6 But Land and Compensation Must Be Given Everywhere

The inability or deliberate refusal to believe in Aboriginal capacity was perfectly exposed by the experience of the National Aboriginal Consultative Committee, which was conceived by the Labor government and much vaunted initially after the NACC's election in 1973. But it was a powerless body, without any secretariat of its own and with no funds to call itself together. It was described officially as an advisory body only, but at its first meeting in December 1973 the Prime Minister, Gough Whitlam, said Aborigines would have restored to them 'the power to make their own decisions'. He added: 'The NACC will meet at least twice a year in Canberra'. In fact, between October 1975 and March 1976 it was unable to meet, at a time of constitutional and political crisis which was certain to affect Aboriginal Australians — and hurt them it did. Again, from March 1976 onwards, for more than a year, the NACC did not meet even once, although the Land Rights Bill was being discussed and debated in Parliament and although its own future was being studied by a government committee of inquiry. Finally, the NACC was abolished and the present National Aboriginal Conference (NAC) was set up, again as a government initiative. This, for Aboriginal Australians, is a bitter, typical tale of how promises and policies change, as governments change. A Treaty signed on behalf of all political parties would end this kind of thing for ever.

The present NAC was elected in much the same way as its predecessor and held its first meeting in Canberra from April 3 to April 13 last year. Opening it, the Prime Minister, Malcolm Fraser, said: 'We will encourage Aborigines to control their own affairs . . . The key feature of the government's policy is self-management . . . It was never good enough for politicians or bureaucrats, whether at the state or federal level, to impose on the Aboriginal people their conception of what was good for the Aboriginal people . . . You have the opportunity to articulate the needs of those whose voices may not otherwise be heard'. He also said that the Aboriginal communities at Aurukun and Mornington Island 'have turned to us. We will not fail them'.

And yet on March 29, when the Minister for Aboriginal Affairs, Ian Viner, flew to Brisbane for talks with the Premier of Queensland about Aurukun and Mornington Island he had no NAC member with him, nor even his own Liberal colleague, the Aboriginal Senator Bonner. On March 30 Viner did fly to Aurukun to consult the people there. But neither the NAC nor the North Queensland Land Council was advised in advance, let alone consulted about the Bill which was introduced in the Commonwealth Parliament on April 5, to ensure "self-management" for the two communities, instead of the autonomy and freehold land they wanted.

The lesson of this is plain. Government creations for Aborigines are not

Photograph The Australian Prime Minister, Gough Whitlam, pours a handful of the Gurindji soil at Daguragu, or Wattie Creek, into the hand of Vincent Lingiari. It was a symbolic gesture on 16 August 1975 when the Gurindji were given title to the 1,250 square mile pastoral lease which had been surrendered by the Wave Hill Pastoral Company, owned by Vestey's of London, who also gave 400 head of cattle. *Australian Information Service*

effective organs for self determination. What any government gives it can take away or emasculate. The same is also true, but less true, of what Parliament gives, because Parliament does traditionally reflect a kind of bipartisan consensus of society, at least on the bigger, lasting issues. This has meant, for example, that the Northern and Central Land Councils do have some real autonomy, partly because they are products of the Aboriginal Land Rights (NT) Act 1976, but also of course because they are based on property, on the inalienable, freehold ownership of land, which is a symbol and fact of power in Western society. Both Land Councils derive independent incomes from the land in the Territory which Aborigines own. The incomes derive from royalties and they give the Land Councils a chance to make and pay for their own policies, even when these are not what the Commonwealth goverment wants.

It was noticeable, for example, that while the Prime Minister, Malcolm Fraser, and Ian Viner, Minister for Aboriginal Affairs, took not the slightest notice of the NAC while negotiating with the Queensland government, they and Doug Anthony, Minister for Trade and Resources, all flew to Darwin to have serious talks with Galarrwuy Yunupingu, chairman of the Northern Land Council, and the NLC executive, while the NLC was negotiating with the Ranger Uranium consortium.

Of course the situation in the Northern Territory, from a land rights point of view, is still far from satisfactory, as the Ranger negotiations showed. It is important to recall, for example, that the Letters Patent of February 1973 which commissioned Mr Justice Woodward to report upon the granting of land rights specifically included 'rights in minerals and timber'. However Woodward recommended that Aboriginal land owners should not also own the minerals on their land. But he went on: 'I believe that to deny Aborigines the right to prevent mining on their land is to deny them the reality of their land rights'. So there would be a power of veto on mining, except when the 'national interest', as decided by the government, required it. However this would not be 'on a mere balance of convenience or desirability but only as a matter of necessity'.

In the event, when the NLC negotiated with Ranger it was obliged by the Act to permit uranium mining. However, also under the Act, the NLC knew that if it stood firm on terms which the Commonwealth government deemed too harsh (Ranger having refused to accept them), then the government could appoint an arbitrator and his decision on the terms of an agreement would have to be accepted by both parties. The government's other sanction was its ability to amend the Land Rights Act and take away some of the powers of the NLC, and the NLC was gently threatened with this. Once again, Aboriginal self-determination, very promising in the Northern Territory, was ruthlessly limited in practice.

It was sad indeed, because the promise had been so great. Initially, the NLC had used its own money with great imagination to hire an American mining

Photograph Mick Rangiari, a Gurindji man from Daguragu (Wattie Creek), who was an elected member of the National Aboriginal Consultative Committee, forerunner of the present National Aboriginal Conference. *Department of Aboriginal Affairs*

Photograph The Prime Minister, Malcolm Fraser, with members of the National Aboriginal Conference on the steps of Parliament House, Canberra, in April 1978, when its first meeting was held. On his immediate right is Tony Assan. On his extreme right, behind, is Lyall Munro, now Chairman of the N.A.C *Department of Aboriginal Affairs*

negotiator with international experience, Stephen Zorn, and to use as an honorary consultant an Australian negotiator, Dr Ross Garnaut, both of whom had worked for the Papua New Guinea government in 1974, when it re-negotiated the 1967 Bougainville copper agreement with CRA and negotiated a new copper agreement for Ok Tedi with BHP. The NLC wanted to write into its agreement with Ranger the principle accepted by CRA and BHP in Papua New Guinea, which involved a formula giving to the people a large part of any 'excess' profits, above an agreed level which would give the miner an attractive return on his investment and provision for basic tax and royalties. It is a principle generally accepted throughout the world, but one not yet written into any Australian mining contract. This means that Australians are still denied a fair return for the resources of this land. The Aboriginal Northern Land Council, comprising 40 tribal men (believed to lack capacity in Western ways), was trying to do for all Australians what politicians and public servants have never done. And, once again, the Aborigines were beaten. The Commonwealth government forced the NLC to accept an agreement which paid only the usual royalties.

One of the reasons for the opposition of the Australian Mining Industry Council (which, despite its name, also represents powerful foreign interests) to land rights for Aborigines is its fear of the Aboriginal determination to employ

skilled international negotiators and not rely upon politicians and public servants who want development at almost any cost.

As Yunupingu, the NLC chairman, told the National Press Club on 10 November 1977, 'Our duty is to safeguard Aboriginal land . . . not only to protect Aboriginal land, but also to protect the long term interests of European Australians too, because Aboriginal land is a part of Australia. We live on our land, we love it, we are nothing without it. Governments can give away land for short term gain, financial, economic, even political. We intend to protect that part of Australia which has been entrusted to us'.

However in the Northern Territory Aboriginal land owners do have some power to veto mining on their land (when it is not uranium mining in the Alligator Rivers country). They may also negotiate the terms and conditions of any agreement — with an arbitrator looming. They may keep prospectors off their land. Indeed, they may remove any trespassers from their land.

But even in the Northern Territory, under reasonably enlightened federal legislation, Aborigines are being constantly challenged and frustrated as they try to make their way within the dominant society. For example, Aboriginal claims may not be lodged for land which is already included in a town. In March this year, although the NT Government knew that the NLC would soon be lodging a formal claim for 800 sq kms of land near Darwin for the Larrakia and Wagait people, it announced quite unexpectedly a decision to extend Darwin's boundaries over an area four times the size of greater London. Darwin was suddenly enlarged from 142 sq kms to 4,350 sq kms, which included and therefore made invalid the whole of the NLC land claim, known as the Kenbi claim. (The present population of Darwin is 50,000.)

The Aboriginal Land Commissioner, Mr Justice Toohey, has confirmed that he is not now able to hear the claim. However the NLC has appealed to the High Court against the ruling. But the law is by no means clear. Indeed, it is this total, overall lack of clarity about all Aboriginal rights which makes it imperative to negotiate and sign a Treaty whose terms may then be sustained by the High Court of Australia, just as the Supreme Court in the United States upholds the rights of American Indians. In Australia, political, bureaucratic and private interests are too often able to upset viable Aboriginal plans.

Moreoever Aboriginal landowners are saddled with mining agreements on their land, which were negotiated years ago without reference to them, and which they want now to re-negotiate. In Arnhem Land the Aborigines are dissatisfied with the old agreements signed with Nabalco at Gove and with BHP at Groote Eylandt. Mr Justice Woodward recommended that they should be re-negotiated. This has not happened. Aboriginal land in the NT is still dotted with old mining, church, grazing and special purpose leases and, as Yunupingu told the National Press Club on 10 November 1977, 'They are an affront to our new stature and strength within Australia. They remind us of our old dependence and weakness. They allow others to keep their influence on Aborigines, who should be thinking and acting for themselves'.

Only in South Australia (if the Pitjantjatjara Land Rights Bill goes through the new Liberal/Country Party controlled Parliament substantially unamended) will

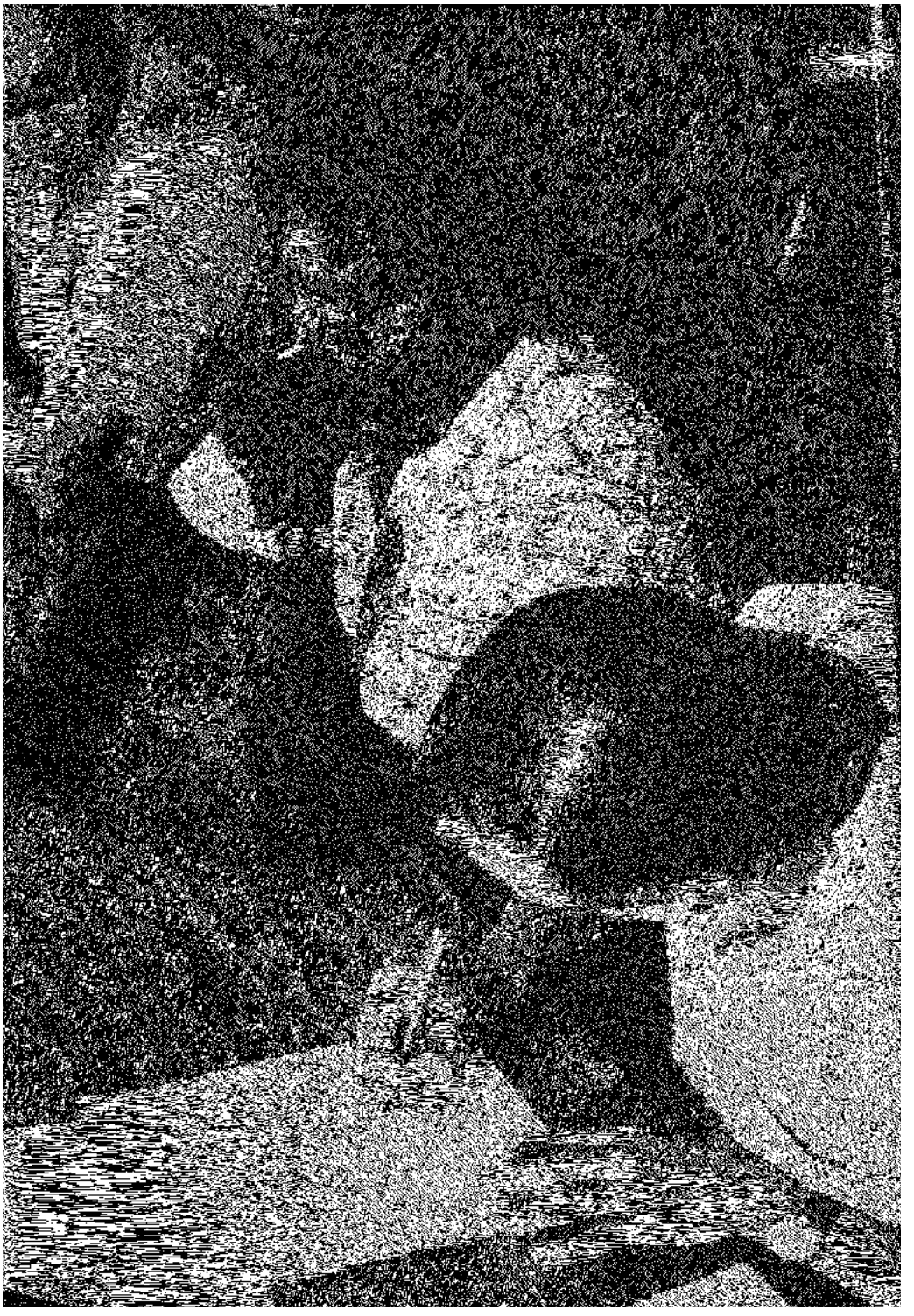
the Aboriginal land rights situation be as secure as it should be everywhere. Then the Pitjantjatjara people will have an absolute right of veto over any intrusion upon their land, for prospecting, mining or any other purpose. There is in this Bill no overriding 'national interest' clause which would allow Aboriginal objections to be put aside. If they do allow any mining, then they will be able to negotiate for what they want, without interference. As the Premier, Don Dunstan, said when introducing the Pitjantjatjara Land Rights Bill in 1978, 'What we've done is to give back to Aborigines only some of what was taken from them — their land, their rights, their culture'. Since the introduction of the Bill no exploration or mining has been allowed in the defined area. Recent exploration of hydro-carbon deposits has been just outside this area, but on land which may be claimed. On other Aboriginal land in South Australia the government does still have a major influence on any decision about mining.

In Western Australia and Queensland the situations are also different, although similar in that neither State has given freehold title to Aborigines on reserves. Indeed, in Queensland Aborigines are still treated with discrimination, *by law*. Aborigines on reserves are subject to State government regulations which not only set them apart from all other Australians but even from their fellow Aborigines off reserves. The State government has even refused to permit the transfer of two properties bought for Aborigines by the Aboriginal Land Fund Commission, a clear case of racial discrimination against them. The first independent court action under the federal Racial Discrimination Act 1975 has recently been taken by the Winchinam people of the Archer River area of Cape York against the Queensland government, which refused to allow them to have the Archer River cattle station. (At Ayr, an Aboriginal cooperative was not allowed to buy land for a caravan park.)

A Privy Council decision in London in January last year upheld the Queensland government's power to permit both entry and mining, against the wishes of people on the reserves affected. The director of the State department of Aboriginal and Islander Advancement, Pat Killoran, had appealed against an earlier decision of the Queensland Supreme Court, which upheld the Aurukun people's objection to the government's agreement with the mutli-national miners (Dutch, American and French), which call themselves Aurukun Associates.

The North Queensland Land Council, which was set up at Cairns in January 1977, has been refused any funding by the Commonwealth government, the Prime Minister having given an assurance of this decision in a letter dated 9 December 1976 to the Premier, Joh Bjelke-Petersen, who had written for such an assurance. However the NQLC is receiving financial help from bodies like the Christian Conference of Asia and the World Council of Churches, and trade

Photograph Galarrwuy Yunupingu, Chairman of the Northern Land Council looks thoughtful while Ian Viner, Minister for Aboriginal Affairs, signs the agreement which permitted the Ranger Group to mine uranium in Aboriginal country. This was on 3 November 1978. *George Chaloupka, c/- N.T. Museums and Art Galleries*



unions. It has much to do and it knows this.

One of its aims has been to encourage Aborigines on reserves to work actively for the ownership of their reserves, with inalienable freehold title, as in the Territory. This takes courage, after generations of domineering management under the Queensland Aborigines and Torres Strait Islanders Acts. But already Yarrabah, Kowanyama, Cherbourg and Mossman Gorge have followed Aurukun and Mornington Island, and they have appealed for the Commonwealth Government to declare their communities self-managing under the 1978 Act. Senator Chaney, who is now the Minister for Aboriginal Affairs, has been trying instead to negotiate with the Queensland government an agreement covering all reserves. But on Australia Day this year Larry Lanley, chairman of Mornington Island Council, said succinctly 'All we want is freehold title to land'.

The NQLC is also encouraging people on the reserves to join trade unions like the Australian Workers' Union, which brings them under industrial awards and entitles them to full award wages. The over-riding Commonwealth Act against Queensland discrimination requires that award wages be paid. However it puts the onus on individuals to sue for their rights in the courts, which makes it almost impossible for reserve Aborigines to assert their rights. Aborigines on reserves are often employed as 'trainee' workers on lower wages. For example a building worker was this year being paid only $74 a week instead of the award wage of $135. In May the AWU supported a Yarrabah man who took his case to the Queensland industrial court. The court found that the Queensland government did not have the power to pay lower wages. It was a triumph for more than 100 Yarrabah workers who had gone on

Photographs Above: Galarrwuy Yunupingu, chairman of the Northern Land Council in Darwin, Northern Territory, is welcomed at Peppimenarti cattle station, near Daly River, by Harry Wilson (driving truck) and others in March 1978. He had come to tell the people that freehold title to the land would soon be theirs.

Peppimenarti, 5,500 sq kms is wholly owned, managed and worked by tribal Aborigines. In 1972 they went back to this place from the Daly River Catholic Mission. They have been exporting live cattle to Hong Kong. *Stewart Harris, c/- Australian Institute of Aboriginal Studies*

Centre: Harry Wilson and his youngest son show Galarrwuy Yunupingu, N.L.C. chairman, the beautiful Moyle River flood plain in Peppimenarti country, where he was born. (Yunupingu is a Gumatj leader from Eastern Arnhem Land.) They are standing on the Plover's Dreaming Rock. *Stewart Harris, c/- Australian Institute of Aboriginal Studies*

Below: Young men escorted back to Peppimenarti by older men after a secret initiation ceremony in December 1978. Although many of the 200 Aborigines here are baptised Catholics they retain with determination their own beliefs and culture, as well. *Arthur Palmer, c/- Northern Land Council*

strike to support their test case. However the Queensland government has been dismissing workers at Yarrabah for joining the AWU. Its argument is that it cannot afford to pay the award rates to all those employed on reserves. So, once again, Aborigines are victimised.

In March this year the Queensland government put through Parliament in Brisbane amendments to the Aborigines and Torres Strait Islanders Acts, which remove some of its more obvious discriminatory provisions. For example, there may now be appeals from Aboriginal courts on reserves to State courts. But Australia is still breaching international conventions like No. 107 of the ILO, which was published in 1955. This sets out the human rights of native people in countries like Australia and article 11 reads: 'The rights of ownership, collective or individual, of the members of the populations concerned over the lands which these populations traditionally occupy shall be recognised'.

In 1973 Professor Garth Nettheim, dean of the law school at the University of NSW, wrote for the International Commission of Jurists a report on the Queensland Aborigines and Torres Strait Islanders Acts and the regulations made under them. He found that they seriously infringed the Universal Declaration of Human Rights. In an article for the university's law journal in October last year he wrote that most of the offending legal provisions had now been superseded. For example, it seemed that few Aborigines now had their earnings handled for them. But 'to change the law is not necessarily to change the practice', he went on . . . 'People on reserves are still made to feel dependent on departmental management and control . . . The councils are not consulted about the appointment of reserve managers (or other white staff); indeed the councils are responsible to the manager'. (Regulation 19). The manager hires and fires Aboriginal police (Regulation 64).

Nettheim concluded: 'While new law, less law, better law is necessary, the real changes required are less in terms of law than administrative attitudes. The barriers must come down between "them" and "us", the managers and the managed. If the department is not prepared to show real trust in the reserve peoples, it cannot expect to be trusted by them'. Of course, the only real advance would be to free the people completely by giving the reserves to the people who live on them.

As for the regulations and by-laws, they have not been presented to the Queensland parliament and they give managers extraordinary powers. For example, chapter 5 of the by-laws states: 'A householder shall allow an authorised person to enter his house for the purposes of inspection'. Other rules cover the kind of swimwear to be used, which must by 'approved by the manager'. The use of electrical goods, like jugs, radios, irons and razors, is forbidden 'unless permission is first obtained from an authorised officer'. (This typical assumption of Aboriginal incompetence is unbelievably racist. In the Northern Territory Aboriginal tribal men are maintaining power stations and running workshops for heavy duty and four-wheel drive vehicles.)

In Western Australia the situation for Aborigines is only marginally better than it is in Queensland. Reserves remain Crown property, although the traditional owners live on them. But there is no provision for any claims to be

made for freehold title to them. Title to the reserves is vested in the Aboriginal Affairs Planning Authority, which is a State government body. The Aboriginal Lands Trust, whose chairman is Ken Colbung (a former sergeant in the Australian army in Korea), is an Aboriginal body charged with the control and management of Aboriginal land, but it remains little more than advisory, although it does have a political sense which enables it to influence government in many ways. Entry on to reserves used to be controlled by the Commissioner for Aboriginal Planning who is also WA director of the federal Department of Aboriginal Affairs in Perth. But recent legislation has given this power to the Minister for Community Welfare, who is also Minister in charge of the Planning Authority. The Commissioner used to defer to Aboriginal wishes and he would not, at one time, allow mining companies to enter the Oombulgurri reserve — which is why the power was taken from him.

However until recently the WA government did permit the Aboriginal Land Fund Commission to buy leasehold properties for Aboriginal groups and the Noonkanbah Pastoral Company, for example, which comprises almost 300 people running a million acre cattle station about 100 miles from Fitzroy Crossing, is going strongly. Late last year its objection to diamond exploration on its property by CRA was overruled in the mining warden's court. (CRA had pegged 98 claims.) But the mining warden, D. McCann, did suggest that they protect their sacred sites by using the Aboriginal Heritage Act. Then he added, with perception, that the Act had the typical flaw that it did what the white man thought was in the interests of the Aboriginal. 'We continue to do things *to* Aborigines rather *with* them', he concluded. It was a profoundly wise remark. Happily, a Treaty would enable us all to cooperate together as one people.

Then in 1979 the Texas-based Amax company was given permission to explore for oil on Noonkanbah, and the Aborigines objected, threatening to spear trespassers and seeking an injunction against Amax employees coming on their land. Dickie Skinner, the Aboriginal spokesman for Noonkanbah, said that their property, bought for them in 1977, had 12,000 cattle and gave homes to people who used to live in fringe camps near towns (many were stockmen who had been dismissed from cattle stations). The injuction was granted by the State's Supreme Court in June.

In July last year the Aboriginal Lands Trust rejected WA government proposals for compensation payments to Aborigines for mining on their reserves and their pastoral leases. The government proposed paying royalties up to $50,000 to the Aboriginal Lands Trust. Above that sum, the Trust would receive only a small proportion of royalties. But the Trust said compensation should be linked to market value of production and it suggested 8% as a flat rate, with a 33% share of profits above the amount which would give the miner a 25% return on investment. The Trust also asked for power to control entry on to reserves. The Premier, Sir Charles Court, said all this was contrary to government policy. He had advised the Commonwealth government against a resources tax because such a tax would discourage investment and development. However mining revenue from land held by the Trust would go, in part, to Aborigines.

As in the NT Ranger negotiations, the Aborigines were trying to introduce into Australian resources development the concept that Australians deserve a fair share of 'windfall profits'. They are in fact doing what President Carter is doing with his tax on the 'windfall profits' of US oil companies, which followed his decision to allow the price of American oil to rise with the world price. On 24 August this year in Missouri the President said 'We can take these profits and give them back to the American people'. Aborigines see the good sense of this. We still don't.

That same month, Sir Charles Court announced that his government would not grant freehold title and mineral rights to the Pitjantjatjara land in WA, although adjoining land in the NT and South Australia had been given to the same Pitjantjatjara people on these terms. Ian Viner, Commonwealth Minister for Aboriginal Affairs, said, 'I am disappointed at this decision because the Pitjantjatjara people have their own land, their own language and their own rituals running throughout central Australia. I would like to see this in a common form, irrespective of State borders'.

But then everything in Aboriginal affairs should be 'irrespective of State borders', and would be, given a comprehensive Treaty.

West Australian government opinion seems to be hardening against any form of real self-determination for Aborigines. Recently, for example, the people at Yandeyarra in the Kimberleys were not allowed to buy the lease of an adjoining property which they wanted, although they could afford to buy it with their own money. The government has refused to transfer the lease. Initially, Noonkanbah itself was bought for them by the Aboriginal Land Fund Commission, which has bought ten other properties in WA. Now the WA government seems to be moving towards the Queensland policy of refusing to permit the purchase of properties for Aboriginal groups. It has been reliably reported that government members are afraid of a sort of 'black state' running from WA through the Territory into Queensland, where they fear that the big reserves in the north might also one day become Aboriginal land. The implication is that Aborigines are not real Australians. Perhaps the owners of Vesteys in Britain and the King Ranch in Texas are better Australians? (There is also the strange argument that pastoral leases are for cattle and not for people.)

The pity is that responsible Australians will not yet trust Aboriginal land owners to come slowly and thoughtfully to good decisions, which will very often be ones which are good for all of us. Certainly, they will often permit the use of their land by others who wish to use its resources. They need money to pay for the development of their properties. When cattle prices collapse they need money for running expenses. (Peppimenarti in the NT spends $46,000 a year on diesel oil alone.) The official policy in WA is that lease purchases for Aborigines will not now be approved until the government in Perth receives a Commonwealth assessment of what will happen to them under Aboriginal ownership.

The West Australian attitude is encouraging the growth of Aboriginal awareness of politics and organisation in European society. Just as the North Queensland Land Council developed naturally out of Brisbane's negative

policies, so the Kimberley Land Council at Kununurra has grown out of Perth's negative policies. It is sustained by Aboriginal landowners in the Northern Territory, who understand and support what the Kimberley people want. Frank Chulung, chairman of the Kimberley Land Council until June this year, grew up at Oombulgurri where in 1926 Aborigines were driven in chains to be killed in the bush by police and pastoralists for the spearing and killing of one man. A subsequent Royal Commission was able to establish only about one dozen Aboriginal dead, but it is generally believed that many more were killed. No one was punished, not even the man who advertised in a Perth newspaper in advance that he intended to kill as many as possible. (Chulung resigned in June to go overseas on a study tour. He was succeeded by Jim Bieundurry, and the KLC office is now at Halls Creek.)

The Kimberley Land Council was formed last year when thousands of Aborigines from all over the north gathered at Noonkanbah in a great corroboree. It is working for land rights, but it is also mobilising Aborigines to vote in elections and use their votes well. It seems at this time that a majority supports the Labor point of view. Certainly Liberal/Country party politicians in WA seem to fear the Aboriginal vote. After the last State election in 1977 a letter written by Alan Ridge (Liberal), who won the Kimberley seat by only 92 votes, was made public in a subsequent court of disputed returns. Ridge wrote: 'We now have evidence to try and convince people of the necessity for amending the Electoral Act in relation to illiterate voters. If this is not done, I would anticipate that by the next election there could be 3000 to 4000 Aborigines on the roll and under such circumstances the Liberal party would be doomed to failure.' The court found that the State Liberal Party and others had improperly prevented at least 97 Aborigines from casting valid votes.

Ridge is now the Minister for Housing, having held his seat by 84 votes in the special re-election ordered by the court. A State general election is due again next year, when his opponent will be the same man, Ernie Bridge, an Aboriginal who is prominent locally in business and public life. He is also a member of the Aboriginal Land Fund Commission.

Aborigines are significantly strong in numbers in the electorates of Eastern Goldfields, Pilbara and Murchison, as well as Kimberley. Sir Charles Court, the WA Premier, argues that some Aborigines must be protected against the possibility of being manipulated. In 1977, therefore, the Electoral Act Amendment Act was introduced. One section laid down that people who could not sign their name would not be allowed a postal vote. Another section said that how-to-vote cards would not be accepted as an instruction from an illiterate voter. (There is a doubtful assumption here that illiteracy in, for Aborigines, a foreign language means ignorance and foolishness about issues.) After massive protests the Bill was defeated by the Speaker's casting vote.

Now another Electoral Act Amendment Bill has been prepared, the effect of which will be to make it more difficult for Aborigines to enrol. Everyone, in future, will have to have a witness to his enrolment and the witnesses will have to be electoral officers, JPs, clerks of court, or police officers. In remote places,

it will not be too easy for Aborigines to comply with this requirement, or so the Labor Party argues. But the Liberals argue that the requirement will prevent Aborigines being enrolled without their consent. The new Bill follows a commission of inquiry into the electoral system, which was conducted by Mr Justice Kay. However the judge may not have understood how uneasy has been the relationship between Aborigines and authority figures like police, clerks of court and JPs, a relationship which will not encourage them to enrol. Finally, Aborigines (unlike all other Australians) will not be compelled to enrol — which remains a discrimination against them and one which no longer applies in federal elections.

Photographs Above: Narritjin Maymuru of the Manggaliki clan from Djarrakpi, about 100 miles from Yirrkala in Arnhem Land, Northern Territory. Narritjin is probably the leading Aboriginal painter on bark. He is represented in the British museum and in American and Japanese galleries. This photo was taken at the Australian National University in Canberra in September 1978, when Narritjin was a visiting artistic Fellow, accompanied by his son, Banapana. *The Canberra Times*

Below: Dancing at the great corroboree at Noonkanbah in Western Australia in May 1978, when more than 1000 Aborigines came from as far as Arnhem Land to inaugurate the Kimberley Land Council. It is still not funded by government, although the Northern Territory Councils are so funded. *Arthur Palmer, c/- Northern Land Council*