and fishers and commercial fishers.

14.7.1 Neighbours

The Melanesian peoples known collectively as Torres Strait Islanders have been occupying the continental, volcanic, sedimentary and coral islands between Cape York and the Papuan coast for at least 1000 years, and possibly much longer (Campbell 1988). Prior to European colonisation, Torres Strait Islanders travelled the short distances over the sea to trade with and raid the coastal Aboriginal peoples of the Cape York area (Sharp 1992, Moore 1979). Though the cultures of Torres Strait and those of Cape York remained distinctively different, their proximity and interaction resulted in cultural influence in areas such as marine technology.

¹⁰ Contained in a letter from QDEH Executive Director, Conservation to Aboriginal communities in June 1992.

The equipment used by Aboriginal people to hunt dugongs¹¹, for example, is essentially the same as is used in Torres Strait. Outrigger canoes used by Aboriginal people along the eastern coast of Cape York Peninsula are believed to be based on those in Torres Strait models, which in turn originated in Papua New Guinea (Beaton 1985; Chase 1980).

14.7.2 Residents

Since the 1950s, when a series of marine inundations of Saibai Island near the Papuan coast forced a large proportion of Saibai Islanders to find an alternative home, Cape York Peninsula has had a resident Torres Strait Islander population. Though mainly living in the original Saibai Islander settlements of Bamaga and Seisia, Saibai Islanders and people from other islands also live in Injinoo, Umagico, New Mapoon, Lockhart River and elsewhere (see Chapter 5).

Of the 5,000 Torres Strait Islander living in the Torres Strait Region, 600 live in Bamaga and Seisia, with an additional 300 living in the nearby Aboriginal communities (1991 census, quoted in Sanders 1994).

14.7.3 Subsistence and commercial fishers

These Islander residents of the northern Cape York Peninsula maintain their interest in utilising marine resources - in particular dugong and turtle - in what had been exclusively Aboriginal sea country. With the agreement of the nearby Injinoo Aboriginal community, the Seisia Trust Area includes part of the coastline of the Endeavour Straits, as well as several small inshore islands.

The involvement of Torres Strait Islanders in commercial fisheries for over 100 years has extended the horizons of what many Islanders regard as their traditional domain. Commercial fishing for trochus, beche-de-mer and pearl shell in Torres Strait and along the east coast of the Peninsula are regarded by many Torres Strait Islanders as traditional activities. Restrictions on these activities imposed by the establishment of no-fishing zones in the Far Northern Section of the Great Barrier Reef Marine Park in 1986 were greeted with outrage among Torres Strait Islanders accustomed to fish in those waters (Sinyth 1993).

As discussed in Section 14.5 above, Torres Strait Islanders are recognised as stakeholders in the east coast commercial fishery in the development of management plans. The GBRMPA and QDEH also recognise that Torres Strait Islanders have legitimate interests in marine environment management south of Torres Strait. Officers from both organisations have visited Torres Strait during 1994 and further consultation visits are planned for 1995 in relation to the review of the Far Northern Section Zoning Plan.

14.7.4 Islander marine estates south of Torres Strait

The Meriam people from Mer (Murray Island) at the eastern margin of Torres Strait, have repeatedly asserted rights over customary marine estates extending as far south as Raine

¹¹ Dugongs are harpooned with a detachable head, to which a rope is attached, delivered by a wooden shaft.

Island, which lies within the Great Barrier Reef Marine Park some 160km to the south of Mer (Nietschmann 1989).

The 1992 High Court decision which recognised the native title right of the Meriam people over the island of Mer did not address their claims to customary sea country. Whatever the legal outcomes of any such future claims, Meriam people are likely to seek ongoing involvement in the management of what they regard as their traditional marine domain.

14.7.5 Torres Strait as a political model for indigenous marine rights

Beckett (1987) has pointed out that Torres Strait Islanders were granted a degree of local self-government (in the form of elected island councils) many years before such arrangements were provided for in Aboriginal communities. As a result of the Torres Strait Treaty between Australia and Papua New Guinea, ratified in 1985, Torres Strait Islanders have greater recognition of their marine interests than do Aboriginal peoples on the Queensland mainland.

The development of a Marine Strategy for Torres Strait by the Island Co-ordinating Council (Mulrennan and Hansenn 1994) and amendments in 1993 to the Aboriginal and the *Torres Strait Islander Commission Act* to provide for the establishment of an elected Torres Strait Regional Authority, are further evidence of the moves to greater regional autonomy within Torres Strait. Central to the impetus for such regional autonomy is the desire by many Torres Strait Islanders to regain control of their marine environment and its resources.

While solutions for regional autonomy being developed in Torres Strait may not be directly applicable for Aboriginal peoples in Cape York Peninsula, the debate and negotiations associated with these developments must have an impact on the aspirations of all indigenous communities in the region.

14.8 The future

A decade ago, Aboriginal peoples were seen as minor players in the future of land management in Cape York Peninsula. They were regarded as recipients of government policies and programs, rather than policy makers and program managers themselves. Resulting from more enlightened policies of self-determination, new legislation and the Mabo High Court decision, they are increasingly well positioned to regain control over much of their traditional lands, and to become partners with governments and private enterprise over terrestrial resources and land development generally.

The situation in the marine environment today is much as it was on land a decade ago. Aboriginal peoples have been marginalised or ignored in fisheries and marine park management, and have generally received little direct reward from, or control over, resource utilisation in the sea. The question to be asked therefore is:

Will the changes that have occurred with respect to land management over the last ten years now begin to occur in the marine environment?

Some of the issues to be addressed in seeking an answer to that question are briefly discussed below.

14.8.1 Native title in the sea

Great uncertainty surrounds the existence and nature of native title in the sea. The High Court was not asked to consider this question in the *Mabo* case,¹² and no subsequent native title claim involving sea country in Cape York Peninsula or elsewhere has been determined by either a Native Title Tribunal or Federal Court.

Meanwhile legal experts have speculated as to the likely nature of native title in the sea. Sutherland (1993) concludes that:

Common law recognition of customary marine tenure is highly likely following the *Mabo* decision there is nothing in the judgement which would seem to preclude the application of native title principles to the seabed.

Professor Richard Bartlett, an expert on native title law in the United States and Canada, has pointed out that native title to the sea, sea bed and marine resources has been recognised by courts in Canada, the United States and New Zealand. He concludes:

Mabo extends to the sea. There may be problems of proof, but they will be no more onerous than on land. Indeed the difficulties of establishing native title in the offshore may be less than on land because of the lesser extent of inconsistent grants....

Native title as common law protects the traditional relationship of Aboriginal people to their environment. To the extent that the environment includes the sea, it is included within the compass of native title. Australia's arrangements to accommodate the rights of non-Aboriginal and Aboriginal peoples must recognise native title rights to the sea (Bartlett 1993:17).

Governments' legal counsels have provided more cautious, and sometimes conflicting advice on the matter. Commonwealth legal officers, for example, have advised the Great Barrier Reef Marine Park Authority that although native title is unlikely to extend to ownership of the sea, sea bed or natural resources, claims for native title use rights "have a good prospect of success".¹³

¹² The original claim by *Mabo* and others against the Queensland Government for recognition of customary ownership of Mer did include customary marine estates around the island. The marine part of the claim was subsequently dropped after the Queensland Supreme Court determined that individual or family customary marine estates were no longer used in the customary, exclusive manner. It remains a moot point as to whether a communal claim for the sea country around Mer would have been successful if pursued in the High Court, since the final High Court decision determined that all of the Meriam people owned all of Mer as a communal native title.

¹³ *Mabo: Implications for the Great Barrier Reef Marine Park*. Advice from the Office of the General Counsel to the Great Barrier Reef Marine Park Authority, p.13, May 1993.

On the other hand, the Queensland Government has received legal advice to the effect that native title to the sea bed in estuarine and intertidal areas has been extinguished by the *Harbours Act 1955*.¹⁴ Within the next one or two years, understanding of the possible scope of native title in the sea will be enhanced by the outcome of several native title claims which include sea country, including claims on the both the east and west coasts of the Peninsula.

Meanwhile, in November 1994 a Magistrates Court in Port Hedland, Western Australia, dismissed fisheries charges against three Aboriginal men on the grounds that they had a native title right to fish, and that native title fishing rights had not been extinguished by the *Fisheries Act*. The Western Australian Government has announced that it will appeal the decision.¹⁵

14.8.2 Joint planning and management of fisheries

Fisheries planning and management in Queensland is entering a new era of co-operation and consultation with the general community. Although, as discussed in relation to the trochus fishery, Aboriginal people have yet to be brought fully into that process, the indications are that Aboriginal peoples will fairly quickly be regarded as legitimate stakeholders in fisheries planning and management. In effect this will provide a consultative role with regards to fisheries similar to that provided to Aboriginal people with respect to national park management a decade or more ago in the Northern Territory. Since then Aboriginal people in the Northern Territory have negotiated more meaningful joint management arrangements for national parks lying within their traditional estates. Similar negotiations are currently under way for some Queensland national parks.

The challenge for fisheries managers in Queensland in general, and Cape York Peninsula in particular, is to what extent and how will they will respond to Aboriginal requests for recognition of their rights to a partnership role, rather than merely a consultative role in fisheries management. How also will fisheries managers respond to Aboriginal requests or demands for equitable economic benefits from the commercial utilisation of marine resources in their customary marine estates?

14.8.3 Marine park management

As with national parks in the Northern Territory over the last ten years with respect to Aboriginal involvement in land management, marine parks in Queensland are likely to lead the way in the recognition of Aboriginal management interests in the sea. The pace and extent of recognition may differ between Commonwealth and State marine parks, or between sections of marine parks nearer to or further from developed areas, but the willingness to negotiate joint management has been publicly espoused by the GBRMPA and can be expected to result in innovative marine management arrangements in the near future. The challenge for marine park managers is to encourage their fisheries counterparts to join them in tripartite negotiations with the indigenous custodians of the sea.

¹⁴ Reported in a letter from QDEH to the Cape York Land Council, November 1994.

¹⁵ *The Australian newspaper*, 13th December 1994.

An additional challenge facing proponents of the Cape York Marine Park proposal is to consider whether marine park management, even joint management, will deliver a better protected maritime environment than full recognition of Aboriginal peoples' traditional rights to manage and use their customary marine estates. As the consultation process proceeds, Aboriginal people can be expected to ask: can marine parks be made to work to the advantage of genuine self determination, or are their better ways of achieving recognition of customary interests and partnerships with the Government and the general community?

14.8.4 Regional agreements

The prospects of regional agreements, as provided for in the *Native Title Act 1993*, not only may achieve comprehensive resolution of indigenous peoples' concerns and interests over a geographic region and across several spheres of government, but also raise the possibility of greatly improved integrated land/sea management. While environmental managers have long argued for the need for such an integrated approach, historical and jurisdictional divisions have made this task difficult to achieve.

One of the catalysts that Aboriginal peoples can bring to the negotiating table is their long term perspectives on the interconnectedness of land and sea, and of nature and culture. These perspectives can be the building blocks of regional agreements, enabling government agencies to overcome their historical divisions of responsibility. The convening of the Mitchell River Watershed Conference by the Kowanyama Community in 1990 is an excellent example of this integrating process at work in a contemporary setting.

14.8.5 Resource rights and resource management

An increasing dilemma facing resource managers will be the extent to which indigenous rights to hunt and fish marine resources can or should be curtailed on the basis of incomplete data on the sustainability of such practices. The most important marine animals to indigenous peoples of Cape York are the dugong and several species of turtle. Both groups of animals are slow growing and have a long generation interval, and hence a low natural replenishment rate.

In the absence of good data about mortality from other sources, including pollution, accidental kills by commercial fishers, shark nets, motor boats and hunting outside Australian waters, it is difficult to assess the real impact of Aboriginal and Torres Strait Islander hunting. Furthermore, for both animal groups biologists fear that it will only be possible to detect a significant local or regional population decline after the population has reached a critical point from which it might not recover (Baldwin 1984; Ponte, Marsh & Jackson 1994).

Using the precautionary principle, and following the Australian Law Reform Commission's recommendations, should marine hunting be curtailed in order to protect the species from an unquantifiable risk of decline or extinction? Since Australia contains the world's last large dugong populations and largest areas of healthy dugong habitats, and since Australia's turtle populations are also globally significant, there is heightened responsibility on the country's environmental managers to make conservative and proper judgements.

On the basis that indigenous peoples have as much, and arguably more, to lose than other Australians if dugong and turtle populations decline or disappear, it is essential that Aboriginal and Torres Strait Islander peoples become active participants in all stages of research, monitoring and decision-making processes. With comprehensive joint research, planning and management programs, supported by adequate, long term education, training and employment, it should not be necessary to differentiate and choose between indigenous rights and sustainability. It should be possible to provide indigenous people with access to the best available ecological information, so that their exercise of customary rights and responsibilities are also in the best interests of the conservation of the species and environments to which their rights apply.

14.8.6 Public education

In the absence of good, timely community education, the recognition of Aboriginal peoples' interests on land (for example hunting rights on national parks) has proved to be as much a threat as an asset to the process of reconciliation between indigenous and non-indigenous Australians. General community knowledge and understanding of Aboriginal peoples' marine interests is perhaps less even than their understanding of Aboriginal interests in land.

Successful resolution of indigenous peoples' concerns and aspirations in relation to marine environments and resources will require a commitment by Aboriginal communities and organisations, environment and resource management agencies and governments generally, to help the wider community understand the value and justice in recognising the maritime interests of Australia's indigenous peoples. As has happened on land, the recognition of such interests in the sea can result in a better managed marine environment and a more equitable allocations of its resources.

14.9 References

- Altman, J.C., W.S. Arthur and H.J. Bek 1994. *Indigenous Participation in Commercial Fisheries in Torres Strait: a preliminary discussion*. Discussion Paper No. 73/1994, Centre for Aboriginal Economic Policy Research, Australian National University, Canberra.
- Anstralian Law Reform Commission, 1986. The recognition of Aboriginal customary laws. Part VII: The recognition of traditional hunting, fishing and gathering rights. *The Law Reform Commission Report No. 31*, vol. 2.
- Baldwin, C. 1984. Management of dugong: an endangered marine food species of traditional significance. Great Barrier Reef Marine Park Authority, Townsville.
- Bartlett, R. 1993. *Aboriginal Sea Rights At Common Law: Mabo and the Sea*. Paper presented at the Turning of the Tide sea rights conference, Faculty of Law, Northern Territory University, July 1993.
- Beckett, J. 1987. *Torres Strait Islanders: Custom and Colonialism*. Cambridge University Press, Sydney.

Bergin, A. 1991. Aboriginal Sea Claims in the Northern Territory of Australia. *Ocean and Shoreline Management* 15, 171-204.

Beaton, J.M. 1978. Archaeology and the Great Barrier Reef. In: *The Northern Great Barrier Reef*, Royal Society of London, London.

Beaton, J. M. 1985. Evidence for a coastal occupation time-lag at Princess Charlotte Bay (North Queensland) and implications for coastal colonisation and population growth theories for Aboriginal Australia. *Archaeology in Oceania*, 20 (1):1-20.

Birkhead, J. and A. Wallis. 1993. Review of the Community Ranger Program. Cairns College of TAFE, Cairns.

Campbell, J. 1988. Role of Fishing in Aboriginal Society Before European Arrival in Australia. In: Gray, F. and L. Zann (ed), *Workshop on Traditional Knowledge of the Marine Environment in Northern Australia*. Workshop Series No. 8, pp 1-3, GBRMPA.

Cape York Land Council 1994. *Issues Paper*, resulting from a marine parks workshop held at Pajinka 26-29 April 1994.

Castelain, J. 1994. *An Overview of the Aurukan Fishing Project*. Yalga-binbi Institute for Community Development, Cairns.

Chase, A.K. 1978. Between land and sea: Aboriginal coastal groups in Cape York Peninsula. In : *Northern Sector of the Great Barrier Reef*, Great Barrier Reef Marine Park Authority, Workshop Series No.1, GBRMPA, Townsville.

Chase, A.K. 1981. Dugongs and Australian indigenous cultural systems; some introductory remarks. In: H. Marsh (ed) *The Dugong*. Proceedings of a seminar/workshop at James Cook University, Townsville, 1979.

Chase, A. 1980. *Which Way Now?: Tradition, Continuity and Change in a north Queensland Aboriginal community*. PhD Thesis, University of Queensland.

Chase, A. & P. Sutton 1981. Hunters and Gatherers in a Rich Environment: Aboriginal coastal exploitation in Cape York Peninsula. In: Keast, A. (ed.), *Biogeography and Ecology of Australia*, Junk & Co., The Hague.

Commonwealth of Australia 1994. *Final Report of the Coastal Zone Inquiry*. Resource Assessment Commission, Canberra.

Cook, C. 1994. Aboriginal and Torres Strait Islander Traditional Hunting and Native Title. *Reef Research*, June 1994. Great Barrier Reef Marine Park Authority, Townsville.

Cordell, J. 1991. *Managing Sea Country: Tenure and Sustainability of Aboriginal and Torres Strait Islander Marine Resources*. Consultancy report for the Ecologically Sustainable Development Fisheries Working Group.

Cordell, J. (ed.) 1989. *A Sea of Small Boats*. Cultural Survival, Cambridge, Mass.

Davis, S. 1989. Aboriginal Sea Tenure in Arnhemland, Northern Australia. In: Cordell, J. (ed.) *A Sea of Small Boats*, pp 37-59. Cultural Survival Inc., Cambridge MA.

Ecological Sustainable Development, Fisheries Working Group 1991. *Final Report*. Commonwealth of Australia.

Elmer, M. & R. Coles 1991. Torres Strait Fisheries Management. In: Lawrence, D. & T. Cansfield Smith (eds), *Sustainable Development for Traditional Inhabitants of the Torres Strait Region: proceedings of Torres Strait Baseline Study Conference*. pages 283-294. Workshop Series No. 16, Great Barrier Reef Marine Park Authority, Townsville.

Ginjirrang Mala 1994. *Manbuynga ga Rulyapa (Arafura Sea)*. Report for the Northern Land Council and Ocean Rescue 2000 November 1994, with assistance from A*D*V*Y*Z, Darwin.

Great Barrier Reef Marine Park Authority 1993. 25 Year Strategic Plan for the Great Barrier Reef World Heritage Area. GBRMPA, Townsville.

Hale, H.M. and N.B. Tindale, 1933 & 1934. Aborigines of Princess Charlotte Bay, North Queensland. *Records of the South Australian Museum*, vol 5 (1), 63-116 and vol 5(2), 117-172.

Horton, D. 1994. *The Encyclopaedia of Aboriginal Australia*. Aboriginal Studies Press, Canberra.

Johannes, R.E. & J.W. MacFarlane 1991. *Traditional Fishing in the Torres Strait Islands*. CSIRO Division of Fisheries, Hobart.

Lawson, B. 1984. *Aboriginal Fishing and Ownership of the Sea*. Fisheries Division, Department of Primary Industries.

Loos, N. 1994. A Chapter of Contact: Aboriginal-European Relations in North Queensland, 1606-1992. In, Reynolds, H. (ed) *Race Relations in North Queensland*. Department of History and Politics, James Cook University, Townsville.

Marsh, H., A. Smith & G. Kelly 1984. *Dugong hunting by members of the Hopevale Community and the initial reaction to the GBRMP and the dugong permit system*. Great Barrier Reef Marine Park Authority Report.

Moore, D. R. 1979. *Islanders and Aborigines at Cape York*. Australian Institute of Aboriginal Studies, Canberra.

- Mulrennan, M and N. Hansenn 1994. *Marine Strategy for Torres Strait: Policy Directions*. Published jointly by the North Australia Research Unit, A.N.U. and the Island Co-ordinating Council.
- Nietschmann, B. 1989. Traditional Sea Territories, Resources and Rights in Torres Strait. In, Cordell, J. (ed.), *A Sea of Small Boats*. Cultural Survival Inc., Cambridge Mass.
- Pearson, N. 1988. The myth of 'traditional user involvement in integrated programs of research, management and education' of Aboriginal seas: the need for Aboriginal control over usage of marine resources by Aboriginal communities. Paper presented to Innovative Planning and Management Workshop, July 1988, GBRMPA.
- Ponte, F., H. Marsh & R. Jackson 1994. Indigenous Hunting Rights: Ecological Sustainability and the Reconciliation Process in Queensland. *Search* Vol 25(9), 258-261.
- Rigsby, B. 1980. Land, Language and People in Princess Charlotte Bay Area. In: *Contemporary Cape York Peninsula*, N.C. Stevens and A. Bailey (eds), Royal Society of Queensland.
- Rigsby, B. and N. Williams, 1991. Reestablishing a Home on Eastern Cape York Peninsula. *Cultural Survival Quarterly* vol 15, no. 2, pp 11-15.
- Sanders, W. 1994. *Reshaping Governance in Torres Strait: the Torres Strait Regional Authority and beyond*. Discussion Paper No. 74/1994, Centre for Aboriginal Economic Policy Research, Australian National University, Canberra.
- Sharp, N. 1992. *Footprints Along the Cape York Sandbeaches*. Aboriginal Studies Press, Canberra.
- Sinnamon, V 1992. Gulf of Carpentaria Coast and River Management: (an Aboriginal Agency Perspective), *Proceedings of Queensland Environmental Law Society Conference, May 1992*.
- Smith, A. 1989. *Usage of Marine Resources by Aboriginal Communities on the East Coast of Cape York Peninsula*. Report to the Great Barrier Reef Marine Park Authority. Sir James Fisher Centre for Tropical Marine Studies, James Cook University, Townsville.
- Smyth, D.M. 1992. *Aboriginal Maritime Culture in the Far Region of the Great Barrier Reef Marine Park*. Report to the Great Barrier Reef Marine Park Authority.
- Smyth, D.M. 1991. *Community Ranger Handbook*. Cairns College of TAFE, Cairns.
- Smyth, D.M. 1993. *A Voice In All Places: Aboriginal and Torres Strait Islander Interests in Australia's Coastal Zone*. Resource Assessment Commission, Canberra.
- Sutherland, J. 1992. Rising Sea Claims on the Queensland East Coast. *Aboriginal Law Bulletin*, 2(56) 17-19.

Taylor, J. 1984. *An Overview of Traditional Fishing Rights in Queensland*. Report to the Under-Secretary, Queensland Department of Community Services.

Thomson, D.F. 1933. The hero cult, initiation and totemism on Cape York. *Journal of the Royal Anthropological Institute*, 63, 453-537.

Thomson, D.F. 1934. The Dugong Hunters of Cape York. *Journal of the Royal Anthropological Institute*, 64: 237-264.

Thomson, D.F. 1956. The Fishermen and Dugong Hunters of Princess Charlotte Bay. *Walkabout*, 22 (11) 33-36.

Ziegelbauer, W. 1991. *Aboriginal Interest in the Great Barrier Reef*. Report to GBRMPA Consultative Committee.

CHAPTER 15

**CAPE YORK LAND USE STRATEGY:
TRADITIONAL ACTIVITIES PROJECT REPORT**

John Asafu-Adjaye

CHAPTER 15

CAPE YORK LAND USE STRATEGY TRADITIONAL ACTIVITIES PROJECT REPORT

John Asafu-Adjaye

CONTENTS

15.1	Introduction	15-1
15.1.1	Purpose of project	15-1
15.1.2	Terms of reference - traditional activities project	15-1
15.1.3	Definition of traditional and non-traditional activities	15-1
15.2	Theoretical issues and methodology	15-3
15.3	The traditional economy in CYP	15-6
15.3.1	Description of the subsistence sector	15-6
15.3.2	Art and craft production	15-11
15.3.3	Locations of traditional activities	15-11
15.4	The non-traditional economy in CYP	15-11
15.4.1	Cattle farming	15-11
15.4.2	Crocodile farming	15-12
15.4.3	Tourism	15-12
15.5	Case studies	15-12
15.5.1	The Northern Peninsula Area	15-12
15.5.2	Kowanyama	15-18
15.5.3	Subsistence food production in CYP	15-21
15.6	Strategies for future research	15-22
15.6.1	Methods for valuing non-market activities	15-22
15.6.2	Household income and expenditure analysis	15-24
15.7	Summary and conclusions	15-25
15.8	References	15-26
Appendix 1		15-29
Appendix 2		15-30

CHAPTER 15**CAPE YORK LAND USE STRATEGY
TRADITIONAL ACTIVITIES PROJECT REPORT****15.1 Introduction****15.1.1 Purpose of project**

The cultural, demographic and geographic characteristics of Cape York Peninsula (CYP) communities are such that a large proportion of the residents are involved in a wide range of subsistence and non-market activities that are not accounted for in conventional economic analysis. The objectives of this component of CYPLUS is to describe the range of traditional and non-traditional activities undertaken by both indigenous and non-indigenous communities in CYP, and to provide an estimate of the contributions of these activities to the local and regional economies.

15.1.2 Terms of reference - traditional activities project

The terms of reference of the project are as follows:

- (i) In consultation with CYP stakeholders and using existing information on subsistence economies, provide a definition of what constitutes traditional activity based on economic, social, cultural and environmental criteria.
- (ii) In consultation with CYP stakeholders and using information from existing sources (government agencies, universities, etc.) describe the range (location, type, extent) of traditional activities taking place in CYP and their interaction with non-traditional activities.
- (iii) Describe and assess the economic value and contribution to the local and regional economy of:
 - ▶ subsistence-based economies (traditional and non-traditional activities of indigenous and non-indigenous communities, and
 - ▶ recreational fishing and hunting

15.1.3 Definition of traditional and non-traditional activities

In the anthropological literature the term "tradition" or "traditional" is most commonly used to refer to societies that are typified as relatively static and often homogeneous. These societies are often contrasted to 'modern' or 'western' societies which are undergoing a more rapid process of change. In this context traditional activities refer to the time honoured activities of such societies which are typically carried out with unsophisticated implements.

In Australia the definition of 'traditional' and 'aboriginality' has been a source of much controversy¹. The Torres Strait Treaty defines traditional activities as activities performed by the traditional inhabitants in accordance with local tradition. Such activities may include: gardening, hunting and gathering, activities on the water such as traditional fishing, religious and secular ceremonies, social gatherings, marriage celebrations, barter and market trade (Australia. Treaties 1978).

Under the terms of the Treaty, commercial activities, in particular, the sale of dugong and turtle meat, are excluded from this definition. Thus, traditional fishing, for example, includes the catching and consumption of living natural resources of the sea, and seabed, estuaries and tidal reef areas including endangered species such as dugong and turtle (Australia. Treaties 1978:2-5). It is also important to note that the definition does not impose requirements on the means of harvesting. This implies, for example, that the use of an outboard motor by Aboriginal or Torres Strait Islands people for fishing is classified as a traditional activity.

Indigenous resource use is neither exclusively subsistence oriented nor static. In this respect any definition of "traditional" or "subsistence" activities must make allowance for change (or the potential for change) in the production modes of indigenous peoples. As Nietschmann observes, "traditional means what is self-referentially identifying, not necessarily what once was. Was an indigenous group more traditional in the year 500 than it was in 1200?" (Nietschmann 1989:91). The current distinction between what is traditional and non-traditional has obviously arisen out of debate based on the colonial experience.

The term 'traditional' as used in this report refers to production activities undertaken by indigenous peoples for household and ritual consumption, barter or for a combination of cash and subsistence or barter purposes. To be considered as "traditional" the activity should have a fairly long historical association with the indigenous people concerned. This is a 'non-static' definition and allows for change in the modes of production.

Using the above line of reasoning, the term 'non-traditional' is used to refer to production activities which have only recently been introduced into indigenous communities. While we do not employ a specific cut-off point in time, these definitions allow us to delineate traditional and non-traditional activities².

Three important points about the above definition are worth noting.

- (i) the distinction between "traditional" and "non-traditional" is based on the intent of the production activity rather than the means of production. This is consistent with the Australian Law Reform Commission approach which focuses on the purpose of

¹ The Commonwealth Government defines an Aboriginal or Torres Strait Islander as a person of Aboriginal or Torres Strait Islander descent who identifies as an Aboriginal or Torres Strait Islander and is accepted as such by the community with which he/she is associated (Australian Bureau of Statistics 1989:27). Under this definition, there is uncertainty about the rights of indigenous peoples who live in the towns and cities.

² Preliminary interviews with a number of indigenous and non-indigenous residents at the 1994 Land Summit revealed there was general agreement with our categorisation of traditional and non-traditional activities.

the production activity rather than the methods employed (Australian Law Reform Commission 1986).

- (ii) the above definition does not restrict traditional activities to only subsistence activities. Thus, for example, aboriginal art and crafts offered for sale in the market place will still be considered as 'traditional'.
- (iii) the time dimension is important in distinguishing "traditional" from "non-traditional" activities. Therefore, crocodile farming or eco-tourism, which have only recently been introduced into indigenous communities, will not be categorised as traditional activities.

15.2 Theoretical issues and methodology

National income or product accounting is the economic technique used to measure the value of production and consumption activities in a given economy. This approach is designed to record productive activity in typical market or capitalist economic systems. However, even in a predominantly market economy the approach fails to take account of the following factors which may be significant.

- (i) the value of household production (eg. housewives' work);
- (ii) the value of undeclared economic activity (i.e. the 'underground' or 'parallel' economy); and
- (iii) the imputed value of subsistence production (eg., gardening, recreational hunting or recreational fishing).

In recent times the approach has also come under heavy criticism for failing to consider the value of environmental degradation caused by mainstream economic activities (eg., see Asafu-Adjaye 1993, Bartelmus 1992).

The majority of the residents of CYP are engaged in a variety of subsistence and non-market activities which are not accounted for by national income statistics produced by the government. Therefore it is fair to conclude that official statistics underrepresent and undervalue the significance of these activities. Given the fact that such figures are often utilised in planning and resource allocation decisions, the attempt by this component of CYPLUS to obtain estimates of the value of subsistence activities is indeed timely.

Fisk (1975, 252-79) has suggested three questions which studies attempting to measure the contribution of a predominantly subsistence or non-market economy must address:

- (i) what non-market production should be included in the estimates?;
- (ii) how can these quantities be estimated?, and
- (iii) what money values should be placed on these quantities?

The assignment of money values to subsistence production is a complex and difficult undertaking because it involves the attachment of market prices to goods which are not traded (i.e., non-market goods). Later in this report, new methods which have been developed to enable non-market values to be estimated are discussed. Other methods could be used to obtain a rough estimate of the value of subsistence production. One such method which is employed in this study is a variation of the 'market replacement' approach (eg., see Scott 1980). This is the cost in the market of goods and services on delivery to purchasers. In the case of indigenous communities, much of their subsistence foods have no direct equivalent in the non-indigenous sector and therefore proxy market foods have to be used³.

There have been very few attempts to measure the value of the subsistence sector in indigenous communities in Australia. Penny (1977) estimated the income of two Aboriginal communities in central Australia, Willwra and Papunya, but did not attempt an estimation of the value of the subsistence sector.

A study by Meehan (1982) measured the significance of subsistence activities at Kopanga outstation, central Arnhem Land, by means of dietary analysis (i.e. the nutritional value of subsistence foodstuff production). According to Meehan, 49 percent of kilocalorie intake and 82 percent of protein intake came from bush tucker.

Cane and Stanley (1985) collected data on the use of bush tucker at 32 desert outstations in central Australia. They did not actually measure bush tucker production but circumvented the problem by estimating the likely number of meals provided by bush tucker. They concluded, on the basis of their data, that bush tucker accounted for 23 percent of the total diet (i.e. meals eaten) at desert outstations.

The most comprehensive study to date which utilises dietary analysis as well as social accounting (i.e., the imputed value of subsistence production) is by Altman (1987) who conducted a survey at Momega outstation in Arnhem Land. He concluded that 46 percent of kilocalorie intake and 81 percent of protein intake came from bush tucker. Using market replacement values, Altman estimated that bush tucker production was worth \$1,411 per capita per year (1980 dollars). Utilising Altman's data but at Sydney market prices rather than Momega replacement values, Fisk (1985:25) estimated subsistence production to be worth \$747 per capita per year (1985 dollars). This amount was equivalent to 49 percent of total outstation income.

Cane and Stanley (1985:197) estimated that outstation residents spend on average \$40 per capita per week on market foods. They estimated that 23.4 percent of total food intake came from the subsistence sector and that this was equivalent to \$616 per capita per year. These figures are much lower than Altman's but are considered to be less reliable in view of the fact that they were collected over a much shorter period.

³ As Altman (1987:48) notes, this approach introduces a distortion in that subsistence foods are valued at a market price determined by supply and demand conditions that are entirely unrelated to a given indigenous society.

Allman (1987:54-57) has attempted to estimate the value of subsistence beyond foodstuff production. His estimate included the value of work effort in craft production for domestic use, house construction, communal work and community services. Using township wage rates, he found that total income increased by about 15 percent.

A comprehensive study on social accounts of a given community should consider: cash incomes and subsistence incomes.

Cash incomes: comprise income from the following sources:

- (i) **Market exchange** - income from the sale of art and crafts;
- (ii) **Government** - wages from employment (eg., CDEP), social security payments including such items as family allowance, pensions, etc.;
- (iii) **Net remittances** - cash incomes from social security remittances obtained as gifts from relatives from other communities or from gambling.

Subsistence incomes: include the imputed values of the following: foodstuff produced for household consumption; craft production retained in the subsistence sector; work effort on traditional housing; communal labour; fuel and water; and payments at exchange, funeral and ritual cult ceremonies.

For most CYP communities, cash incomes are restricted to CDEP payments with very little income from market exchange. In this project, it was not possible to obtain estimates of the various types of subsistence income due to time and budgetary constraints.

The approach taken was to estimate average household cash incomes from Aboriginal community profiles prepared from the 1991 census. Subsistence income was restricted to only food production and was estimated as follows. The starting point was to ask how much an average family of 9 would spend if it was to rely entirely on purchased food in a given period (eg., per month). A 'basket' of goods was defined for this purpose. The value of subsistence production was then estimated as the difference between the total value of store food purchases, assuming no subsistence production, and how much was actually spent on food.

Estimates obtained in this study must be treated as very conservative for the following reasons. First, due to time constraints, it was not possible to visit all communities. Only four coastal and one inland communities could be visited within the time available for the fieldwork. Second, there are differences in purchase prices between communities due to differences in transportation and trade charges. Third, as indicated above, subsistence production includes other items apart from food. Fourth, the estimates exclude subsistence production by non-indigenous residents. There are about 100 cattle stations in CYP (McKeague 1990) and a number of roadhouses and other businesses operated by non-indigenous Australians. Thus, the extent of subsistence production by these groups may be significant.

15.3 The traditional economy in CYP

The traditional economy in CYP consists of the subsistence sector and art and craft production.

15.3.1 Description of the subsistence sector

The subsistence sector comprises production of food and non-food items. Food production involves hunting, fishing and gathering, while non-food production involves the utilisation of production, conversion and medicinal resources.

a) *Food resources*

In general there is a difference in resources available to coastal residents or "beach people" and inland residents or "inside people". von Sturmer (1980) notes the following differences between coastal and inland areas from his work in the Wik region.

In coastal areas there is a wide range of environments, a marked seasonal variation in resources and subsistence strategies and relatively small estates. On the other hand in inland areas there is a restricted range of environments, less seasonal variation in resource and subsistence strategies and relatively large estates.

von Sturmer also observed a strong interdependence between coastal and inland residents in economic terms. For example, coastal people go inland to collect honey and Nonda plum while inland people also visit coastal areas for shell and fish. This interdependence, he argues, is based on a desire for diversity and a change in diet rather than on necessity (von Sturmer 1980:243).

Coastal resources can be divided into two main categories: marine-based and land-based resources.

Marine-based resources include: shell fish, crustaceans, reef fish, turtle (East Coast), dugong (East Coast), sea mullet, sea anenomes, rays, queenfish, and Cooktown salmon (East Coast).

Land-based resources include: cycad, macropods, small mammals, reptiles, birds, wild honey, fruits and berries, yams, tubers, bulbs, mangrove fruits, nuts, palm, stems and buds.

The following tables adapted from Anderson's work in East Cape York show the seasonal availability of these resources (Anderson 1984).

Table 1 Availability of coastal resources

Item	Period available	Peak availability
Shell fish	June-May	Nov-Dec
Crustaceans	June-May	Oct-Nov
Reef fish	June-May	Nov-Dec
Turtle	Sept-May	Nov-Jan
Dugong		
Mullet	Oct-Jan	Dec-Jan
Rays	Aug-Dec	Nov
Queenfish	July-Aug	
Cooktown salmon	*	
Torres St. Pigeon eggs	Aug-Jan	Oct-Nov
Cycad nuts	Oct-Dec	
Macropods	June-Dec	July-Dec
Small mammals	June-May	Aug-Nov
Reptiles	*	*
Birds	June-Dec	
Wild honey	July-Dec	
Fruits & berries	Apr-Aug	June-July
Yams, tubers, bulbs	Apr-Dec	June-Aug
Mangrove fruits	Jan-Mar	
Nuts & palms	Dec-Feb	Jan
Stems & buds	*	*

Source: adapted from Anderson (1984)

Table 2 Availability of inland resources

Item	Period available	Peak availability
Yams, tubers, buds	June-Nov	June-Aug
Macropods	June-May	Oct-Dec
Pigs	-	-
Small mammals	-	Aug-Nov
Reptiles	-	June-Nov
Bush turkey, parrot	June-May	Aug-Dec
Cassowaries	Apr-Dec	-
Wild honey	July-Dec	Oct-Nov
Magpie goose eggs	Jan-Feb	-
Megapode eggs	Sept-Dec	-
Moth larvae	Mar-Apr	Oct-Nov
Rainforest nuts	Nov-Jan	Dec
Plant buds, stems & stalks	Oct-Feb	-
Fruits & berries	Mar-July	-

Source: adapted from Anderson (1984).

There is a wide range of hunting procedures in CYP. The choice in a given place depends on the species, season of year, type of environment, techniques and technology employed, available manpower and the division of labour by sex and age.

The main means of hunting is by spearing, often carried out by men. Spears are used to fish in the beach shallows and in river banks and lagoons. Fish are also taken with hand lines with lures or bait, seine nets or gillnets. Crayfish and giant shrimp are harvested with fine hand held seine nets. Fish poisoning is often applied using material from plant species. Fish parts are often converted to non-food uses. For example, stingray barbs are used as barbs on spears and shark teeth are used for making a special knife used in fighting.

The basic economic unit comprises the nuclear family (i.e. man, wife and children). The man usually hunts and the women and children gather plant food. The women and children usually exploit resources close to the camping site and their activities involve little movement during the course of the day. Pigs are often hunted with dogs using specially designed spears. In some inland areas, communal hunting drives involving up to 100 people are often carried out. Activities begin with the build-up of thunderstorms in late November and December and involve selective burning-off and bush beating. The catch would normally include wallabies, other small mammals and reptiles. Burn-off is also carried out at the end of the dry season to, inter alia, attract wallabies and other animals to new plant growth.

Hunting and fishing are not just regarded as subsistence activities by indigenous people, but form significant parts of the calendar of socio-cultural events of the year. These are times when traditional ecological knowledge is imparted to younger generations of future hunters and fishers.

b) *Non-food resources*

Non-food resources are described under three headings: production resources, conversion resources, and medicinal resources.

Production resources: Various marine and forest resources are utilised as implements or accessories for implements. A brief list of such items is as follows:

- (i) Baler shells: used for cooking (eg, boiling fish), used as water containers, used as scoops for digging out wells;
- (ii) Large trumpet shell: used for carrying and storing water;
- (iii) Iron wood (*Erythroploem chlorostachys*): used for making woomeras and spears;
- (iv) Lancewood: used for making woomeras;
- (v) *Hibiscus tiliaceus*: used as spear, shafts, the bark is used for string;
- (vi) Grasses and trees: used for producing string for dilly bags
- (vii) Messmate (*Eucalyptus tetradonta*): used for making shelters, bark is used for making containers;
- (viii) Wallaby teeth: can be fitted into small chisels to work wooden implements;
- (ix) Wallaby bones: used for making spear barbs;
- (x) Beeswax: used in hafting axes, for attaching the oval disks of baler shells to woomeras, used to make watertight sheaths into which firesticks are inserted.

Conversion resources:

- (i) Firewood: pieces of wood and tree branches are utilised as fuel sources for cooking;
- (ii) Antbed: used in cooking;
- (iii) Compacted shell grit, pumice stone: used to grind down hard woods; used for making spears, woomeras and boomerangs;
- (iv) Large mudshell: used as a scraper in the manufacture of spears, woomeras and boomerangs.

Medicinal resources: The terms *opar* (East Coast) or *yo may* (West Coast) are used to refer both to items used for medicinal purposes in the western sense, and to items used in sorcery, love, magic, etc. (eg., see Taylor 1977). In general, *opar* are regarded as private knowledge

and not readily revealed. However, there are some opar which are generally well known. A few examples (eg., see von Sturmer 1980, Stewart) are as follows:

- (i) *yuku mormor*: the sap is mixed with water and applied to stings from catfish or stingray barbs.
- (ii) Soapy leaf tree (*yo themr panl*): leaves are ground up and rubbed over a sick person's body, or made into a solution and drunk for relief of fever. The inner lining of the bark is removed, soaked and drunk. Small strips of bark can also be chewed to soothe minor cough.
- (iii) File leaf tree: leaves are stuck in the hair or in hat to offer protection against lightning. They are also put on the exterior of walls of houses and entrances for lightning protection. The roots of the tree are dug up, ground, mixed with water and rubbed on people with the 'flu and on swellings on the legs, feet and other parts of the body.
- (iv) Devil's twine (*yo kalvnr*): soaked vine is rubbed over the body as a bogey, or tea is made by boiling the vine and drunk cooled for any kind of illness.
- (v) Turpentine bush (*yo kush*): is used as an astringent (drying agent); the bark is cut off and the inner scrapings chewed into a pulp which is applied to wounds and held in place with strips of bark.
- (vi) Forest cotton tree (*yo kulpurr*): used as an eye medicine; young suckers and roots are also chewed as food.
- (vii) Cattlebush (*yo la'*): used as a diuretic as early as 1889 by Europeans; used for a serious tuberculosis-like phlegmatic cough; also used an effective poultice (drawing agent) - the leaf is chewed then boiled down into a paste which is applied to boils, wounds and abscesses.
- (viii) Sandpaper Fig (*yo thetheyrr*): used a treatment for fungal skin infections (eg., ringworm).
- (ix) Native Bay Tree (*yo thapurr*): crushed leaves are used for chest problems, non-specific complaints, and as eye medicine.
- (x) Bush Doctor tree (*yo wangarr wirw*): the bark used to be chewed to calm nerves before fighting, and is now used for the same purpose before going to court.

Animals and animal products are also used as medicines. For example, centipedes (*lo poporr*) are placed onto the bellies of babies to stop them from urinating too much. Goanna fat is widely used and is said to bring good luck.

15.3.2 Art and craft production

Much of the art and craft produced in CYP is for subsistence purposes and very little enters the market. The major constraint to the development of a viable art and craft industry in CYP is that of distance to the major markets. Traditional woven items are produced in West Coast Communities - Kowanyama, Pormpuraaw, Aurkun and Naparanum. Some art and craft is also produced in Hopevale on the East Coast.

15.3.3 Locations of traditional activities

Attempts to obtain information on the locations of traditional activities on CYP proved to be futile. There are several reasons to explain the lack of success in this aspect of the project. First of all, traditional activities such as hunting and gathering are not carried out within the confines of western imposed boundaries but rather are carried out over a diffuse area within the Aboriginal country. Thus, in response to the question of where such activities are carried out, one elder responded "all over the Cape". Similarly, fishing is carried out in the sea country or in such and such a river. A second reason for the lack of co-operation is that the locations of some species (eg, dugong, sacred sites) may be culturally sensitive. Some communities made it clear that information about location of some hunting and fishing activities was privileged information which they did not wish to reveal to outsiders.

15.4 The non-traditional economy in CYP

The main non-traditional economic activities undertaken by indigenous people in CYP include cattle farming, crocodile farming and tourism.

15.4.1 Cattle farming

Available grazing land in CYP is approximately 133,750 km². Of this amount about 30 percent is considered to be unsuitable for grazing due to poor soil properties and vegetation type. This land is currently turning off about 16,000 head (or 16 percent) from a total herd of about 100,000 yielding an annual gross income of about \$5,000,000 (McKeague 1990). Given that there are about 100 cattle stations in CYP, these figures imply an average herd size of about 1000 head, annual turn-off of 160 head and annual income per property of \$50,000. Using a QDPI estimate of at least \$37,000 per property for annual maintenance costs, only \$13,000 from sales is available to meet other expenses.

Thus, the general conclusion from the above is that the cattle industry in CYP is not financially viable. Reasons which have been given for this state of affairs include the poor nutritional status of the native pastures, high marketing costs due to isolation, and inappropriate government policies.

There are currently five Aboriginal cattle stations in CYP: Meripah (Aurukun); Bonney Glen (Wujal Wujal); Oriners (Kowanyama); Glen Garland (100km south of Coen); and Normanby (50km northwest of Cooktown). Of these only two (Glen Garland and Normanby) are owned by the traditional landowners while the rest are community economic projects. As indicated above these ventures are not financially viable and at the present time provide limited

and marine engineering, fishing inputs, cruises and fishing safaris. Total revenue flows from 4-wheel-drive tourists coming into Seisia is over \$1 million (Gary Wright, pers. comm.)

c) *Activities of non-indigenous residents*

The non-indigenous population in the area is seasonal, being related to construction which is a seasonal industry. For example, in Injinoo the number of non-indigenous population fluctuates between 3 and 15 people. The permanent non-indigenous population in Umagico and New Mapoon is one person each, while Seisia has 15. The population of non-indigenous people in Bamaga could not be ascertained although it is likely to be the highest since that is where most government services are located. Most of these people are employed in the areas of administration, accounting, education, health, commerce and the building trades. Some of the non-indigenous residents are engaged in fishing, although for the majority of these people, such activity is undertaken more for recreational reasons than a subsistence purposes.

d) *Economic value of subsistence food production*

The major source of employment for the indigenous community in the NPA, as in most parts of CYP, is the CDEP which employs over 90 percent of the workforce. CDEP workers typically put in 16 hours per week, except in Umagico and Injinoo where the average is 32 hours per week. Average weekly wages are as follows:

Community	Amount
Injinoo	\$205
New Mapoon	\$149
Umagico	\$205
Seisia	\$130
Average	\$173

Average individual income based on these figures is \$8,304 per annum. For comparison, data compiled from ABS statistics for the Far North Queensland and 13 communities in CYP are \$17,111 per annum and \$8,990 per annum, respectively (ABS 1994).

Figure 1 shows annual household incomes for 3 communities in the NPA - Injinoo, New Mapoon and Umagico⁴. For comparison, Figure 2 shows annual household incomes for Cape York and the Far North Queensland. Based on these figures, the average annual household income for the NPA is \$20,560. Comparative figures for CYP and the Far North Queensland are \$19,440 and \$30,139, respectively. Details of the communities included in the CYP sample and the method of calculating average annual household income are given in Appendix 2.

⁴ ABS figures for Seisia and Bamaga were not available. The figures for the 3 communities are taken as representative of the NPA.

As indicated above, the approach taken to estimate the economic value of subsistence production is based on a modified version of the market replacement method (Scott 1980). To begin with, we estimate, hypothetically, how much an average household will spend per month (or per week) if it were to purchase all its food requirements from the store. This amount is then compared with an estimate of what is actually spent on food (as a proportion of income) to arrive at an estimate of the value of subsistence production. As already indicated above, the main output of subsistence food production is protein - fish and meat, which implies that, typically, only carbohydrates and other foods will be purchased from stores.

For purposes of this exercise, a basket of goods was devised and the items and quantities were discussed with members of the communities visited. Adjustments were made to arrive at the final list. Prices of the various items were recorded at each community. Prices were fairly similar in the area, with only a few large differences for some items. Prices used in the estimate are those at the Injinoq food store. Table 3 shows the basic commodities surveyed.

Table 3 Basket of Goods - NPA

Item	Quantity	Price	Total
White Flour	10 kg	1.50	15.00
Yellow Flour	10 kg	1.50	15.00
White Rice	10 kg	2.00	20.00
Yellow Rice	10 kg	2.00	20.00
White Beans	10 kg	1.50	15.00
Yellow Beans	10 kg	1.50	15.00
White Lentils	10 kg	1.50	15.00
Yellow Lentils	10 kg	1.50	15.00
White Corn	10 kg	1.50	15.00
Yellow Corn	10 kg	1.50	15.00
White Potatoes	10 kg	1.50	15.00
Yellow Potatoes	10 kg	1.50	15.00
White Onions	10 kg	1.50	15.00
Yellow Onions	10 kg	1.50	15.00
White Carrots	10 kg	1.50	15.00
Yellow Carrots	10 kg	1.50	15.00
White Cabbage	10 kg	1.50	15.00
Yellow Cabbage	10 kg	1.50	15.00
White Apples	10 kg	1.50	15.00
Yellow Apples	10 kg	1.50	15.00
White Bananas	10 kg	1.50	15.00
Yellow Bananas	10 kg	1.50	15.00
White Oranges	10 kg	1.50	15.00
Yellow Oranges	10 kg	1.50	15.00
White Lemons	10 kg	1.50	15.00
Yellow Lemons	10 kg	1.50	15.00
White Limes	10 kg	1.50	15.00
Yellow Limes	10 kg	1.50	15.00
White Sugar	10 kg	1.50	15.00
Yellow Sugar	10 kg	1.50	15.00
White Salt	10 kg	1.50	15.00
Yellow Salt	10 kg	1.50	15.00
White Tea	10 kg	1.50	15.00
Yellow Tea	10 kg	1.50	15.00
White Coffee	10 kg	1.50	15.00
Yellow Coffee	10 kg	1.50	15.00
White Butter	10 kg	1.50	15.00
Yellow Butter	10 kg	1.50	15.00
White Margarine	10 kg	1.50	15.00
Yellow Margarine	10 kg	1.50	15.00
White Oil	10 kg	1.50	15.00
Yellow Oil	10 kg	1.50	15.00
White Vinegar	10 kg	1.50	15.00
Yellow Vinegar	10 kg	1.50	15.00
White Soy Sauce	10 kg	1.50	15.00
Yellow Soy Sauce	10 kg	1.50	15.00
White Ketchup	10 kg	1.50	15.00
Yellow Ketchup	10 kg	1.50	15.00
White Mustard	10 kg	1.50	15.00
Yellow Mustard	10 kg	1.50	15.00
White Mayonnaise	10 kg	1.50	15.00
Yellow Mayonnaise	10 kg	1.50	15.00
White Pickles	10 kg	1.50	15.00
Yellow Pickles	10 kg	1.50	15.00
White Jam	10 kg	1.50	15.00
Yellow Jam	10 kg	1.50	15.00
White Marmalade	10 kg	1.50	15.00
Yellow Marmalade	10 kg	1.50	15.00
White Honey	10 kg	1.50	15.00
Yellow Honey	10 kg	1.50	15.00
White Syrup	10 kg	1.50	15.00
Yellow Syrup	10 kg	1.50	15.00
White Cocoa	10 kg	1.50	15.00
Yellow Cocoa	10 kg	1.50	15.00
White Chocolate	10 kg	1.50	15.00
Yellow Chocolate	10 kg	1.50	15.00
White Ice Cream	10 kg	1.50	15.00
Yellow Ice Cream	10 kg	1.50	15.00
White Yogurt	10 kg	1.50	15.00
Yellow Yogurt	10 kg	1.50	15.00
White Cheese	10 kg	1.50	15.00
Yellow Cheese	10 kg	1.50	15.00
White Milk	10 kg	1.50	15.00
Yellow Milk	10 kg	1.50	15.00
White Eggs	10 kg	1.50	15.00
Yellow Eggs	10 kg	1.50	15.00
White Bacon	10 kg	1.50	15.00
Yellow Bacon	10 kg	1.50	15.00
White Ham	10 kg	1.50	15.00
Yellow Ham	10 kg	1.50	15.00
White Sausages	10 kg	1.50	15.00
Yellow Sausages	10 kg	1.50	15.00
White Beef	10 kg	1.50	15.00
Yellow Beef	10 kg	1.50	15.00
White Pork	10 kg	1.50	15.00
Yellow Pork	10 kg	1.50	15.00
White Chicken	10 kg	1.50	15.00
Yellow Chicken	10 kg	1.50	15.00
White Fish	10 kg	1.50	15.00
Yellow Fish	10 kg	1.50	15.00
White Shellfish	10 kg	1.50	15.00
Yellow Shellfish	10 kg	1.50	15.00
White Vegetables	10 kg	1.50	15.00
Yellow Vegetables	10 kg	1.50	15.00
White Fruits	10 kg	1.50	15.00
Yellow Fruits	10 kg	1.50	15.00
White Nuts	10 kg	1.50	15.00
Yellow Nuts	10 kg	1.50	15.00
White Seeds	10 kg	1.50	15.00
Yellow Seeds	10 kg	1.50	15.00
White Spices	10 kg	1.50	15.00
Yellow Spices	10 kg	1.50	15.00
White Herbs	10 kg	1.50	15.00
Yellow Herbs	10 kg	1.50	15.00
White Oils	10 kg	1.50	15.00
Yellow Oils	10 kg	1.50	15.00
White Vinegars	10 kg	1.50	15.00
Yellow Vinegars	10 kg	1.50	15.00
White Sauces	10 kg	1.50	15.00
Yellow Sauces	10 kg	1.50	15.00
White Condiments	10 kg	1.50	15.00
Yellow Condiments	10 kg	1.50	15.00
White Snacks	10 kg	1.50	15.00
Yellow Snacks	10 kg	1.50	15.00
White Beverages	10 kg	1.50	15.00
Yellow Beverages	10 kg	1.50	15.00
White Alcoholic	10 kg	1.50	15.00
Yellow Alcoholic	10 kg	1.50	15.00
White Non-Alcoholic	10 kg	1.50	15.00
Yellow Non-Alcoholic	10 kg	1.50	15.00
White Dairy	10 kg	1.50	15.00
Yellow Dairy	10 kg	1.50	15.00
White Meat	10 kg	1.50	15.00
Yellow Meat	10 kg	1.50	15.00
White Fish	10 kg	1.50	15.00
Yellow Fish	10 kg	1.50	15.00
White Shellfish	10 kg	1.50	15.00
Yellow Shellfish	10 kg	1.50	15.00
White Vegetables	10 kg	1.50	15.00
Yellow Vegetables	10 kg	1.50	15.00
White Fruits	10 kg	1.50	15.00
Yellow Fruits	10 kg	1.50	15.00
White Nuts	10 kg	1.50	15.00
Yellow Nuts	10 kg	1.50	15.00
White Seeds	10 kg	1.50	15.00
Yellow Seeds	10 kg	1.50	15.00
White Spices	10 kg	1.50	15.00
Yellow Spices	10 kg	1.50	15.00
White Herbs	10 kg	1.50	15.00
Yellow Herbs	10 kg	1.50	15.00
White Oils	10 kg	1.50	15.00
Yellow Oils	10 kg	1.50	15.00
White Vinegars	10 kg	1.50	15.00
Yellow Vinegars	10 kg	1.50	15.00
White Sauces	10 kg	1.50	15.00
Yellow Sauces	10 kg	1.50	15.00
White Condiments	10 kg	1.50	15.00
Yellow Condiments	10 kg	1.50	15.00
White Snacks	10 kg	1.50	15.00
Yellow Snacks	10 kg	1.50	15.00
White Beverages	10 kg	1.50	15.00
Yellow Beverages	10 kg	1.50	15.00
White Alcoholic	10 kg	1.50	15.00
Yellow Alcoholic	10 kg	1.50	15.00
White Non-Alcoholic	10 kg	1.50	15.00
Yellow Non-Alcoholic	10 kg	1.50	15.00
White Dairy	10 kg	1.50	15.00
Yellow Dairy	10 kg	1.50	15.00
White Meat	10 kg	1.50	15.00
Yellow Meat	10 kg	1.50	15.00
White Fish	10 kg	1.50	15.00
Yellow Fish	10 kg	1.50	15.00
White Shellfish	10 kg	1.50	15.00
Yellow Shellfish	10 kg	1.50	15.00

An average household size of 9, based on ABS statistics, is assumed. It is also assumed that 35 percent of income is spent on food. Based on discussions with community members in the area, it was found that the proportion of income spent on food is highly variable and can range from 20 percent to over 50 percent. The final figure used in the calculation is considered reasonable though a more comprehensive survey will need to be carried out to achieve more accurate results.

Using prices and quantities from the basket of goods, it is estimated that the average household will spend about \$834 per month, or about \$10,000 per annum, if it were to rely entirely on purchased food. As indicated above, average annual household income in the area is \$20,560, of which it is assumed that \$7,196 (i.e., 35%) is spent on store food. Therefore, based on the methodology described above, the value of subsistence food production is estimated to be \$2,804 per household per annum. This translates to \$312 per capita per annum, assuming an average household size of 9.

Given a population of 2,128, the contribution of subsistence food production in the NPA is estimated to be over \$663,936 per annum.

Figure 1: Annual Household Income - NPA

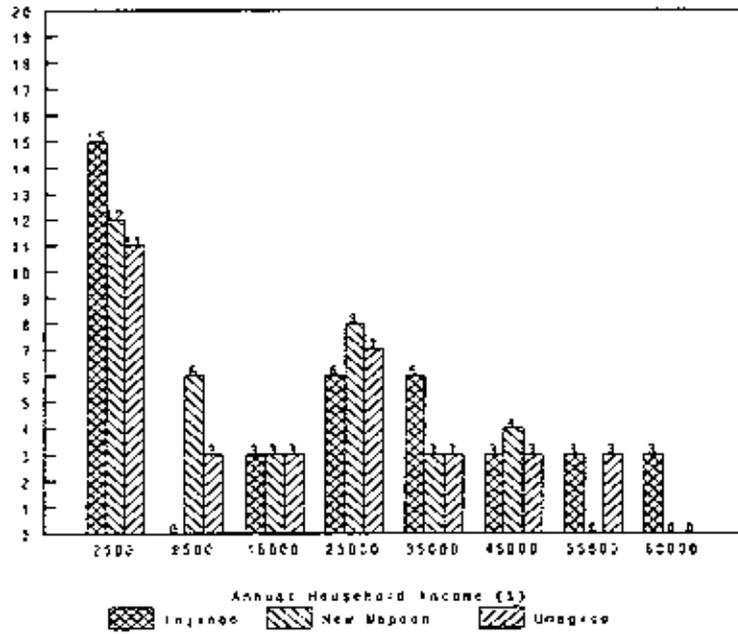
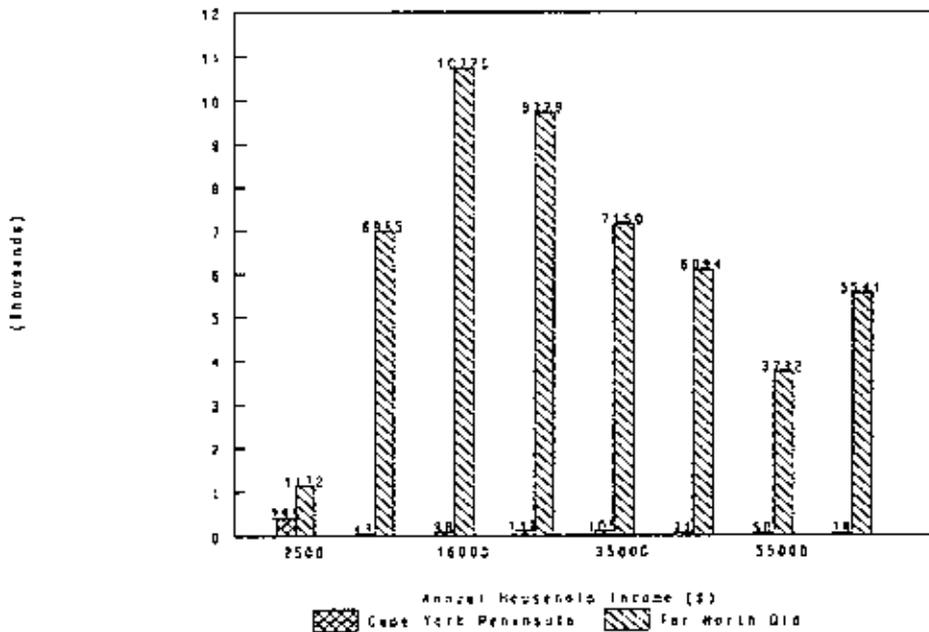


Figure 2: Annual Household Income - CYP & Far North Queensland



15.5.2 Kowanyama

Kowanyama is an Aboriginal community located on the Gulf of Carpentaria coast. It has a population of 1,200 and a total land area of about 4,120 square kilometres. The Aboriginal landholdings, located on the delta lands of the Mitchell River and the lower Alice River, comprise the Kowanyama DOGIT and the Oriners pastoral lease which has recently been purchased by the community.

The people of Kowanyama represent three major groups with traditional ties to the Mitchell River country. These are the Yir Yoron or Kokomnjen (from the lower reaches of the delta), the Kokoberra (representing a number of groups from the southern parts of the delta to the Nassau River) and the Kunjen or "Top End Mob" (from the further up the Mitchell). The Mitchell River, with its rich and diverse resources, is the centre of cultural and economic activity at Kowanyama. The landscape consists of extensive delta mangroves, wetlands, and marine plains. Further inland there are elevated eucalyptus woodlands and Melaleuca swamps. The estuarine resources of the delta are very rich and play a vital role in the subsistence economy of the area.

a) *Traditional activities*

Kowanyama is about 28km from the Gulf of Carpentaria coast and has essentially an inland-based subsistence economy. Fishing is basically an inshore and estuarine activity with very limited offshore fishing on outboard motors.

The types of species taken depends on the season, although some species are available throughout the year. Such species include: stingray, catfish, barramundi, swamp turtle, salmon, mullet, freshwater tortoise and freshwater crocodile. Others include mudcrab, mangrove shell, mangrove whelk and giant shrimp.

"Shark Time" is from November to February when sharks migrate up the river. They are caught by handline and used for making fishmeal cakes. Freshwater crayfish (red claw) are caught during "crayfish time" which is the end of the dry into the early hot and stormy season. Giant freshwater prawn (cherabin) are found together with crayfish and are both trapped in drying waterholes.

Magpie geese provide an important food source during "Goose egg time" in the wet season. Wallabies are plentiful in the area and hunted throughout the year. Sugarbag (native bee) honey is a very popular food which is sometimes made into a drink or eaten. Brown flying fox are also an important food source during "Flying Fox time" which is at the end of the dry and early hot and stormy season. The people cook them in large ground ovens and they are regarded as a special food.

Craft materials produced in the area include bone and shell tools, spears, bags and wooden artefacts. Most of the items produced are for subsistence purposes while a small quantity is sold to non-indigenous residents. In the past the Kowanyama Council has purchased high quality items to use as cultural and teaching materials. There is potential for commercial production of craft items in the area but the industry faces the problems of getting access to markets and good prices.

b) *Non-traditional activities*

The Kowanyama Aboriginal community operates a recreational camping and fishing industry on their traditional lands. The camping season is from June 1st to October 31st. Camping is permitted in restricted areas with a limit of 3 vehicles per site. Camp sites must be prebooked (after January 1st) and there are strict bans on recreational hunting or shooting and possession of guns. Each vehicle is levied a fee of \$10 per night. In 1993, an amount of \$10,000 was raised, which is equivalent to 1,000 vehicle nights. The bulk of tourist revenues goes towards the cost of helicopter surveillance of commercial and recreational fishing activity on the coast and waterways of the delta.

Most of the tourists who visit the area are farmers from the Atherton Tablelands and others come from the east coast areas between Cooktown and Townsville (Viv Sinnamon, pers. comm.). Some of these people have been visiting the area for over 15 years and have been quite co-operative with fisheries management initiatives. The number of tourists visiting the area has been increasing in recent years due to the improvement of the main Cape York road, and to the increasing desire of domestic as well as international travellers to visit the tip of the Cape.

It is now firmly established that the Mitchell River is a significant inshore and estuarine fisheries resource. About 40 percent of Queensland's commercial barramundi and 30 percent of its threadfin salmon is taken from this area. In 1991, 240 tonnes of barramundi were harvested from the area (Viv Sinnamon, pers. comm.). Using the retail price of \$17.00 per kg, this harvest has a commercial value of over \$4 million. In 1992, 259 tonnes of banana prawns were harvested in the offshore area, with an estimated commercial value of over \$5 million.

The other non-traditional activity in the area is the operation of the Oriners cattle station. This property was recently purchased from the original owners (the Helmsleys) and handed over about six months ago. The property is currently run as a charitable trust company (Viv Sinnamon, pers. comm.). It was apparently handed over in a very sorry state and the current objective is to turn it into a viable concern.

c) *Activities of non-indigenous residents*

There are about 70 non-indigenous people resident in Kowanyama. The population is made up of teachers, health workers and council workers. A large percentage of this number engages in fishing and hunting activities. It was discovered during the field visit that some non-indigenous people are attracted to the area by the good fishing opportunities. However, for the majority of non-indigenous residents fishing is more of a recreational activity (i.e., a pastime) than a subsistence activity.

d) *Economic value of subsistence production*

As in other areas of CYP, the major employer of indigenous people is the CDEP which employs 431 persons. About 70 percent of this number work for 16 hours a week and the other 30 percent work 32 hours a week. The average wage is \$134 per week, giving an

average yearly wage of \$6,432 per annum. There are 131 households in Kowanyama and average household income, computed from ABS data, is \$17,023 per annum (ABS 1994).

Given an average household size of 9, this works out to a per capita income of \$1,891 per annum. Based on interviews with residents the following is a list of basic items which a family would need to purchase per week if it were to rely solely on the store for its needs.

Table 4 Basket of Goods - Kowanyama

Item	Quantity/ month	Price/Unit (\$)	Value (\$)
Rice	60kg	6.30/5kg	75.60
Flour	70kg	2.12/kg	148.40
Beef/lamb	15kg	9.13/kg	136.95
Chicken	20kg	8.30/kg	166.00
Sugar	4kg	7.47/4 kg	7.47
Tea	800 bags	3.86/100	30.88
Eggs	18 doz	3.29	59.22
Bread	20 loaves	1.98	39.60
Milk	112 litres	1.56	174.72
Salt	2 x 750kg	1.49	2.98
Total exp/month			841.82
Total exp/year			10,101.84

The information in the table indicates that total household expenditure on food (with no subsistence production) could amount to \$10,102 per annum (or \$210.46 per week). Assuming that households normally spend about 35 percent of their income on food, actual expenditure on food is estimated to be in the order of \$6,000 per annum⁵. The balance of \$4,102 is provided from subsistence production. On a per capita basis, subsistence production is therefore \$456 per person per annum. Given a population of 1,200, the economic value of subsistence production at Kowanyama is estimated to be over \$547,000 per annum.

⁵ The figure of 35 percent was arrived at after discussion with residents to determine how much they spend on non-food items such as rent, electricity, cigarettes, alcohol, etc. As indicated earlier, food expenditures as a proportion of income range from 20% to more than 50%.

15.5.3 Subsistence food production in CYP

Although only a few communities were considered in the above survey, there is sufficient consistency in the figures to allow extrapolation to the indigenous population in CYP, albeit with some caveats. A household of 9 people would need to spend at least \$10,000 per annum if it were to rely solely on purchased food. Average household income for CYP, calculated from ABS statistics, is \$19,440 per annum. Assuming that households spend 35 percent of their income on food, actual food expenditure is estimated at \$6,804 per annum. This implies that the value of subsistence food production is \$3,196 per annum per household. On a per capita basis, this works out to be \$355 per annum. Applying this figure to the CYPLUS population study team's estimate of about 17,000 for CYP's population size, subsistence food production in CYP is estimated to be over \$6 million per annum.

The approach used in calculating the value of subsistence food production is sensitive to: (i) the choice of the basket of goods (especially the quantities consumed) and, (ii) what percentage of income is actually spent on food. Concerning (i), it is likely that the figure of \$10,000 per annum for food expenditure may have been underestimated⁶. If that is the case then the estimate of subsistence food production is an underestimate. On the other hand, if households do spend significantly more than 35 percent of their incomes on food, then the above figure for subsistence production will be an overestimate.

It must also be noted that these estimates consider only subsistence food and exclude other non-market items such as craft production for subsistence use, the value of water and fuelwood, and payments in kind during exchange, funeral and ritual cult ceremonies. There is the need for a more structured survey of subsistence production on CYP and this issue is further discussed below.

There is another important issue regarding food expenditure and production which is not considered in the above calculations. Household memberships may swell from time to time due to extended visits from friends and relatives to celebrate occasions such as weddings, birthdays and funerals. On such occasions the household must cater to the visitors. It was found in the course of the field visits that food expenditure as well as subsistence productions increases during these periods. However, it was not possible to factor the relative changes in expenditures into the calculations.

A final issue which needs to be highlighted is that the western literature sometimes labels activities such as hunting and fishing as "recreational" or "subsistence". This is a misnomer as far as indigenous people are concerned. Indigenous people do not consider hunting, fishing and gathering to be recreational, nor are they regarded merely as subsistence activities. There is a very significant social and cultural element involved, and in such periods important information on indigenous culture and knowledge is passed on from the old to the young. Indigenous people hold very high existence values for their land and sea resources, and during the pursuit of the above activities there is a high level of communing with the natural environment.

⁶ According to the Central Land Council's estimate, a family of 6 (2 adults and 4 children) spends about \$12,000 per annum on food, excluding fuel and rent.

15.6 Strategies for future research

Future work on the economic value of subsistence activities in CYP would need to employ new methods of valuing non-market activities and also consider more detailed household income and expenditure analysis. These two topics are briefly discussed below.

15.6.1 Methods for Valuing non-market activities

Indigenous people depend on their marine and forest resources for a significant proportion of their food requirements. The problem is that these resources and the services they provide are not traded in markets and therefore there is a tendency to assign low or zero economic values to such resources in policy analysis. In order to properly appreciate the economic and social importance of marine and wildlife resources to indigenous people, an understanding of the various components of non-market values is essential.

a) *Components of Non-market Values*

The total economic value of marine and forest resources can be broadly divided into two categories: use and non-use (or passive) values. Use values can be divided into direct and indirect use values. Direct use values are further subdivided into consumptive and non-consumptive use values. Consumptive use values are related to activities such as recreational hunting and commercial harvest, including ranching operations.

Consumptive use has an impact on fish and wildlife populations because it removes individual animals from their natural environments. Non-consumptive use values, on the other hand, do not affect wildlife populations directly. Such use values are associated with activities such as viewing and studying wildlife. Nonconsumptive use values can be quite significant and are only now being recognised on a par with consumptive uses (Adamowicz *et al.* 1991). Indirect use values arise through the vicarious enjoyment of wildlife through published material, movies, television, etc.

Non-use values are based on either potential future consumption or current satisfaction from knowing that wildlife resources exist (Randall, 1987; Randall and Stoll 1982). They can be divided into three categories: existence, bequest and option value. Existence value results from the satisfaction the individual derives from the knowledge the resource exists regardless of whether or not he or she uses or consumes the resource today or will wish to do so in the future. The willingness of people to donate to wildlife funds, societies and other environmental causes is evidence of existence values.

Bequest value is based on the potential use of a resource by an individual's descendants. That is, people are willing to pay significant sums of money to preserve a resource or resource system for their offspring. Finally, option value is a type of value which arises from the fact that the future supply of and/or demand for the resource may be uncertain. The magnitude of option value depends on the individual's risk preference and could be positive or negative (Freeman 1984, Brookshire *et al.* 1983). For example, consider an individual who expects to hunt ducks but is uncertain about future supply. In this case, he or she may be willing to pay a premium now to ensure future supply, in which case option value would be positive.

However, if the uncertainty relates to future demand, the individual may expect a discount due to the possibility that the option may not be utilised. In such a case, option value may be negative.

In the course of conducting fieldwork for this project, it was established that indigenous people have significant existence and bequest values for their natural environment. The following quotes testify to the extent of these values:

We want to see our country healthy. Waterholes still with waterlily and lagoons healthy. We want to see our country looking beautiful...like it was when we first had it. We don't want it to be run down and bugged up altogether. We want to make sure that young children say "This is what the old people used to tell us about" (Colin Lawrence, Kowanyama, quoted in Kowanyama Aboriginal Land and Natural Resource Management Centre, 1994:10).

What the Elders talking about, they give us a bit of support as part of how we are going to get about. Because later on, we'll be on that line too. We're not going to stop young all the time. We come to that age later. Make young men involved, and later on, a few of our elders here now, when they go, we will take over. And the next one on the line, because it will carry on for future generations" (Colin Lawrence, Kowanyama, quoted in Kowanyama Aboriginal Land and Natural Resource Management Centre, 1994:10).

We got to be caring for the land. We all say that. How many people care for the land here in this community? Outside people got to think of us more than themselves when they come here. No good shooting pig and wallaby out there and leaving it go to waste. You destroying the country. At this moment, my country now, nobody there run the place. Nobody there to look after the place" Thomas Bruce, Kowanyama, quoted in Kowanyama Aboriginal Land and Natural Resource Management Centre, 1994:10).

b) Valuation approaches

In the absence of actual markets for most wildlife resources, new methods have recently been developed which attempt to simulate markets which can be used, under survey or experimental settings, to generate nonmarket values for wildlife. Three such methods are the Contingent Valuation Method (CVM), the Travel Cost Method (TCM) and the Hedonic Price Method (HPM).

The TCM and HPM are termed "related-market approaches" or "inferential approaches" because they are based on the linkages between unpriced natural resources and markets for related goods and services. The HPM, formalised by Rosen (1974), takes data on recreation expenditures and expresses it as a function of a variable such as recreation days and success rates. By then evaluating expenditure changes with respect to an additional recreation day or animal bagged, one is able to estimate a value for that additional day or animal bagged. (McConnell 1979; Bockstael and McConnell 1983). The TCM (Clawson 1959; Knetsch 1963) uses recreational trip expenditures as a proxy for market prices. From this data, a

demand curve can then be constructed for trips to the given recreation site on the basis of which the economic value of the site can be estimated. The method rests on the assumption that travel cost, including time, can be a proxy for user satisfaction.

The CVM utilises interviews or mail surveys to ask people about the values they would place on a commodity contingent on the existence of a market or other means of payment. Usually, respondents are asked to indicate the dollar amount they are willing to pay to engage in a given activity, say, hunting. This approach rests on two crucial assumptions. First, the respondent understands the good or service being described and is able to value it in monetary terms. Second, the individual does not misrepresent this value. These assumptions can fail for a number of reasons. For example, if the individual is not familiar with the good or service, there may be a tendency for non-response. Also, if an individual is not familiar with the goods in the manner described then the results may be unreliable. Indeed, on such occasions, there may be a tendency for non-response. Since the individual is not required to actually pay the amount elicited, there may be a tendency to engage in strategic behaviour by offering a biased bid. Recent research indicates that such strategic behaviour tends to be infrequent and that careful design of the survey procedure may reduce the other kinds of bias (Mitchell and Carson 1989).

At the moment, CVM is the only means of estimating non-use, or passive, values. Various reviewers (eg Bishop and Heberlein 1986, Cummings *et al.* 1986 and Bohm 1984) have provided continuous support for the approach. As a means of improving CVM's validity and accuracy, Cummings *et al.* (1986) have proposed 'reference operating conditions' while Mitchell and Carson (1989) have proposed a 'best practice standard' for CVM applications.

In terms of practical applicability, only the CVM will be suitable for estimating non-market values in CYP. The HPM and TCM are not suitable for evaluating indigenous non-market values because, as stated above, indigenous people do not undertake hunting and fishing for recreational purposes and any costs incurred may be unrelated to held values. The TCM could be a useful methodology for estimating the value of non-indigenous fishing since there are sufficient variations in distance travelled and expenditure on fishing inputs.

15.6.2 Household income and expenditure analysis

A comprehensive study of the subsistence sector in CYP would need to consider the various sources of income and analyse, in detail, household expenditure patterns.

a) *Income Sources*

The major source of cash income for most CYP residents is the CDEP, and this information is relatively easy to obtain. Other sources of income which will provide a fuller picture include social security and other government transfers as well as net remittances from friends and relatives.

The other significant income source is imputed income from subsistence production. As indicated above, this includes the following: food production; art and craft production; work effort on traditional housing (for outstations); fuelwood and water; transfers in kind; and public and community service.

b) Expenditure patterns

This study considered only expenditures on consumption goods. A more comprehensive study must broaden the range of goods to include non-food items such as personal items (eg, soap, medication), household items (eg, petrol, kerosene), ceremonial exchange items (eg, axes, knives), tobacco products and alcoholic beverages. It must also consider expenditures on capital goods. For example, expenditures on fishing equipment (eg, fish hooks, lines and lures), hunting equipment (eg, guns and ammunition) and other miscellaneous equipment (eg, axes, knives, hatchets, etc.).

The above information would require a fairly extensive stay in the various communities. With adequate funding a team of researchers could be deployed in the communities to shorten the study period. Information collected in both the non-market study and the income and expenditure analysis would enable a more accurate picture of the value of subsistence production in CYP to emerge.

15.7 Summary and conclusions

The majority of indigenous residents in CYP are involved in a wide range of traditional activities. Since the outputs of such activities are not traded in markets, there is often a tendency to undervalue their significance. The results of this study show that subsistence production in CYP is fairly significant.

The approach taken in estimating the value of subsistence production is based on a variation of the market replacement concept. That is, we estimated how much an average family of nine people would spend if it were to rely entirely on store food. An estimate of how much is actually spent on food was then made. The value of subsistence production was then attributed to the difference between these two measures. Based on data obtained from two case studies, the value of subsistence production in CYP is estimated to be \$6 million per annum.

The above estimate must be considered a partial estimate of subsistence production since it excludes the value of non-food items such as art and craft, transfers in kind, fuelwood and water. Work effort expended in the manufacture of craft items such as spears, mats and traditional dress is considerable and will be highly significant in monetary terms.

The non-traditional activities undertaken by indigenous people in CYP include cattle farming, crocodile farming and tourism. There are currently five Aboriginal cattle stations in operation. However, the economic impacts of these operations are minimal since the industry in general is struggling to survive. Tourism has the greatest potential for success in the area. Some communities operate camping grounds and other tourist-related businesses. Most have plans to expand services. There is a need for government support in the technical and business areas of these operations.

The time and financial resources allocated to this project were not sufficient to undertake a comprehensive study of traditional activities, given the range of activities and the number of communities involved. It is recommended that a future study of subsistence production be

considered. Such a study would employ newly developed methods to value non-market activities and undertake a detailed analysis of household income and expenditure.

16.8 References

- Adamowicz, W.L., Asafu-Adjaye, J., Boxall, P.C. and Phillips, W.E. 1991. Components of the economic value of wildlife: An Alberta case study. *Canadian Field Naturalist* 105(3):423-29.
- Altman, J.C. 1987. *Hunter-Gatherers Today: Aboriginal Economy in North Australia*. Australian Institute of Aboriginal Studies, Canberra.
- Asafu-Adjaye, J. 1993. 'Environmental accounting in Papua New Guinea', *Pacific Economic Bulletin* 8(2): 42-49.
- Andersou, J.C. 1984. *The Political and Economic Basis of Kuku-Yalangi Social History*, PhD Thesis, Department of Anthropology and Sociology, University of Queensland, St. Lucia.
- Australia Bureau of Statistics (1994), *Aboriginal Community Profiles, 1991 Census of Population and Housing*, Catalogue No. 2722.3.
- Australia Bureau of Statistics (1989), *Census 86 - Aboriginal and Torres Strait Islander People in Queensland*, Australian Bureau of Statistics, Canberra.
- Australian Law Reform Commission (1986), *The Recognition of Aboriginal Customary Laws*, Australian Government Publishing Service, Canberra.
- Australia. Treaties (1978), *Treaty between the Independent State of Papua New Guinea and Australia*, Department of Foreign Affairs, Canberra.
- Bartelmus, P.L.P. 1992. 'Environmental accounting and statistics', *Natural Resource Forum* Feb:77-84.
- Bishop, R .C., Heberlein, T.A. and Kealy, M.J. 1983. Contingent valuation of environmental assets: Comparisons with a simulated market. *Natural Resources J.* 23:619-33.
- Bockstael, N. and McConnell, K.E. 1983. Welfare measurement in the household production function framework. *Am. Econ. Rev.* 73(4):806-814.
- Bohm, P. 1984. Revealing demand for an actual public good. *J. Pub. Econ.* 24:135-151.
- Brookshire, D.S., Eubanks, D.L. and Randall, A. 1983. Estimating option prices and existence values for wildlife resources. *Land Economics* 59:1-15.
- Cane, S. and Stanley, O. 1985. *Land Use and Resources in Desert Homelands*. North Australia Research Unit, Darwin.

Cummings, R.G., Brookshire, D.S. and Schulze, W.D. (eds.). 1986. *Valuing environmental goods: An assessment of the contingent valuation method*. New Jersey, Rowman and Allanheld.

Clawson, M. 1959. Methods of measuring the demand for and value of outdoor recreation. Reprint No. 10, Resources for the Future, Washington, D.C.

Fisk, E.K. 1975. 'The subsistence component in national income accounts', *The Developing Economies* 13(3):252-79.

Fisk, E.K. 1985. *The Aboriginal Economy in Town and Country*. Sydney: Allen and Unwin and the Australian Institute of Aboriginal Studies.

Freeman, A.M. 1984. The sign and size of option value. *Land Economics* 60(1):1-13.

Injinoo Community Council 1994. 'The Injinoo Community and the Jardine Ferry/Access Charges'. Pamphlet produced by the Injinoo Council.

Knetsch, J. 1963. Outdoor recreation demands and benefits. *Land Econ.* 39 (4).

Kowanyama Aboriginal Land and Natural Resources Centre 1994. 'Strategic Directions', Strategic plan developed by the Kowanyama Land and Natural Resources Management Office.

McConnell, K.E. 1979. Values of marine recreational fishing: measurement and impact of measurement. *Am. J. Ag. Econ.* 61:(5)921-925.

McKeague, P. 1990. 'An Assessment of the Future Directions of the Pastoral Industry in Cape York Peninsula', Working Paper prepared for the Cartlemen's Union.

Meehan, B. 1982. *Shell Bed to Shell Midden*. Australian Institute of Aboriginal Studies, Canberra.

Mitchell, R.C. and Carson, R.T. 1989. *Using surveys to value public goods: the contingent valuation method*. Johns Hopkins University Press for Resources for the Future: Baltimore.

Nietschmann, B. (1989), 'Traditional Sea Territories, Resources and Rights' in *A Sea of Small Boats* (ed.) John Cordell, pp. 60-94.

Penny, D. 1977. 'Social accounting for Aboriginal communities: the cases of Willowra and Papunya'. Mimeograph, Department of Aboriginal Affairs, Canberra.

Randall, A. 1987. The total value dilemma. in Peterson, G. and Sorg, C.F. *Towards the measurement of total value*. General Technical Report, USDA Forest Service, Rocky Mountain Forest and Range Experiment Station: Fort Collins, Colorado.

Randall, A. and Stoll, J.R. 1982. *Existence values in a total valuation framework. in Managing air quality and scenic resources at national parks and wilderness areas* ed by R.D. Rowe and L.G. Chestnut. Westview Press: Boulder, Colorado.

Scott, C. 1980. 'Guaranteed income and the Cree domestic mode of production: evolving articulations to capitalism and the State', *Proceedings of the 2nd International Conference on Hunter-Gatherers*, Department of Anthropology, Laval University, Quebec.

Stewart, G. (undated). *People, plants and wangarr wirws - Notes on traditional healing*, prepared for Kowanyama Aboriginal Land and Natural Resource Management Office.

Taylor, J.C. 1977. 'A pre-contact Aboriginal medical system on Cape York Peninsula', *Journal of Human Evolution* 6:419-432.

von Sturmer, J.R. 1980. *The Wik Region: Economy, Territoriality and Totemism in Western Cape York Peninsula, North Queensland*, PhD Thesis, Department of Anthropology and Sociology, University of Queensland, St. Lucia.

Appendix 1

Persons Interviewed

Injinoo

Benjamin Woosup, Senior Ranger
Jimmy Panuel, Ranger
Meun Lifer, Ranger
Alima Panuel, Ranger
David Epworth, Injinoo Council

Umagico

Abigail Wilson, Deputy Chairperson
Emily Wilson, Councillor
Lizzie Young, Councillor

New Mapoon

Neville Bond, Deputy Chairman
Frank Sagigi, Councillor
Colin Bond, Councillor

Seisia

Arthur Wong, Seisia Council
Gary Wright, Operator, Seisia Camping Grounds

Kowanyama

Bill Gought, Kowanyama Council
Robbie Sands, Kowanyama Council
Viv Sinnamon, Land & Natural Resources Management Centre

Appendix 2

Annual Household Incomes - Aboriginal Communities in CYP, NPA and Far North Queensland

Income Class (\$)	Mid-Point (\$)	Kowan-yama	Anrukun	Injinoo	Coea	Hopevale	Lockhart	Napranran	New Mapoon	Pormpuraaw	Umajico
0-5000	2500	79	33	15	3	50	30	41	12	43	3
5001-12000	8500	3	9	0	0	4	0	3	6	3	3
12001-20000	16000	8	10	3	3	12	7	12	3	8	8
20001-30000	25000	8	9	6	6	23	7	18	8	9	9
30001-40000	35000	14	8	3	3	16	4	11	3	11	11
40001-50000	45000	9	3	3	3	14	9	6	4	4	4
50001-60000	55000	6	3	3	3	3	6	3	0	5	5
60000+	60000	4	7	0	0	0	3	8	0	3	3

Source: Australian Bureau of Statistics, 1991 Census of Population and Housing, Aboriginal Community Profiles, Catalogue #272

Average Household Income: CYP = \$19440; NPA = \$20560; FNQ = \$30139.

Assumptions:

1. Based on respondents who reported their income in the 1991 census.
2. Average Household Income is based on the following formula.

$$\bar{X} = \frac{\sum f_i M_i}{N}$$

where \bar{X} = average household income;

M_i = mid-point of income class i ;

f_i = number of observations of income class i

3. The CYP average contains the 13 communities listed above; The NPA sample is made up of Injinoo, New Mapoon and Umajico.

CHAPTER 16

AN OVERVIEW OF THE HISTORY OF CAPE YORK PENINSULA

Dawn May

CHAPTER 16

**AN OVERVIEW OF THE HISTORY OF
CAPE YORK PENINSULA**

Dawn May

CONTENTS

16.1	Introduction	16-1
16.2	Exploration	16-1
16.3	Mining	16-2
16.4	Cattle	16-7
16.5	Aboriginal employment	16-9
16.6	"Protection"	16-11
16.7	Missions	16-12
16.8	Economic stagnation	16-14
16.9	Bauxite	16-16
16.10	Eco and cultural tourism	16-18
16.11	Conclusion	16-21
16.12	Endnotes	16-22

AN OVERVIEW OF THE HISTORY OF CAPE YORK PENINSULA

16.1 Introduction

In the last two hundred years Cape York Aboriginal people have witnessed three waves of European activity. The first began in the 1870s when miners and pastoralists invaded the area. As the profits from mining dissipated, many Europeans retreated leaving Cape York to Aboriginal residents. During the Second World War thousands of American and Australian service men infiltrated the most remote parts of the Peninsula. Their subsequent withdrawal at the end of the war saw the area once again occupied principally by the traditional owners along with a handful of pastoralists eking out a living. Tourism in the 80s has attracted a third wave of visitors eager to escape the rat-race by retreating to the wilderness¹ of the Peninsula. Prior to this activity, the traditional owners had a long history of intermittent contact with mariners.

16.2 Exploration

Almost 400 years ago Aboriginal people living on the western coast of what was to become known as Cape York Peninsula observed, no doubt with great uneasiness, the arrival in their waters of Dutchman William Jansz in the "Duyfken".² The ship made its way some 220 miles down the coast before a party was sent ashore to observe the country and its inhabitants at closer quarters. For reasons that are unclear the local people attacked the group and a number of crew members were killed.³ Before retreating to Batavia where his employer the Dutch East India Company was based, Jansz named the site Cape Keerweer. A number of other Dutch hydrographers subsequently visited the area including Jan Carstensz (1623) who partially charted and named the Gulf of Carpentaria and Abel Tasman (1644) who completed the mapping. While these Dutch vessels were no doubt larger and more menacing in appearance, they were not the first to bring outsiders to the northern shores. To the west, the Macassans had been regularly fishing the waters for almost 100 years. Moreover the cultural influence of Papuans and Melanesians in parts of Cape York Peninsula would indicate that northern Aboriginal people have had a long standing relationship with neighbouring groups.⁴

One hundred and sixty four years after the "Duyfken" visit, Englishman Captain James Cook in the "Endeavour" became the first white man to sail up the east coast of the continent charting and describing it as he went. As he entered the northern waters Cook successfully negotiated the myriad of coral reefs which lay off the coast before his ship finally came to grief near the site which now bears his name - Cooktown. After beaching his vessel, the ensuing seven weeks were spent repairing the "Endeavour". The local people, the Guugu Yimithirr for the most part watched the proceedings from some distance. However on at least one occasion they did attempt to burn down one of the ship's tents following a dispute over turtles.⁵ Cook sailed on to the Torres Straits⁶ noting in his journal in August 1770 that on the western side he could "make no new discovery, the honour of which belongs to the Dutch Navigators". He was nevertheless confident that as the east coast from the latitude 38 degrees south to the Torres Strait was "never seen before, I once more hoisted English colours, and though I had already taken

possession of several particular parts, I now took possession of the whole eastern coast from latitude 38 degrees to this place, latitude 10 and a half south in right of his Majesty King George the Third, by the name of New South Wales with all the bays, harbours, rivers, and islands situated upon it".⁷

Well before white people took up permanent residence in Cape York Peninsula, coastal Aboriginal people witnessed many other hydrographers in the northern waters including Matthew Flinders (1802), Phillip Parker King (1818-22) and John Lort Stokes (1837-45). Expeditions, sponsored by governments and entrepreneurs, ventured further inland and became the advance party for an army of pastoralists and miners who followed in their wake. The first of the land explorers to move deep into Cape York Peninsula was Edmund Kennedy who with a party of 13 left Rockingham Bay (near the present town of Cardwell) in June 1848; he planned to rendezvous with a supply ship at the tip before proceeding down the western side of the Peninsula but the explorer was killed by Yadhagana warriors in their country at Escape River. This group subsequently gained a reputation as the "wild tribes" or "bad blacks" because of their sustained war of resistance to European occupation of their land.⁸

Another group to experience Aboriginal hostility were Frank and Alex Jardine. In 1862 they left Carpentaria Downs station with a mob of cattle following a recommendation from Governor George Bowen that a settlement be established on the tip of the Peninsula. The viceroy recognised its geographical importance as a harbour of refuge, coaling station and entrepot for Torres Straits trade. The Jardine expedition took six months and crossed country not previously traversed by white people. Existing records indicate that the party fought off numerous attacks from Aboriginal people before finally arriving at their destination. William Hann's exploration of the south-eastern regions of Cape York Peninsula in 1872 was also partially sponsored by the Queensland government; this time with the aim of evaluating the mineral potential of the area. In 1879 Robert Logan Jack, then Queensland government geologist, examined the Cooktown region and led an expedition from there to Somerset the following year. The Aboriginal reaction to these explorers tended to be mixed. While there are many accounts of the original inhabitants reacting in a belligerent manner to the invasion of their territory, there were obviously many other occasions when the outsiders' passage was unobstructed. For instance Gilbert who accompanied Leichhardt in his journey across the base of Cape York Peninsula confided in his diary that, although his party had not seen any blacks, it was likely that "they [were] within a few yards of his camp closely observing every action".⁹ Indeed a sense of vulnerability permeates much of explorers' writings.

16.3 Mining

In other parts of Queensland, pastoralists were the first Europeans to occupy Aboriginal land but on Cape York Peninsula it was miners who paved the way. In September 1873 James Venture Mulligan led a party of 100 Georgetown diggers with 300 horses and bullocks to the Palmer Goldfield blazing a track across 200 miles of country. Other prospectors came by sea landing at Cooktown where surveyor A.C. Macmillan wasted little time in clearing a trail to the Palmer.¹⁰ The descendants of the Aboriginal groups who had observed the repair of the "Endeavour" one hundred years earlier, were

themselves to witness first hand the spectacle of a flotilla of ships disgorging fortune-hunting passengers from all parts of the world. Between 20 and 30 thousand people were attracted to the region in the 1870s. Many were Chinese whose arrival can be divided into two phases; those who came before 1875 from other northern fields and those who came direct from Kwangtung Province and South China ports.¹¹ The Palmer was an extremely rich field yielding over a million ounces (28 tons) of alluvial gold in its short life.¹² There were no rewards, however, for the traditional owners.

Initially there was limited contact between blacks and whites on the Palmer but this situation had changed by November 1873. For the rest of the decade there were "brief periods of peace and optimism alternated with outbreaks of reprisal and counter-reprisal".¹³ In 1884 a Maytown correspondent wrote that:

In days gone by, and in many instances at the present time, if a blackfellow is seen he is brutally shot down the same as a dingo, and with about the same feeling of remorse. No wonder we hear of outrages committed by the blacks. The game apparently in the North is who gets first sight; a solitary swagman or Chinaman frequently gets speared, out of vengeance for someone else's misdeeds.¹⁴

Because of the furtive nature of prospecting, miners often operated in small numbers which made them vulnerable to attack. Noel Loos has estimated that 104 non-Aboriginal people were killed on the mining frontier in the 1870s, 35 of them Chinese. While it was common to attribute the relatively high death rate amongst Asians to the Aboriginal preference for Chinese flesh,¹⁵ the reality was that they were easier targets as they were rarely adequately armed. Moreover they had a marked impact on the environment with their vast network of races which dramatically changed water courses. In adopting these techniques, they may well have unwittingly desecrated Aboriginal sacred sites which were often associated with water.¹⁶

By contrast the creation of townships signalled a European presence in what had previously been Aboriginal country. With the discovery of gold, Cooktown rapidly became the focal point of the north. Between 1874 and 1878 the value of its trade was greater than Townsville's. In 1878 Townsville overtook Cooktown which nevertheless remained the next most important northern port until 1882.¹⁷ The first inland mail service operated between Cooktown and Maytown via the Palmer in 1874, two years before the port of Cairns was proclaimed. From 1879 Cobb and Co. operated a service from Cooktown to Byerstown before a more suitable route was found via Laura to Maytown.¹⁸ In 1884 a decision was made to build a railway line from Cooktown to the northern goldfield.¹⁹ It reached as far as Laura where a substantial bridge was built over the river but with the Palmer a spent force, no line was laid beyond this point. A telegraph line had been constructed from Cooktown via Laura and Fairview to Palmerville between 1874 and 1876. Eight years later it was decided to extend the line from Fairview to Thursday Island and this provided a telegraphic link between Brisbane and the Torres Strait. There were a number of repeater stations along the line including Musgrave (opened on 23 December 1886), Coen (29 December 1886), Mein (14 July 1887), Moreton (1 September 1887), McDonnell (25 August 1887) and Paterson (25 August

1887).²⁰ Because of their isolation, they were all built like forts to protect staff from Aboriginal attacks.

The buildings were constructed of heavy gauge galvanised iron, on two diagonally opposite corners, a protruding gun port was built. Each port gave a clear view along two sides of the building as well as forward viewing. All windows were fitted with steel shutters which could be bolted from inside.²¹

For at least ten years after the construction of the northern section of the line there was a ruling from the Telegraph Department that "blacks were not to be allowed into any station on the overland line." However, as Archibald Meston pointed out it was a rule "more honoured in the breach than the observance".

One telegraph officer had established friendly relations, with very satisfactory results, and another had let a contract to ten aboriginals who performed their work with very satisfactory results, and another had let a contract to ten aboriginals who performed their work in a most intelligent and efficient manner. Those officers were reported charged with harbouring the blacks after the committal of sundry offences.²²

As gold began to peter out on the Palmer, diggers were drawn further north. Although the precious metal was discovered at Coen in 1878, it proved disappointing and within 5 months the field was deserted. Prospectors continued to scour the area in the hope of "striking it rich". In 1892 gold was first discovered on the Batavia River (now Wenlock) and in the same year the discarded alluvial diggings at Coen were proclaimed a reefing field. The erection of batteries such as the Enterprise at Coen dramatically reduced the cost of crushing and enabled miners to work reefs which would not otherwise have yielded enough to pay for the cartage.²³ Coen had numerous mines but the Great Northern was the most successful and employed a substantial workforce for 23 years.²⁴ In 1898 a large number of miners left the Coen for the Klondike reefs and those ten miles south of the township. The Hamilton created another rush when it was discovered by long-time prospector John Dickie in 1899.²⁵ A correspondent wrote from Ebagoolah that:

There is no mistaking the richness of the reefs on this field, in the near future when stampers are at work on the stone the eyes of capitalists will be greedily drawn to the Ebagoolah. I believe the field will revolutionise the Peninsula, the continuation of the railway from Laura to this field will once more place Cooktown in the van of prosperity. There are now 350 men and 250 horses working on the field...The field is most orderly, a few drunks being the only offenders, and as they have to go to Coen, 32 miles away to be adjudicated upon, the police generally let them sleep it off.²⁶

Base metals were also discovered including rich copper deposits accidentally found by Pat Molloy near Rifle Creek, a tributary of the Mitchell River.²⁷ In 1906 the township of

Mount Molloy which grew up around this discovery, consisted of six hotels, nine stores and two butchers' shops with about 100 men employed at the smelters and another 90 at John Moffat's mine. From the mid-1880s John Moffat had been involved in mining at a number of other areas including Mungana, Chillagoe, Calcifer and Zillmanton.²⁸

Recycling of mining machinery was common on the northern reefing fields. For instance in 1899 a 10-head steam battery was shifted from Coen township and re-erected at the Springs about 8 miles south where promising claims had been made.²⁹ Ben Carlross had a ten stamper battery operating on the Stewart River which he dismantled in the mid-1890s and relocated on the Coen River. In 1900 he was intending to re-erect the battery on the Port Stewart-Coen Road but on hearing of the discovery of gold at Ebagoolah, decided to move it there. With the help of Aboriginal people, a tree line was blazed through the 28 miles of bush to the new field.³⁰ The equipment used on the Wenlock before World War II had been moved 89 miles from the coast by packhorse. The larger pieces of the 5 head stamper and steam engine had to be cut in pieces and welded together again.³¹

Relative to alluvial mining, reefing was more likely to result in the creation of more permanent settlements. The latter required waged labour rather than the self employed prospector. At the turn of the century, besides the mines and batteries, Coen comprised five general stores (Ah Kum, Henry Harris, Hip On, H. Marsh and J.R. Thompson), a butchery owned by A.W. Nott, two hotels (the Exchange run by Charlotte Marsh and the Reefers' Arms by J.R. Thompson), a post office (P. Burke), two saddlers (Peter Petersen and A. Riddell) and a drapery operated by Mrs. W. Rose. Joseph Bryant and Frederick Shephard ran carrying businesses between the town and Port Stewart some 45 miles to the west. The town also had a school, school of arts and a native mounted police contingent consisting of a sergeant, two constables and ten troopers.³²

Europeans attempted to inscribe their place in the landscape by introducing the trappings of their culture. A Progress Association was formed soon after a crushing plant was erected in Coen. A major thrust of organisations such as these was to lobby the government for funding to improve roads. In 1897 residents unsuccessfully petitioned the government to create a new divisional board having its headquarters at Coen.³³ At a 1903 meeting in Ebagoolah it was decided to ask for improvements to the mail service "to bring them closer to civilisation". It was proposed that

in view of the now proved permanency of the Hamilton goldfield, also in view of the fact that a steamer is now plying between Cooktown and Port Stewart, that the Federal Government be requested to substitute a steam mail service between Cooktown and Port Stewart to connect with coach mail service between Port Stewart and Coen via Yarraden and Ebagoolah, in lieu of the present horse mail service from Cooktown to the Hamilton and Coen goldfield via Fairview.³⁴

Indicative of its increasing sophistication, by that time Ebagoolah had a School of Arts "furnished with a splendid library, containing all the latest papers, periodicals, novels, a splendid assortment of all reading material also the British Encyclopaedia, 25 vol. and everything up to date thanks to the energetic Secretary Mr James Harris who, is ably assisted by a splendid committee".³⁵

While many settlements were centred around mining activity, others such as Laura, located on the road between Cooktown and the Palmer, came into being as staging camps. By 1896 the railway terminus gave Laura permanent status. Even so it was small in size consisting of a hotel, two stores, a butcher's shop, the railway station which doubled as a post and telegraph office and a provisional school. Laura also functioned as a service centre for the multitude of surrounding communities including Maytown, Limestone and other mining centres. A roving reporter noted that here also

you may see the solitary prospector, leading his pack horses, arrive to replenish his empty "tucker" bags. He has come to "shell out" his little parcel of gold, getting in exchange a load of supplies. Up at the goods store a mob of Chinese chatter vociferously. They are gossiping over a consignment of stores that require conveyance to one or other of many little centres that lie further out. They are all of them packers, each having a team of a dozen or so horses, and they ply their monotonous trade day after day, year after year.³⁶

After being kept out of mining towns for years,³⁷ by the 1890s Aboriginal people were taking up residence around white settlements. In 1892 the Palmer correspondent wrote that it was evident that residents were in favour of black labour as the majority had "a boy or a gin working in some line of work, domestic or otherwise".³⁸ The school teacher at Laura estimated that there were over 100 camped on the banks of the river, about a quarter of mile from the town.³⁹ On Cape York, with a predominantly masculine population, these camps were also targets for men seeking casual sex. The widespread practice of depicting Aboriginal women as prostitutes allowed white men, as Ann McGrath has pointed out, to absolve themselves from the possible guilt for rape, disease, or the children they left in their wake.⁴⁰

The northern goldfields were hotbeds of racial tension for other non-European groups. The Chinese were singled out for particular attention with discriminatory legislation being introduced in the 1870s. The *Gold Fields Act of 1874* which was amended in 1877 made provision for the Miners' Right for Asiatic and African aliens to cost six times that of other miners. The *Chinese Immigrants Regularion Act* was passed in the same year placing a £10 poll tax per head on Chinese immigrants. The following year the *Gold Fields Act* was further amended deleting the 1877 amendment but imposing new restrictions on Chinese. No Miner's Right would be issued to any Asiatic or African alien on any goldfield for three years after the date of discovery. The 1878 amendment did not apply to the Palmer since it had been discovered five years previously. However, when Chinese were discovered in 1897 working at an old alluvial diggings some 6 or 7 miles south from the reefing camp at Neville Creek they were ordered from the field.⁴¹ For Chinese and Europeans alike however the 1870s had been the heyday for mining on the Peninsula. Thereafter returns began to dwindle. By the end of World War 1, only the most tenacious miners still worked the Cape mineral fields.

16.4 Cattle

The discovery of gold on the Palmer had generated a substantial rise in population during the 1870s. As a result a lucrative market for beef developed in the north with good bullocks bringing extremely high prices. Until 1873 the most northern cattle station had been Mount Surprise on Junction Creek some 200 miles from the Palmer diggings. However, the discovery of the rich northern fields was the stimulus for cattle stations to be established closer to the diggings. These included Wrotham Park taken up by Henderson and Skene in 1874, Butcher Hill by James Earl in 1877, Olive Vale by Maurice Fox in 1877, Laura by Fergus O'Beirne and Peter McDermott in 1879, Kings Plains by J. Gibson in 1880, Gamboola by Edward Palmer in conjunction with J. Stevenson and Walter Reid in 1879, Springvale by Thomas Morris in 1881, Strathleven by de Salis and Nicolson in 1881 and Breeza Plains soon after. After having some success at mining, Donald Mackenzie established Lakefield in 1882. James Burne took up Batavia Downs at the same time. In the same year Glen and Charles Massey established Lalla Rookh station near Port Stewart and moved further north two years later to form Rokeby.⁴² York Downs and Merluna were taken up soon after. The discovery of gold at Croydon in 1885 resulted in the establishment of stations on the western side of the Peninsula including Koolatah by McEachern and Bell in 1886. Disregarding completely the Aboriginal ownership of the land, the normal practice in these remote areas was to take out an occupation licence before applying for a pastoral lease a year or so later. Theoretically traditional owners retained the right to hunt on leased land but it was a right that was rarely acknowledged.

Although the mining population had diminished substantially by the time these stations were established, most owners no doubt hoped for another Palmer. However, these hopes were sadly misplaced and as an increasing number of prospectors moved away, they took with them the cattlemen's dreams of prosperity as alternative markets lay thousands of miles to the south. Some station owners sought a solution to their marketing problems by opening butchering businesses. For instance in 1895 Glenville Massey of Rokeby opened a butchery on Thursday Island which he operated for 14 years before floating it into a limited company The Torres Straits Fresh Food and Ice Company.⁴³ Earls from Butcher Hill also had a major financial stake in the Cairns Butchering Company.⁴⁴

Apart from marketing difficulties, cattle producers faced other problems. For instance herd numbers were substantially diminished by the effects of ticks which appeared for the first time on Cape York Peninsula from the mid-1890s. Wrotham Park's herd was reduced from 25,000 to 9,000, Gamboola's holdings from 14,000 to 6,000⁴⁵ and with its network of swamps Breeza Plains was "ravaged most unmercifully by ticks".⁴⁶

In the early years the economic viability of cattle production was also threatened by Aboriginal resistance to the European occupation of their land. Not only were cattle killed and property destroyed, but many Europeans fell victim to Aboriginal spears. Charles Massey of Rokeby was killed by local Aboriginal people in 1885. Knott of Langi on the Archer River was slain in the same year. Four years later Edward Watson at Pine Tree station and George Torrent near the Normanby were killed by Aborigines. After the Archer River incident, three detachments of Native Police and volunteers set out to punish the offenders and in the process "dispersed"⁴⁷ five Aboriginal camps.⁴⁸ In 1896

Donald Mackenzie of Lakefield was killed by local Aborigines.⁴⁹ A local Aboriginal group had attacked his station ten years earlier.⁵⁰ It is difficult to know why the second attack occurred but the Europeans in the area were outraged because in contrast to other settlers, Mackenzie was known for his kindness towards the blacks. Writing on the 15 May 1896 a local school teacher told a friend that Mackenzie

used to kill an occasional bullock for the blacks and usually had a whole tribe camped close to the station. On April 29th a civilized nigger from Breeza came to Lakefield for a pack saddle and found the wild bucks ransacking the place. The boy rode full tear back to Breeza and by the next morning the news was sent here and telegraphed to Cooktown. A special train brought up a small army of black police who left here on April 31st and haven't come back since, though we've had news of them. Mackenzie's body was found in a waterhole, and the niggers were tracked to a camp on the Normanby river, where a good many found a final resting-place. Some took to the river and escaped but are still after them they will have a warm time before it's over....I think this little corner of the colony is about the worst in Australia for niggers, and the law is only a hindrance to dealing with them. The police now after this tribe will report to headquarters that they 'dispersed' the niggers but will give no real account of the affair. If some busybodies down South were acquainted with the affair the police would probably be tried for murder. If a nigger kills a white man and is brought up at the Supreme Court he is almost sure of acquittal. Then the usual plan is for the police to escort him back to his country and accidentally 'lose' him on the road, so that justice is done in spite of the law. When I came here first the niggers were regarded as peaceable members of society, but at least two white men have been killed by the Laura tribe, and several others have been wiped out by more distant blacks.⁵¹

While Aboriginal resistance took a heavy toll on European lives, some 850 dying in North Queensland between 1840 and 1897, it is evident that the loss of Aboriginal life was much higher. In parts of North Queensland, contemporaries believed that for every white person killed, between six and twenty Aborigines were killed. Well-known bushman Archibald Meston, however, believed that as many as fifty Aborigines had been slaughtered to "avenge the killing of each European."⁵²

The passage of the *Aboriginals Protection and Restriction of the Sale of Opium Act of 1897* was meant to usher in a new era of Aboriginal-European relations. The old time "dispersal" of blacks was to be abandoned in favour of a more conciliatory approach to local Aboriginal people.⁵³ According to the minister, the Native Police in each district where their services were considered necessary on the Peninsula were:

carefully instructed to protect the blacks from all forms of injustice by lawless whites, to warn them in an earnest and friendly manner against committing any offence on the settlers, and in case of an outrage by

aboriginals to take special care to capture or punish only those who were directly responsible.

Many Cape York pastoralists opposed the new conciliatory approach; it was only a year earlier that Donald Mackenzie had been killed by local blacks. In 1904 J.T. Embley of York Downs station called for a continuation of the old ways arguing that "as far as pastoral occupation in these parts is concerned it is more necessary than ever, that frequent police patrols should take place. The blacks are aware now that the pastoralist can do nothing to them, and consequently are taking full advantage of the position."⁵⁴ The practice of giving beef to blacks as a means of deterring them from killing stock was also part of the benevolent approach adopted by the government. Nevertheless it was clear that ration stations would only be a short term solution with potential employers being concerned about the impact of rationing on the work ethic - that such expenditure on "healthy blacks would encourage idleness." The reality, however, was that Aboriginal people on Cape York Peninsula appeared to work in a much more diverse range of industries than in other parts of Queensland. Moreover their long-standing land management skills were readily transferable to new types of economic activity.

16.5 Aboriginal employment

Within years of moving into the area, cattle producers were relying heavily on the use of Aboriginal workers. Desperately short of labour, as soon as practical, most station operators reversed the policy of keeping blacks out and instead encouraged them to "come in".⁵⁵ For employers it meant that they had access to skilled labour at minimal cost. For Aboriginal people the benefits were that they were able to live legitimately on their own land without the fear of being hunted off it. It is likely that Cape York stations may have been even more dependent on Aboriginal labour than other parts of Queensland. Not only was the country more marginal but white labour in the area was more interested in mining. As a result the only labour employed on remote stations such as Rokeby was Aboriginal. Many like Glen Massey admitted that if it had not been for cheap labour they could not have kept their stations going.⁵⁶

Many Aboriginal and Torres Strait Islanders worked in the beche-de-mer and pearling industries both of which required a large supply of cheap labour. While it is difficult to estimate the number that were employed, we know that the conditions under which they worked left a lot to be desired. Noel Loos has described them as "chaotic" with the "wishes and well-being of the native labour commonly disregarded."⁵⁷ Athol Chase maintains that by the 1880s "abduction, murder and attacks on coastal Aborigines by lugger captains desperate for cheap labour were commonplace, and this in turn provoked a growing series of retaliatory raids on isolated boats and camps."⁵⁸ In a bid to redress the deteriorating situation, the *Native Labourers' Protection Act* was passed in 1884. Despite this, and the subsequent passage of the *Aboriginal Protection and Restriction of the Sale of Opium Act* of 1897, abuse of those engaged in the industries continued to be widespread. The sense of frustration experienced by Protector G.H. Bennett of Thursday Island was clearly evident in his 1901 annual report where he noted that:

Our natives are more in need of protection than the Pacific islanders, and their employment should be safe-guarded from the time they are engaged at their homes until they are returned to them. At present, all our supervision begins and ends at the shipping office. I do what I can, but I am only one man with four difficult positions to fill, and very little assistance to draw upon outside my office. The salary or allowance attached to the position of Protector is a consideration to me, but I would gladly suffer the loss of it if a man was appointed who would be able to devote his whole time to the work of outside supervision.⁵⁹

Cape York Aboriginal people worked as sandalwood getters in the early years of the twentieth century. For Europeans sandalwood-getting offered an alternative to mining when the price of metals fell in the early 1910s. Hugh Giblett and Harry Edmundson were amongst the first to become involved.⁶⁰ Most of the cutting was done by Aboriginal people under the supervision of white overseers. The wood was then transported to the coast by packhorse for shipment to China where it was popular for cabinet work. Because of their knowledge of country and its resources, Aboriginal men were skilled sandalwood workers. Aboriginal women were also used to gather stumps, roots, and chips which had been missed or discarded in the first cutting. This type of material had a high oil content. The attraction for Aboriginal people of this type of work was that they had the ability to hunt and gather at the same time, in some cases in areas from which they had been previously excluded. For instance following the death of Eddie Watson in 1888 they were not allowed on Merluna station. This decision was reversed when they were employed to cut sandalwood on the property.⁶¹ In many ways Aboriginal employees dictated the conditions under which they worked. In applying for a licence to cut sandalwood at Lloyd Bay, Archibald Meston argued that "It would be useless signing on these bushmen [Aborigines] as they will work for a day to a month and then go away at their own sweet will for a week or two and would certainly not tolerate any restraint, as in that case they would merely clear off to some other locality or report their inability to find any sandalwood."⁶²

A large number of Aboriginal people on Cape York Peninsula were also employed by townspeople on a casual basis, in many cases without monetary returns. For instance when "Lindy" was in charge of the Musgrave Telegraph station in 1907 he and Walter Rose enlisted the help of seven or eight Aboriginal men to clear the undergrowth. "We fed them with rice and corned beef and this was supplemented by whatever they could catch...When the job was finished we gave each of them a white shirt, a pair of white trousers, a belt with a snake buckle on it and a new tomahawk."⁶³ It was obviously a widespread practice to employ blacks for this type of work, a group from the Coen district being employed in 1937 to clear the telegraph line between there and Mein, a distance of 58 miles. On that occasion the local postmaster accompanied them for the first 20 miles but they completed the remainder without supervision. They received food which they supplemented with bush tucker and a little tobacco but no cash.⁶⁴ At the turn of the century Inspector Garraway and Sergeant Whiteford were lauded for their efforts in "blazing a splendid track" from Port Stewart to the Hamilton field which reduced the journey from 48 to miles. Much of the labouring was done by local Aboriginal people.⁶⁵

In 1882 the Bloomfield River Sugar Company attempted to establish a sugar plantation and mill. Some 200 Aboriginal people were used in the sugar industry when Malay labour proved unsuccessful. By 1886 the company had gone into liquidation; according to the Cooktown Courier the management was "recklessly expensive" with "cultivation and treatment subordinated to amateur engineering and inefficient and disorderly labour".⁶⁶

Aboriginal men and women also worked for prospectors with a number of finds being made by them. Working for Bill Baird south of Cooktown, Romeo discovered tin at a site which subsequently bore his name - Mt. Romeo. In 1892 another Aboriginal man Asmus was with the Webb brothers when they found the Coco Creek gold and antimony reefs. In the Mein-Wenlock area in 1910 Pluto discovered a large lead which he worked for some time. In 1922 his wife Kitty discovered an even bigger field around which the town of Wenlock grew up.⁶⁷ Others such as Kuku-Yalanji, Norman Mitchell were skilled in a number of different fields. Norman was born shortly after the turn of the century and it was recalled that:

After spending his childhood in Maytown he came back to Mt. Carbine and worked at pastoral stations on the Upper Mitchell, Hodgkinson and Walsh rivers, as well as mining for tin, wolfram and gold in the same area.⁶⁸

16.6 "Protection"

Because of the widespread exploitation of labour, under the legislation passed in 1897, all employers were required to enter into a written agreement which set out details of the nature of the service, periods of employment, wages or other remuneration and the type of accommodation to be provided. Within a short period of time it was realised that amendments needed to be made to the Act and in 1901 a fixed wage was established. For those working on boats it was ten shillings a month and five shillings for those employed elsewhere - food and clothing to be supplied.⁶⁹ Employers resented outside involvement in their dealings with black labour. They were highly critical of the Act; Chief Protector of Aborigines, Walter Roth was singled out for particular attention. The editor of the *North Queensland Register* described him as "the best hated official in the Queensland Government service".⁷⁰ In 1905 Cooktown residents unsuccessfully tried to have the office of Chief Protector abolished with support for the proposal being obtained in other northern towns. Nevertheless the lives of Aboriginal people became increasingly controlled as the State began closing loopholes which employers might otherwise exploit.

To ensure that Aboriginal employees received wages, it became mandatory for them to be paid to an Aboriginal Protector. From 1904 for women and from 1909 for men, it was compulsory for part of the wage to be banked into a savings account. Any withdrawals by the owners of these accounts had to be sanctioned by the protector.⁷¹ Although the initial idea behind bank accounts was to ensure that Aboriginal workers were properly paid, successive protectors viewed savings as a form of insurance to tide workers over periods of unemployment. Because of this many people had great difficulty drawing money from their accounts. These savings accounts along with the Aboriginal Protection Property Account and the Aboriginal Provident Fund became a major means of welfare provision

for those Aboriginal people who were locked out of social security benefits available to the wider community.⁷² "Enforced sharing" substantially reduced the Queensland government's Aboriginal welfare obligations, as did the presence of missions scattered throughout Cape York Peninsula.

16.7 Missions

From the latter part of the nineteenth century some Cape York Aboriginal people and Torres Strait Islanders took up residence on missions. Missionaries had been encouraged to set up institutions on the Peninsula to protect the indigenous population from the ravages of lugger men. The Lutherans established the first permanent mission in North Queensland at Cape Bedford in 1886 (later it became Hopevale Mission).⁷³ Presbyterians established Mapoon in 1891, Weipa in 1898 Aurukun in 1904, Mornington Island in 1914. The Anglicans established bases at Yarrabah and Mitchell River in 1892 and 1904 respectively with Lockhart River following in 1924 and Edward River in 1939.⁷⁴ Protectors were able to send, or threaten to send, Aboriginal people to missions and settlements as a means of making them more acquiescent. Once a removal order was obtained, Aborigines had no redress. The Chief Protector advised the department in 1937 that there was no provision in the "Aboriginal Protection Acts for an aboriginal to be brought before a Magistrate and given a hearing before being set to a Settlement."⁷⁵

While missionaries would have preferred to keep residents shielded from "the vices of the outside world", from the 1930s an increasing number of mission residents found outside work. This process escalated during World War II with demand far exceeding supply. Not only did those such as Dick Roughsey on Mornington island get the opportunity to work for the first time on cattle stations,⁷⁶ others who had been previously employed, were elevated to positions of head stockmen. A former Chief Protector recalled that numbers of Aborigines "proved themselves quite capable, when tried, of relieving in positions of responsibility previously believed to require the more trustworthy white man".⁷⁷ There was nevertheless some concern about the security threat that Cape York Aboriginals posed in the event of a Japanese invasion. An army intelligence report noted that most of "these blacks and half castes have been travelling for years the stock routes, right into the coastal areas and their natural bent for "country" has given them an invaluable knowledge of Queensland topography."⁷⁸ Because of the German connection, residents from the Lutheran-operated mission at Hopevale were relocated to Woorabinda during the War. To the north, the Church of England-operated mission at Lockhart River was abandoned at the outbreak of war with the Aboriginal population being instructed to live in bush camps. Athol Chase writes that here "they were supplied intermittently with rations, and many made their way to the large American camps being established around the new wartime airfields inland from Lloyd Bay." When they returned to the mission in 1944 an epidemic struck which resulted in the death of one-third of the Aboriginal mission population.⁷⁹

Before they were eventually handed back to the government in the 1960s, all missions were hampered by a lack of resources.⁸⁰ Despite financial constraints, mission personnel continued to accept Aboriginal people from northern camps in a bid to control the most intimate aspects of their lives. For instance John Warby, superintendent of Lockhart

River Mission in 1958 wrote to the Coen Protector offering to give Port Stewart people a home at his mission. One attraction of such an arrangement was the number of marriageable girls at Port Stewart "who could easily find husbands here". Warby added that:

Should you agree to the removal, our boats could be made available to collect these families and transport them here. I understand that some of the old people are in a poor state of health also. As it would appear that nothing but good could come from such a proposal, I trust that your approval to this is forthcoming and look forward with interest to your reply.⁸¹

Coen Protector A. V. Moylan was not in favour of such a proposal notifying the Director of Native Affairs that Port Stewart people had repeatedly informed him that they had no desire to leave their tribal country and live on the mission. Alluding to efforts of the operators of Silver Plains station to have Port Stewart people relocated, Moylan wrote that he had

not the slightest doubt that Mr. Warby is motivated by the best possible motives, but it is possible that he is being used without his knowledge and although he informs me "that some of these old people are in a poor state of health" I have no knowledge of this.⁸²

With a change of protectors the Lamalama people were moved by the Queensland government in 1961 to Bamaga where they were resettled. Their houses at Port Stewart were set alight and their dogs which they had been forced to leave behind, were shot. Anthropologist Bruce Rigsby observed that in one stroke, "the Lamalama presence at Port Stewart was erased, and Lamalama people living in other places on the Peninsula lost their home community and easy access to their traditional lands."⁸³

In 1963 residents of Mapoon Mission were also relocated, against their will, to a number of northern centres. In the first instance services were run down and when inhabitants refused to leave, they were forcibly evicted and their houses, church and other buildings were set on fire.⁸⁴ Mapoon people have very bitter memories of the treatment they received from Garth Filmer, the last of the missionaries. Rachel Peter recalled that "If anyone spoke for his rights, he always made their rights come wrong and punished them."

If he didn't punish them here, he sent them up to Cowal Creek. He made Cowal Creek a punishment place for Mapoon because it was a D.N.A. (government) settlement with very harsh laws. Then, after a while when Cowal Creek got filled up, he started to send people to Bamaga (that's the main settlement up on Cape York), and then, when they found that they got too many Mapoon people there, they decided to make a new settlement for the people. They made it in a place called Hidden Valley, and that's where the Mapoon people are today. They now call it "New Mapoon".⁸⁵

Aboriginal people had little doubt that the church and government had colluded in the "killing of Mapoon" and that the mining companies were the beneficiaries.⁸⁶

At Lockhart it was the government's intention to transfer the entire population to Bamaga. When the Lockhart residents were informed of this plan, a significant proportion objected strongly to being moved so far from their country. With the unfavourable publicity which resulted from the relocation of the Mapoon people, the government decided instead to rebuild near Iron Range which was closer. Nevertheless as Noel Loos has pointed out, the shift caused great heartache because it dislocated the people from the previous mission site.

16.8 Economic stagnation

After the bottom fell out of the mineral market, the bulk of the white population moved away from Cape York leaving a mere handful of white settlers in the 1930s. What had been a hive of activity in the latter part of the nineteenth century had become a "backwater of civilisation" thirty years later. In 1936 Ursula McConnel wrote that white settlement on the Peninsula had been fortuitous "only two things seem to remain permanent - telegraph stations and police stations."⁸⁷ The cattle industry became the dominant economic activity at this time. A number of Cape York cattle stations had been purchased by the Queensland government between 1916 and 1920. These included Brooklyn, Maitland Downs, Merluna, York Downs and Silver Plains, and on the western side of the Peninsula, Dunbar, Vanrook, Stirling and Strathmore.⁸⁸ These were largely unviable and within a decade the Queensland government sold these off at a huge loss.⁸⁹ Silver Plains for one was sold unstocked with cattle having been moved to other stations some years earlier.⁹⁰ Most Peninsula cattle stations were very isolated with limited contact with the outside world. Merluna station for instance was managed by John and Louisa Boyd. It is claimed that five years after going to the station, Mrs. Boyd went to the Coen races and saw the first white woman in four years.⁹¹ Even in 1955 white women had limited contact with others. When she moved to Batavia Downs, Joyce Bahr was there for two years before the another white woman came to the station. AIM Missionary Margaret Ford remembered that Joyce's life was not easy. "Her husband was out on the run a great deal, and during that time her only companion was a fourteen-year-old aboriginal girl, Daisy."⁹²

The cattle industry on the Peninsula, for the most part located on relatively marginal country, continued to be plagued with marketing problems. The Mareeba sale yards became a major outlet for Peninsula cattle with droving costs of 28 shillings per head in the 50s. In 1953 the Marine Contracting and Towing Co. Ltd. began operating a barge the "Wewak" between Peninsula ports and the meatworks in Cairns. While this was a more efficient way of moving stock, it cost £4 a head plus droving charges. Given the importance of the cattle industry in "developing" the Peninsula, the company applied to the government for a subsidy in 1954. A few stations were very well developed.⁹³ Con OLeary, Director of Native Affairs at the time urged the Minister for Health and Home Affairs to take steps to assist the expansion of the cattle industry on Cape York. He noted that besides the Aboriginal population resident on missions there was "not more than 200 white residents on the Peninsula between Cape York and Cooktown, a distance of

approximately 400 miles".⁹⁴ He believed it was imperative to populate Cape York as a means of deterring an attack from "Asiatic Countries."⁹⁵

The "relatively primitive" nature of Cape York Peninsula saw the area become an attraction for researchers. In 1928 Hubert Wilkins led a zoological expedition to Cape York for the British Museum. Anthropologist Donald Thomson travelled through the area on a number of occasions between 1928 and 1933 and again in the 50s. Another anthropologist Ursula McConnell also did field work on the Peninsula in 1927 and 1936. In 1948 American L.J. Brass led the Archbol Biological Expedition of Cape York. Brass's experience was that the Peninsula

remained dependent for transport on infrequent, and in our experience erratic, boat services, and a system of primitive unformed bush roads open for wheeled traffic only in the dry season. Inland communities such as Coen and Wenlock, for example, were thus obliged to lay in bulk food stocks in November and early December to last through May. The all-weather military roads built in the northern parts of the Peninsula were local and coastal and of small benefit to a functioning white population located principally inland.⁹⁶

In the 1930s the mailman travelled between Coen and Laura with packhorses. Things improved dramatically for some Peninsula residents in October 1935 when Cooktown acquired a regular air mail service as a result of Cairns businessman Tommy McDonald operating a twice weekly flight between Cooktown and Cairns.⁹⁷ For most others however the tyranny of distance continued to prevail. Even the construction of beef roads which began in the 1960s did little to counter the isolation of the peninsula.

There was a burst of activity during World War II when a number of American bases were located on the Peninsula. At Portland Roads off Cape Weymouth a jetty and anchorage were constructed by American engineers. In addition, American planes were based at a number of airstrips; Horn Island, Iron Range, Wenlock and Coen.⁹⁸ Flying Fortresses, fuelled with petrol, brought in 44 gallon drums from Port Stewart, were based at the latter.⁹⁹ There was some improvement made to the roads by American servicemen during the war. Subsequent attempts to do additional work after the war were assisted by the large stock of building material left by the Americans; hundreds of drums of bitumen, bridge material and reinforced steel.¹⁰⁰ Indeed this, combined with the improved aerodromes, helped to open up the Peninsula to the outside world. The isolation was further reduced when stations obtained the use of World War II transmitters. Long-time Peninsula identity, Irene Taylor recalled that these innovations "took a terrible burden off the women who were on the properties on their own".

Although the white population on Cape York had declined markedly there were still thousands of Aboriginal people living in the area. During the period of economic stagnation in the far north, Aboriginal trade appeared to be the major source of business for traders. For those in Coen in 1937, this amounted to more than four thousand pounds divided between three storekeepers. The system in vogue regarding the supply of clothes, was for the Aboriginal person to call at the Police Station and be supplied with an order by the Protector, which was then taken to the storekeeper. On the supply of the goods the

thumb print of the customer was then placed on the order, by the storekeeper and witnessed by a person around the town. The purchases were entered in a day book from the order issued by the protector. At the end of the month an invoice was made out and sent to the Protector for payment. While the department's policy was to share the trade equitably between all, this did not always happen. In this case H.J. Thompson had the lion's share ostensibly because his prices were lower than the other two. Subsequent inquiries revealed in fact that not only was the quality inferior but there was a strong suggestion of collusion between the local protector and the storekeeper to defraud Aborigines of their money. The other storekeepers Evans and Armbrust and Maurice Shepherd were not in a position to challenge the arrangement. The latter combined storekeeping with a carrying business operating between Port Stewart and Coen with Herb Thompson being his biggest customer.¹⁰¹

In 1962 it was reported that work on behalf of the Department of Native Affairs at Coen took up the full time of one police officer and at times required the assistance of others. The Police Commissioner advised the Director of Native Affairs that

Aboriginal labour is much in demand in the Coen area for the majority of the year, and a great deal of work is required in this connection, there being approximately 170 individual accounts in wages registers held at Coen Police Station and the total wages collected for the twelve months ended 31st December 1961 amounted to £22,822.4.5d.

All claims for pensions, and other social service benefits on behalf of aboriginals are attended to at Coen Police Station, as well as requirements of food and clothing, and it is estimated that approximately 500 reports in connection with aboriginals are furnished annually. Withdrawals made by aboriginals in the Coen Protectorate for the twelve months ended 31st December 1961 amounted to £19,706.13.6d, the number of cheques issued in respect to such withdrawals being 244.¹⁰²

The situation at Coen was exacerbated by the fact that it handled the employment arrangements for residents on 6 of the 8 northern mission stations including Aurukun, Bamaga, Edward River, Lockhart, Mapoon and Weipa.

16.9 Bauxite

In 1955 bauxite was discovered on Aboriginal land at Weipa with exploration, surveying, mapping and drilling commencing the following year. In 1957 legislation was passed by the Queensland government granting Comalco an 84 year lease from 1 January 1958 with the right of renewal for a further period of 21 years, of an area between 2,270 and 2,770 square miles on the western shores of the Peninsula. This effectively reduced the size of the former Weipa Mission from 354,828 hectares to a mere 124 hectares in 1959. Although Comalco subsequently surrendered over 260,000 hectares to the crown, it was never re-gazetted as Aboriginal reserve.¹⁰³ In signing the Comalco agreement, Premier Nicklin said that it would unlock at long last the Gulf and Peninsula region and settle it

with white people. While he had been prepared to allow Lockhart people to mine on their land,¹⁰⁶ he was unwilling to extend this to Weipa residents because of the size of the project. He added that "when deposits such as the bauxite at Weipa Mission are located on an Aboriginal Reserve they will be exploited to the full in the interests of the State and national economy".¹⁰⁵ Local Aboriginal people were promised jobs at the mine but this proved difficult. Geraldine MacKenzie who spent 40 years at neighbouring Aurukun Mission wrote that:

One great snag was: one selected, young man, being taught to use one of the big earth-moving machines, and being paid a white man's wage for doing a skilled job. After he had it for a while, some relation, who had by birth the clan right to give him orders which he must obey, would tell him it was time he gave up such a status-giving, well-paid job to another relation perhaps himself! The hapless junior member of the clan would therefore have to suggest to his white boss that his place be taken by another man. To the boss's eyes, the suggested replacement might appear too old or too young, or generally unsuitable, and he would refuse, perhaps trying kindly and reasonably, as he thought, to persuade the trained man to stay on. The junior man would either quietly disappear from his job, or worse still, begin to do it so badly that he would get the sack, to find his sacrifice was all in vain. He had been replaced by a white man!¹⁰⁶

H.J. Evans who discovered bauxite at Weipa was awarded an OBE in 1965 for his contribution to the Queensland economy. Twenty years after mining began at Weipa it was evident that no benefits had trickled down to the local Aboriginal community. Resident Mrs. Joyce Hall argued that "when the miners came here they promised us houses and said mining would make us rich. They said there would be plenty of beer to make us happy. They did not say it would kill us". She added that

Most of the children don't go to school. They are drinking alcohol and sniffing petrol. There are few jobs for young people and no entertainment. The Torres Strait Islanders get all the jobs for black people. There is nothing for Aboriginal boys to do but go and drink. Then they get into trouble and end up in jail.¹⁰⁷

In contrast to the hastily erected mining towns of the late nineteenth century, a modern town was developed at Weipa catering for a population of 3,500 white people.¹⁰⁸ Twelve kilometres south of the Comalco-built township some 700 Aboriginal and Torres Strait Islander people live at Napranum (Weipa South). On the west coast, a deep water port capable of taking vessels drawing up to 30 feet, was constructed.¹⁰⁹ On the other side of the Peninsula, by the 1960s, Port Stewart which had been integral to the opening up of mining at the end of the nineteenth century, was no longer a viable port. However, the European presence was firmly entrenched and would not be dislodged as easily as in the earlier period of mining. However, with a move away from a policy of assimilation towards self determination, Aboriginal people were in a more powerful position. Many have attempted to pursue a more traditional form of landuse and this has fitted in well with the increasing interest from outsiders in eco and cultural tourism.

16.10 Eco and cultural tourism

Since the early 1970s the Federal government has supported the idea of cattle stations owned by Aboriginal people. Despite opposition from the Queensland government, the Aboriginal Development Corporation managed to purchase Delta Downs station for the Kurtjar people in 1983. Merepah became the next of the Cape York cattle stations to be bought for the traditional owners in 1989. It was initially acquired as a land base for the Mumpa people but it was planned to introduce cattle at a later stage. This purchase was much more straight forward than earlier attempts to secure property following John Koowarta's High Court challenge in 1982. In that year the court found that the Queensland government's policy of prohibiting the transfer of pastoral leases to Aboriginal people when those leases had been purchased with Commonwealth funds was unconstitutional. From an economic point of view, many Europeans have opposed the acquisition of pastoral leases. Aboriginal people on the other hand often attach a great deal of importance to the social and cultural benefits that could be derived from land. A study carried out by ATSIC found that where Aboriginal groups had been living for longer than ten years on their own land there was a high degree of satisfaction with the social gains that had been achieved. The elders on the larger properties have generally concentrated their energies on cultural matters. It was reported that the "conservation of Aboriginal culture, particularly through the education of the young children who have been born on the community's own land, has become very important. Site protection has also been important".¹¹⁰

While the opportunity of returning to a more traditional lifestyle was a major reason for the purchase of cattle stations, this goal has also been achieved by the homelands movement which began around the same time. Coinciding with the mounting dissatisfaction with institutionalised life in church missions and government settlements, the homeland movement was seen as a way of allowing people to re-establish their relationship with traditional country and to have more control over their own lives. Many claimed that it allowed them to achieve cultural and economic independence. While the Federal government facilitated this movement by adopting more flexible social security payments, granting land rights and implementing a policy of self-determination, the Queensland government was less co-operative. Indeed the Queensland government's move to take control of Aurukun in 1978 was a reaction to the outstations movement which challenged the mining leases negotiated with Comalco. The Queensland government attempted to frustrate the outstations movement by refusing to give financial assistance to people who chose to live in this manner. Bob Katter advised that his government was more in favour of groups being encouraged to set up and run their own cattle stations in Deed of Grant areas. At Edward River Aboriginal Settlement in the mid-1980s the minister took the unusual step of excising 110,000 hectares from the community's proposed land grant and issuing a thirty-year lease to one resident. Notwithstanding the lack of support for the homelands movement from the Queensland government, in 1986 there were some 480 Queenslanders living in thirteen communities in the Gulf and Cape York Peninsula areas.¹¹¹ The extensive land base which is available to these homeland communities has allowed them to tap traditional subsistence resources and engage in a range of possible projects as contributions to their economic well-being.

A change of government in 1989 saw new land rights legislation passed in 1991 which made provision for traditional owners to claim national parks which had been gazetted as claimable. In 1991-92 a total of thirteen national parks, mostly on Cape York Peninsula, were gazetted as claimable. Queensland Aboriginal people saw a chance to increase their involvement in the management of land in August 1990 with the Commonwealth and Queensland governments' joint management scheme for the Queensland Wet Tropics World Heritage Area. Some 15,000 Aboriginal people in twenty communities live in or near the listed areas. Horsfall and Fuary's 1988 report on the cultural heritage values of these people demonstrated that, despite a century of pressure for social change, Aboriginal people in all communities remained conscious of, and proud of, their cultural heritage. In these communities the forest

continues to be important for their livelihood, not only culturally, but also as a means of surviving through supplementing their diet. Despite the changed conditions brought upon Aboriginal people in the last 100 years, the significance of the forest ecosystem remains, both as an escape from socio-economically marginal lives, and as an expression of their unique cultural heritage. Through their utilisation of the forest, these people are able to maintain and pass on their knowledge to their descendants.¹¹²

While Aboriginal people and conservationists can make a formidable team as demonstrated in the Starcke case, they have in the past had conflicting aims for heritage areas. As early as 1985 the people of Wujal Wujal expressed their concern to the Director of National Parks and Wildlife about "conservationism" in their area. The Aboriginal Co-ordinating Council had similarly voiced its apprehension about the impact of World Heritage Listing on Aboriginal interests.¹¹³ Under the Queensland *Community Services (Aborigines) Act*, residents living on reserves including DOGIT lands, already had fishing and hunting rights. This was further extended in the *Nature Conservation Act* introduced in the Queensland parliament in 1992, giving traditional owners the right to hunt in certain protected areas.¹¹⁴ Despite environmentalists' concerns about Aboriginal people's use of wilderness areas, it has been demonstrated that they can contribute significantly to nature conservation and rehabilitation programs through their accumulated knowledge of the ecology of the region. The Ranger Program has been important in this regard.

In 1971 a small number of Aboriginal people were recruited in Queensland as part of the Aboriginal Ranger Service. Their job was to assist with the recording and protection of Aboriginal sites and relics. In 1988 the Aboriginal Co-ordinating Council introduced a Community Ranger scheme with rangers currently employed on each of the fifteen DOGIT communities represented by the ACC. The funding for the program comes from the Aboriginal and Torres Strait Islander Commission via Community Development Employment Projects. While there is growing recognition among communities and government conservation agencies of the valuable contribution that Community Rangers can make in looking after traditional lands, long-term funding remains in doubt. Moreover their lack of recognition by the Queensland Department of Environment and Heritage has restricted their ability to manage the areas under their jurisdiction.

The ability of Aboriginal people to move back into traditional areas and resume customary practices has been advantageous to the Australian economy. Benefits have accrued in terms of the well-being of the Aboriginal population but these are yet to be fully evaluated. More immediate has been the contribution to the tourism industry.¹¹⁵ Increasingly overseas tourists are wanting to see aspects which are unique to this part of the world and this includes Aboriginal culture and the rainforest in which many live. The best known Aboriginal cultural venture is the internationally acclaimed Tjapukai Dance Theatre based at Kuranda. Julie Finlayson reported that the attitudinal success of the group has been nothing short of remarkable for the Aboriginal community.

The prospect of becoming a Tjapukai dancer is an esteemed vocation for many Aboriginal boys in the town, and a career choice to be respected. The dancers are men whose success is public; these men travel, they own their own transport, they earn a regular wage, and they have a prestigious social profile. What Tjapukai offers to male Aboriginal youth is an alternative to long-term unemployment, away from constant, demoralising encounters with the hotel and the police, and a forum for self-expression and development they enjoy and feel comfortable with.¹¹⁶

To the north of Cairns, the Kuku-Yalanji Cultural Centre was opened at the Mossman Gorge in 1987. Local Aboriginal people take groups of tourists on a half hour walk through the rainforest in the adjoining national park. This is followed by bush refreshments during which the Aboriginal guides play the didgeridoo and talk about the kind of hunting weapons used in the rainforest. The enterprise which is a popular tourist attraction has stimulated a resurgence and revival of interest in Kuku-Yalanji traditional culture. The Laura Dance Festival has also been important in reviving interest in traditional dance with thousands of tourists attending each year. The nearby rock art site, which has been controlled by the Anggnarra Corporation since 1992, contains some of the oldest art in the world and has become a major tourist attraction.

In the same year the Injinoo community purchased Cape York Wilderness Lodge, renamed Pajinka, for \$2.2 million from Australian Airlines. The resort had been established by Air Queensland in 1986 and absorbed in a takeover by Australian Airlines soon after. The Lodge's leasehold was on Injinoo's traditional lands and the owners had been trying to regain it since the time the Lodge was first built. The traditional owners were also concerned about the way in which the area was managed. The purchase of Pajinka has resulted in the traditional owners not only regaining control of their land but at the same time they have generated employment for their people with 90 percent of the resort staff coming from Injinoo.

While there is considerable interest in eco and cultural tourism in Cape York Peninsula, current activities are largely unco-ordinated. As a result a number of workshops have been conducted to increase dialogue between Aboriginal groups and the tourism industry. A Tourism Industry Advisory Committee was formed to advise the government on the development of a national Aboriginal and Torres Strait Islander Tourism Strategy.

16.11 Conclusion

Aboriginal people have always been the dominant group on Cape York Peninsula in terms of numbers if not power. I have endeavoured to reflect this fact in this brief overview of the history of the area. While the typical issues such as exploration, mining and pastoralism are addressed, emphasis has been placed on how these have impacted on the traditional owners. It is unlikely that the non-Aboriginal population will ever again desert Cape York Peninsula to the extent that they did in the past. The future claim that Aboriginal people will have over the region is yet to be determined in part by the Wik case which is before the courts at the moment. Whatever the outcome, it is to be hoped that there will be a new spirit of co-operation between black and white Australians on Cape York Peninsula.

16.12 Endnotes

1. This term is used by Europeans to describe the area. It implies an untamed state. However from an Aboriginal perspective, the area is definitely not wilderness as it has been extensively utilised and shaped by their activity.
2. This is the first *documented* account of a visit by a European mariner to the region. There may well have been others before this. In the sixteenth century the Portuguese, British and Spanish were engaged in expansionist activities involving secret voyages in the Southern Hemisphere and for obvious reasons, may not have left documented evidence. (F. Farrell, *Themes in Australian History*, Uni. of NSW Press, Kensington, 1990, p.27).
3. R. Fitzgerald, *A History of Queensland: From the Dreaming to 1915*, Uni of Qld Press, St. Lucia, 1982, p. 41. Aboriginal descendants relate details of an incident where six Dutch and numerous Aboriginal people were killed. (J.P. Roberts and D. McLean, *The Cape York Aluminium Companies and the Native Peoples*, IDA, Fitzroy, 1976, p. 35-6)
4. See for example N. Sharp, *Footprints Along the Cape York Sandbeaches*, Aboriginal Studies Press, Canberra, 1992 and J. Singe, *The Torres Strait: People and History*, Uni of Qld Press, St. Lucia, 1979.
5. The local Aboriginal people came in conflict with the crew from the "Endeavour" because of amount of fish being taken by the Europeans.
6. Named after the Spanish mariner Luis Vaez de Torres who sailed through the region in 1606.
7. *An Account of a Voyage round the World with a full account of the Voyage of the Endeavour*, 21 August 1770.
8. Sharp, *Footprints Along the Cape York Sandbeaches*, pp. 6, 54.
9. Cited in H. Reynolds, *The Other Side of the Frontier*, JCU History Dept., Townsville, 1981, p. 23.
10. G. Bolton, *A Thousand Miles Away*, ANU Press, Canberra, 1963, p. 53.
11. N. Kirkman, "From Minority to Majority", in H. Reynolds (ed.) *Race Relations in North Queensland*, JCU History Department, Townsville, 1978, p. 237.
12. Bolton, *A Thousand Miles Away*, p. 58.
13. N. Kirkman, "A Snider is a Splendid Civiliser", in H. Reynolds (ed), *Race Relations in North Queensland*, JCU History Department, 1978, p. 126.
14. Cited in *Ibid.*, p. 127.
15. Stories of widespread cannibalism should be discounted. According to Anderson and Mitchell "although fairly solid ethnographic evidence exists for the eating of human flesh as part of mortuary practices in the eastern Kuku-Yalanyji areas around Bloomfield River, there are no *reliable* reports of this or any other sort of 'cannibalism' on the Palmer. It is certainly nonsense to suggest that human flesh was a basic source of food." (C. Anderson and N. Mitchell, "Kubara: a

- Kuku-Yalanji view of the Chinese in North Queensland", *Aboriginal History*, Vol 5, Part 1, 1981).
16. C. Anderson, "Aborigines and Tin Mining in North Queensland: A Case Study of the Anthropology of Contact History", *Mankind*, April 1983, Vol. 13, No. 6, p. 484.
 17. G. Lewis, *A History of the Ports of Queensland*, Uni of Queensland Press, St. Lucia, 1973, p. 60.
 18. D. Tranter, *Cobb and Co.: Coaching in Queensland*, Queensland Museum, 1990, p. 40.
 19. First sod turned in April 1884. (*Northern Miner*, 4 April 1884).
 20. M.E. Rea, "Communications Across the Generations", *Royal Historical Society of Queensland Journal*, Vol 9, 1970-71, p. 217.
 21. D.J. Sheehy, *A Century at the Top*, Telecom Australia, Cairns, 1987, p.16.
 22. A. Meston, "Report on the Aborigines of Queensland", *QVP* 1896, pp. 725. Nevertheless until after World War II, labourers working on the line were referred to as "Protection Labourers". This title dated back to the nineteenth century when the original duties of the position were to protect the linesmen from hostile Aborigines. Paradoxically at the outbreak of War, most of these positions were filled by local Aboriginal people.
 23. On the Batavia River Goldfield, prior to the erection of the stamper, gold bearing ore had to be bagged and sent by packhorse to the coast and then transhipped to Cairns. The final leg of the journey to Chillagoe was done by rail. (A.E. Church, "Cape York Peninsula and the Batavia River Goldfields", *Walkabout*, May 1946, p. 10).
 24. S.Browne, *A Journalist's Memories*, Read Press, Brisbane, 1927, pp. 50-51.
 25. R.L. Jack, *Northmost Australia*, Vol. 2, Simpkin, London, 1921, p. 467. The Hamilton field fifteen miles south west of Coen was named for the local member of parliament.
 26. *Northern Miner*, 21 June 1900.
 27. J.M. Holmes, *Australia's Open North*, Angus and Robertson, Sydney, 1963, p. 321.
 28. See R.S. Kerr, *John Moffat's Empire*, J. D. and R.S. Kerr, St. Lucia, 1979.
 29. AR 1899, *QVP* 1900, p. 42.
 30. S.H. Boyd, "Peninsula Prospecting Days", *Cairns Historical Society Bulletin*, No. 49.
 31. Church, "Cape York Peninsula and the Batavia River Goldfields", p. 10.
 32. *Past Office Directory*, 1900, p. 309.
 33. A.R. Under Sec for Mines 1897, *QVP* 1898, p. 47.
 34. *North Queensland Register*, 22 June 1903.
 35. *Ibid.*

36. *Queenslander*, October 1896.
37. The first distribution of blankets took place in Maytown in 1888 when 40 people gathered in front of the court house. By this stage townspeople were using their services for carrying wood and water. (*Queenslander*, 2 June 1888, p. 847).
38. *Queenslander*, 21 May 1892, p.956.
39. E. Culpin to A. Quail, 8 August 1892, in F. MacKeith, (Ed.) *Letters from Laura*, JCU History Dept, Townsville, 1987, p.13.
40. A. McGrath, *Born in the Castle*, Allen and Unwin, Sydney, 1987, p. 69.
41. AR 1897 Under Secretary for Mines, *QVP*, p. 47.
42. C. Lack, "The History and Potential Future of Cape York Peninsula", *Royal Historical Society of Queensland Journal*, Vol. 6 No. 4, 1961-2, pp. 975-6.
43. *History of Queensland: Its People and Industries*, p. 489.
44. *North Queensland Register*, 9 April 1906, p. vii.
45. *Queenslander*, 14 November 1896, p. 946.
46. *Ibid.*, 26 December 1896, p. 1233.
47. This was a commonly used euphemism for rounding up the blacks and shooting them.
48. Loos, *Invasion and Resistance*, p. 61.
49. *Queenslander*, 16 May 1896, p. 917.
50. *Cooktown Courier*, 16 October 1886.
51. M. Culpin to A. Quail, 15 May 1896, *Letters from Laura*, p. 88. It was reported in the *Queenslander* that troopers from Laura, Musgrave, Maytown plus Constables Walker and Hardy with 8 troopers were dispatched. It was believed that Princess Charlotte Bay blacks were responsible for the killing. (16 May 1896, p. 917).
52. Cited in R. Evans, K. Cronin and K. Saunders, *Race Relations in Colonial Queensland*, Uni of Queensland Press, St. Lucia, 1988, p. 51.
53. In 1898 there were still Native Police Camps at Coen, Musgrave and Highbury. ("Condition of the Aborigines", *QVP* 1898, Vol. 4, p. 503).
54. J.T. Embley to Police Commissioner, 31 July 1904, 413m POL/J21, QSA.
55. See D. May, *From Bush to Station*, JCU History Dept., Townsville, 1983 and D. May, *Aboriginal Labour and the Cattle Industry*, Cambridge University Press, Cambridge, 1994.
56. *Cummins and Campbell Magazine*, August 1946, p. 31.
57. Loos, *Invasion and Resistance*, p. 126.
58. A.K. Chase, "Lazarus at Australia's Gateway", in D. Rose Bird (ed), *Aboriginal Australia and Christian Missions*, p. 124.
59. Cited in AR of Northern Protector of Aborigines for 1901, *QPP* 1902, Vol. 1, p. 1136.

60. Giblest set up a base at Lloyd Bay in 1908. He was instrumental in discouraging many of the excesses of lugger captains seeking Aboriginal crews. (D. Thompson, "Bora, Church and Modernization at Lockhart River, Queensland" in *Aboriginal Australian and Christian Missions*, p. 268.
61. The Cooktownner, No. 42, 25 August 1980.
62. A. Meston to Minister for Lands, 8 March 1909, Home Secretary's Bundles, HOM/J45, QSA.
63. *North Australian Monthly*, June 1957, p. 29.
64. Statement by Smiler, 18 June 1937, TR1227/110, QSA.
65. *Northern Miner*, 1 May 1900.
66. Cited in J. Kerr, *Northern Outpost*, Mossman Central Mill, Mossman, 1979, p. 25.
67. C. Hooper, *Angor to Zillmanton: Stories of North Queensland's deserted towns*, AEBIS, Brisbane, 1993, p.229.
68. Anderson and Mitchell, "Kubara: A Kuku-Yalanji View of the Chinese in North Queensland".
69. See May, *Aboriginal Labour and the Cattle Industry*, chapter 4 for more details on the operation of the Act in relation to employment.
70. *North Queensland Register*, 25 September 1905, p. 4.
71. See May, *Aboriginal Labour and the Cattle Industry*, pp. 71-4; 115-119, 125-131.
72. See D. May, "The Foundations of Aboriginal Welfare in Queensland", *Journal of the Royal Historical Society of Queensland*, Vol. 15, No. 9, November 1994, pp. 433-437.
73. Relocated in 1936 because of poor soil.
74. See J. Done, *Wings Across the Sea*, Boolarong, Brisbane, 1987, chapter 19 for details of Lockhart River Mission.
75. CPA to Undersec., Home Dept., 17 November 1937, TR1227/107, QSA.
76. D. Roughsey, *Moon and Rainbow*, Angus and Robertson, 1971.
77. J.W. Bleakley, *The Aborigines of Australia*, Brisbane, 1961, p. 205.
78. Extract from Headquarters Queensland L of C Intelligence Report, No. 53, in Japanese Activities Amongst Aborigines, CRS A373, Item 5903, Australian Archives.
79. Chase, "Lazarus at Australia's Gateway", p. 132.
80. Yarrabah in 1960, Edward River, Lockhart and Mitchell River Missions in 1967 Mapoon in 1963 and Weipa in 1966.
81. John Warby to Coen Protector, 27 February 1958, QSA.
82. A.V. Moylan to Director of Native Affairs, 11 April 1958, QSA.
83. Statement by Bruce Rigsby to Royal Commission into Aboriginal Deaths in Custody, 15 March 1989.

84. P. Wilson, *Black Death White hands*, Allen and Unwin, Sydney, 1982, pp. 39-40. *The Mapoon Story* by the Mapoon People, International Development Action, Fitzroy, 1975.
85. *The Mapoon Story by the Mapoon People*, International Development Action, Fitzroy, 1975, p.8.
86. *Ibid.*
87. *Walkabout*, June 1936, p. 18.
88. K. Cohen, "State pastoral Stations in Queensland: 1916-30", *Journal of Royal Historical Society of Queensland*, Vol. 13, No. 7, August 1988, p.232.
89. *North Queensland Register*, 8 February 1926, p. 70.
90. *Queensland Parliamentary Papers* 1918, Vol 1, p. 1179.
91. *North Australia Monthly*, December 1954, p. 25.
92. M. Ford, *End of a Beginning*, Hodder and Stoughton, Melbourne, 1963, p. 117.
93. Report on Marine Contracting and Towing Co. Ltd., 20 July 1954, TR1227/164, QSA.
94. Director of native Affairs to Minister for Health and Home Affairs, 2 August 1954, TR1227/164, QSA.
95. *Ibid.*
96. L.J. Brass, "Results of the Archbold Expeditions. No. 68", *Bulletin of the American Museum of Natural History*, Vol. 102, Article 2, 1953, p. 148.
97. *The Cooktownner*, No. 38, 8 July 1980.
98. The Americans built a strip some 30 kilometres out of Coen. This is now the strip used by Coen resident replacing the old racecourse strip in the middle of town. See P.D. Wilson, *North Queensland WWII 1942-1945*, Dept of Geographic Information, 1988, map.
99. Church, "Cape York Peninsula", p. 11.
100. A. Gallop, *Bush Engineer*, A.E. and R.D. Gallop, Cairns, 1979, p. 70.
101. Report of Sub Inspector of Police, Cairns, 28 June 1937, TR1227/110, QSA.
102. Police Commissioner to Director of native Affairs, 10 August 1962. QSA.
103. F. Brennan, *Land Rights Queensland Style*, Uni of Queensland Press, St. Lucia, 1992, p. 8. Subsequently 200,730 hectares became DOGIT area. (p.86).
104. In the 1950s residents on Lockhart River mission worked a small gold mine as part of the Christian Cooperative Movement.
105. Minister for Health and Home Affairs to Premier, 3 March 1958, TR1227/149, QSA.
106. G. MacKenzie, *Aurukun Diary*, The Aldersgate Press, Melbourne, 1981, pp. 138-139.
107. R. Howitt and I. Douglas, *Aborigines and Mining Companies in North Australia*, Alternative Publishing Co., Chippendale, 1983, p. 106.

108. *Weipa: The Mine and Its People*, Comalco, 1988, p. 4.
109. Lack, "The History and Potential Future of Cape York Peninsula", p. 998.
110. ATSIIC, *Evaluation of land Acquisition Program*, Canberra, 1992, p. 2.
111. *Return to Country*, AGPS, Canberra, 1987, pp. 295-6.
112. N. Horsfall and M. Fuary, Cultural Heritage Values of Aboriginal Archaeological Sites and Associated Themes, 12 December 1988, pp. 23-4.
113. J. Sutherland, Aboriginal interest and Queensland Wet Tropics World Heritage Area Management, Report for the Bididi Bididi Advancement Co-operative Society, 1992. See also. C. Anderson and S. Coates, "Like a Crane Standing on One Leg on a Little Island", [n.p], 1989, pp. 20-23.
114. Even for traditional owners it is still necessary to obtain permits.
115. CYPLUS economic survey may be able to place a figure on this.
116. J. Finlayson, *Australian Aborigines and Cultural Tourism: Case Studies of Aboriginal Involvement in the Tourist Industry*, Office of Multicultural Affairs, Wollongong, 1991, p.59.