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Finding aid

EDO_01

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SCOPE AND CONTENT NOTE

Date: 8-11 September, 1993

Extent: 8 x 90 minute cassette tapes

Production history

This collection records the proceedings of the *People, Place, Law* conference that was held at the Australian Museum from 8 -11 September 1993. It was presented by the Environmental Defender's Office, in conjunction with the Australian Museum and the NSW Aboriginal Land Council, and was co-chaired by Aden Ridgeway and Johanna Sutherland.

The primary aim of the conference was to bring together both Indigenous and non-Indigenous parties involved in government, mining, land conservation and management and cultural heritage with representatives from Indigenous language groups to discuss Indigenous culture and heritage protection, the environment and the law. These issues were to be considered through the lens of the (then recent) Mabo decision, which paved the way for Native Title legislation.

Speakers, panellists and contributors in these discussions include Aaron Ross, Aden Ridgeway, Adrian Marrie, Alfred Lacey, Andrew Chalk, Colin Anderson, Daisy Munyarryun, Des Griffin, Emily Walker, Grant Pakihana Hawke, Gwen Boyukarrpi Dhurrkay, Helen Nunggalurr Bukulatjpi, Henrietta Dean, Isabel Flick, Jackie Wurm, Jeanie Bell, Jeff Farrar, Jenny Munro, Jim Specht, Joanna Sutherland, Josie Crawshaw, Joy Gayura Dhurrkay, Judy Henderson, Lori Richardson, Maggie Goodman, Marjorie Anderson, Mavis Waykingin Gaykamangu, Michael Cooke, Michael Wright, Mick Dodson, Milo Dunphy, Nancy Gudaltji, Natuyil Gaykamangu, Neita Scott, Nicholas Calabria, Noel Pearson, Ozzie Cruze, Paula Madiwirr Gaykamangu, Peter Bradfield, Peter Breen, Phillip Toyne, Raymond

Blanko, Robert Fuller, Robert Lester, Ross O'Donovan, Terry O'Shane and Terry Strapp.

This collection was deposited with AIATSIS on 13 March 2006.

RELATED MATERIAL

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AIATSIS holds the following materials which are directly related to this collection:

- **Print:** *People. Place. Law : a 3-Day conference on Aboriginal culture and heritage protection, the environment, and the law : conference report* (1993), Jackie Wurm (editor), Environmental Defender's Office, Australian Museum and New South Wales Aboriginal Land Council, (call number B P420.70/P1).

For a complete listing of related material held by AIATSIS, consult our [online catalogue](#), Mura®. To conduct a search of available audio finding aids, please [click here](#).

ARCHIVIST'S NOTE

This finding aid was compiled from information provided by the Environmental Defender's Office and audition sheets prepared by AIATSIS staff.

Timing points may be slightly out depending on the technologies and procedures in place at the time the recordings were auditioned.

ITEM LIST

Archive number	Field recording number	Description
027299	Field tape 1 side A	Unidentified performers, Aden Ridgeway, Des Griffin, Jackie Wurm and Raymond Blanko, with mention of a Gumbaynggir (E7) creation story, at the <i>People Place Law</i> conference, Australian Museum, Sydney.
027300	Field tape 1 side B	Unidentified female speaker, Adrian Marrie, Robert Lester, Michael Wright, Aden Ridgeway, Ross O'Donovan and Jackie Wurm at the <i>People Place Law</i> conference, Australian Museum, Sydney.
027301	Field tape 2 side A	Isabel Flick), Mick Dodson and Terry O'Shane at the <i>People Place Law</i> conference, Australian Museum, Sydney.
027302	Field tape 2 side B	Terry O'Shane and Grant Pakihana Hawke at the <i>People Place Law</i> conference in English and Māori, Australian Museum, Sydney.
027303	Field tape 3 side A	Grant Pakihawa Hawke, Aden Ridgeway, Josie Crawshaw, Judy Henderson and Terry O'Shane at the <i>People Place Law</i> conference, Australian Museum, Sydney.
027304	Field tape 3 side B	Terry O'Shane, Aden Ridgeway and Josie Crawshaw, Jeff Clarke at the <i>People Place Law</i> conference, Australian Museum, Sydney.
027305	Field tape 4 side A	Aden Ridgeway, Michael Cooke, Daisy Munyarryun, Gwen Boyukarrpi Dhurrkay, Helen Nunggalurr Bukulatjpi, Mavis Waykingin Gaykamangu, Paula Madiwirr Gaykamangu, Nancy Gudaltji, Natuyil Gaykamangu, Joy Gayura Dhurrkay, Joanna Sutherland, and Richard Bartlett in English, Yolngu language (NT SD53), Wangurri language (N134), Djambarrpuyngu language (N115), Warramiri language (N131) and Gupapuyngu language (N122.1); with reference to the Dhuwal people (N198) and Wubulkarra people (N88) at the <i>People Place Law</i> conference, Australian Museum, Sydney.
027306	Field tape 4 side B	Richard Bartlett, Noel Pearson, Joanna Sutherland and Peter Bradfield at the <i>People Place Law</i> conference, Australian Museum, Sydney.
027307	Field tape 5 side A	Peter Bradfield, Joanna Sutherland, Aden Ridgeway, Noel Pearson, Phillip Toyne, Robert Fuller and Terry Strapp in English and with reference to the Jawoyn people (N57) at the <i>People Place Law</i> conference, Australian Museum, Sydney.
027308	Field tape 5 side B	Phillip Toyne, Aden Ridgeway, Richard Bartlett, Noel Pearson, Peter Bradfield, Terry O'Shane, Henrietta Dean in English and with reference to the Jawoyn people (N57) at

Archive number	Field recording number	Description
		the <i>People Place Law</i> conference, Australian Museum, Sydney.
027309	Field tape 6 side A	Robert Lester and Andrew Chalk speaking at the <i>People Place Law</i> conference, Australian Museum, Sydney.
027310	Field tape 6 side B	Robert Lester, Andrew Chalk and Jenny Munro speaking at the <i>People Place Law</i> conference, Australian Museum, Sydney.
027311	Field tape 7 side A	Aden Ridgeway, Robert Lester, Neita Scott, Lori Richardson, Ozzie Cruze, Aaron Ross and Alfred Lacey speaking at the <i>People Place Law</i> conference, Australian Museum, Sydney.
027312	Field tape 7 side B	Aaron Ross, Alfred Lacey, Aden Ridgeway, Emily Walker and Milo Dunphy at the <i>People Place Law</i> conference, Australian Museum, Sydney.
027313	Field Tape 8 side A	Peter Breen, Joanna Sutherland, Jeff Farrar, Nicholas Calabria, Milo Dunphy, Andrew Chalk and Emily Walker at the <i>People Place Law</i> conference, Australian Museum, Sydney.
027314	Field tape 8 side B	Ozzie Cruze, Jim Specht, Marjorie Anderson, Colin Anderson, Maggie Goodman, Jeanie Bell at the <i>People Place Law</i> conference, Australian Museum, Sydney.

ITEM DESCRIPTIONS

027299/ field tape 1, side A

Performer/speaker(s):	Unidentified male and female performers, Aden Ridgeway, Des Griffin, Jackie Wurm and Raymond Blanko
Subject keywords:	Dance, Music - Instruments - Wind – Didjeridu, Music - Instruments - Percussion – Clapsticks, Native Title, Native title - Law and legislation, Cultural heritage - Protection - Museums and keeping places, Environment - Conservation
Language/people:	English
Places:	Sydney (NSW SI56-05)
Recording quality:	Good

Timing point	Description
	<u>Unidentified performers, Aden Ridgeway (AR), Des Griffin (DG), Jackie Wurm (JW) and Raymond Blanko (RB) at the <i>People Place Law</i> conference, Australian Museum, Sydney, 08 September 1993.</u>
00:00:00	Archive Announcement.
00:00:07	Pause
00:00:08	Song item 1 – <i>Gudurrka</i> (Brolga) dance - solo male vocalist, didjeridu and clapstick accompaniment. Dancing accompaniment by Arnhemland women.
00:05:13	Pause.
00:05:44	AR introduces himself and thanks the Arnhem land women for the previous performance.
00:06:24	AR thanks the main partners and sponsors of the conference and speaks of the conference honing in on the topics of a previous conference the year before. He apologises for those who were unable to attend, and speaks of the importance of the conference in the current political and social landscape.
00:09:31	AR discusses the way Native Title is being treated in the social, political and legal landscapes.
00:12:03	AR lists the range of issues to be spoken about during the conference and as part of the associated workshops.
00:14:20	AR mentions JW from the Environmental Defender's Office and introduces DG.
00:14:37	DG commences his speech, and refers to comments by the Prime Minister late last year, and his conflicted feelings. He welcomes conference-goers to the museum.
00:16:38	DG recalls the conference from the year before, and speaks of the possibility of a combined future, in contrast to a divided past.
00:17:56	DG speaks of the importance of listening to Indigenous people. He discusses the progress of museums in Australia as recognising the rights and interests of Indigenous people in material culture and intellectual property, and how museums will work with Indigenous people to tell stories.
00:20:07	DG speaks of the slogan for the Year of Indigenous People (1993). He speaks of united views and lack of dissenting voices in the community. DG discusses partnerships between Indigenous and non-Indigenous people in the future.
00:23:11	AR introduces JW as the next speaker. She commences her speech with explaining

	the role of the Environmental Defenders Office.
00:24:26	JW speaks of the conference as a turning point for the environmental movement and of bringing Indigenous and non-Indigenous people together in relation to the environment.
00:25:37	JW discusses Indigenous perspectives on the environment, and of the importance of listening to these.
00:26:42	JW speaks of learning from one another and of how environmental well-being depends on inter-personal relationships.
00:27:56	JW speaks of how the conference program was brought together, and thanks the event sponsors.
00:28:45	AR speaks again of the conference title, and the role of law and traditional lore. He discusses the kind of things Indigenous people are willing to share. He tells a Gumbaynggir (E7) creation story and speaks of the journey of Indigenous people.
00:31:58	AR introduces the Aboriginal and Islander Dance theatre.
00:32:31	Pause.
00:32:50	RB introduces himself as the Artistic Director of the Aboriginal and Islander Dance Theatre and mentions that they will perform <i>Yirrakala</i> dancing.
00:33:15	Pause.
00:33:25	Song item 2 - unidentified male vocalist, didjeridu and clapstick accompaniment.
00:34:22	Song item 3 – <i>Crow</i> - unidentified male vocalist, didjeridu and clapstick accompaniment.
00:35:25	Song item 4 – <i>Emu</i> - unidentified male vocalist, didjeridu and clapstick accompaniment.
00:36:41	Song item 5 – <i>Wind</i> - unidentified male vocalist, didjeridu and clapstick accompaniment.
00:37:46	Song item 6 – <i>Butterfly</i> - unidentified male vocalist, didjeridu and clapstick accompaniment.
00:38:29	Song item 7 - <i>Red Kangaroo</i> - unidentified male vocalist, didjeridu and clapstick accompaniment.
00:39:23	Song item 8 – <i>Morning Star</i> - unidentified male vocalist, didjeridu and clapstick accompaniment.
00:41:19	Song item 9 – <i>Japona</i> (spelling?)- unidentified male vocalist, didjeridu and clapstick accompaniment.
00:42:49	Audience applause.
00:43:02	RB makes mention of the new program of the Aboriginal and Islander Dance Theatre, and thanks the audience.
00:43:14	End of field tape 1, side A.

[RETURN TO ITEM LIST](#)

ITEM DESCRIPTIONS

027300/ Field tape 1, side B

Performer/speaker(s):	Unidentified female speaker, Adrian Marrie, Robert Lester, Michael Wright, Aden Ridgeway, Ross O'Donovan, Jackie Wurm
Subject keywords:	Law - Intellectual property, Cultural heritage, Native title - Mining industry, Religion – Spirituality, Environment - Conservation - Conservation areas
Language/people:	English
Places:	Sydney (NSW SI56-05)
Recording quality:	Good

Timing point	Description
	<u>Unidentified female speaker, Adrian Marrie (AM), Robert Lester (RL), Michael Wright (MW), Aden Ridgeway (AR), Ross O'Donovan (RoD) and Jackie Wurm (JW) at the "People Place Law" conference, Australian Museum, Sydney, 09 September, 1993.</u>
00:00:00	Archive Announcement.
00:00:05	Pause
00:00:08	Tape cuts into the end of an unidentified female speaker's speech regarding training government employees to recognise Indigenous cultural heritage sites.
00:01:11	AR mentions two workshops held relating to intellectual property and cultural property. AM is introduced to summarise the intellectual property workshop outcomes.
00:01:21	Pause.
00:02:28	AM very briefly mentions the papers given earlier by himself and others. He recommends that there be a national inquiry into Indigenous cultural heritage issues, and speaks of how these issues are currently divided up to be dealt with by many different government organisations, AM discusses the way this approach impacts upon Indigenous people.
00:04:50	AM speaks of the previous attempts made to push for an inquiry and speaks of what could potentially result from it.
00:07:27	RL is introduced to speak about cultural property. He refers to earlier papers presented and discusses concerns raised during the workshop relating to Indigenous cultural and intellectual property. He speaks of developing a code of ethics and consultation with Indigenous people in relation to Indigenous cultural heritage. He puts forth that a moratorium on the commercialisation of Indigenous plants and genetic material should be declared until protections of rights of Indigenous people are put in place.
00:11:12	MW discusses mineral resource development. He briefly mentions policy in relation to consultation and negotiation for mining on Indigenous lands. MW speaks of issues relating to grants of mining exploration licences and Native Title and recommends that a task force be set up to ensure a review of consultation methods.
00:16:11	AR gives a short summary of the Indigenous spirituality workshop. He speaks of land access, and how this impacts upon Indigenous spiritual practices. He briefly mentions parallels between Indigenous spirituality and Christianity being discussed as well as

	the Native American Religious Freedom Bill in the United States of America and recommends that it be examined how people are included in site protection processes and policy.
00:19:19	RoD summarizes the park management and resource development workshop. He discusses recommendations that both government and non-government agencies and organisations responsible for nature conservation and cultural resource management further involve Indigenous people.
00:22:43	AR notes several points in the proposed conference resolutions dealing with Native Title. He puts forward a motion that the conference resolution be used as a basis for positions and action to be undertaken for lobbying. Any objections are called for and the motion is voted upon.
00:31:43	JW invites everyone to a post-conference function and thanks the audience.
00:32:53	End of field tape 1, side B.

[RETURN TO ITEM LIST](#)

ITEM DESCRIPTIONS

027301/ Field tape 2, side A

Performer/speaker(s):	Isabel Flick, Mick Dodson and Terry O'Shane
Subject keywords:	Environment, Indigenous peoples - United Nations - Declaration on the Rights of Indigenous Peoples, Politics and government - Governance - Regional autonomy
Language/people:	English
Places:	Sydney (NSW SI56-05)
Recording quality:	Good

Timing point	Description
	Isabel Flick (IF), Mick Dodson (MD) and Terry O'Shane (ToS) at the <i>People Place Law</i> conference, Australian Museum, Sydney, 09 September, 1993.
00:00:00	Archive Announcement.
00:00:06	Pause
00:00:07	Tape cuts into an unidentified MC who introduces the next speakers.
00:00:20	Tape distortions and phone call crossed wires.
00:00:59	IF greets the audience and speaks of the conference program and those involved. She speaks of fighting for justice for Indigenous and of the inequality experienced. She discusses major companies destroying the environment.
00:04:48	MD is invited to address the forum. He speaks of the irony he sees in the conference topic. MD also discusses the role of Australian courts and the formation of the United Nations and speaks of recognition of Indigenous rights.
00:08:55	MD discusses the role and significance of the United Nations (UN), as well the problematic nature of it involving domestic governments. He gives Native Title as an example of this.
00:12:04	MD speaks of the need for Indigenous Australians to have a voice, and to create a human rights framework that reflects their needs. He also discusses international law which relates to Indigenous rights and how these influence domestic laws and decisions.
00:15:47	MD speaks of international instruments that have been adopted and ratified and explains this process. He discusses how monitoring bodies report and oversee use of those instruments, as well as how countries of the UN go about enforcing and implementing them.
00:21:40	MD highlights the International Covenant on Elimination of Racial Discrimination, the International Covenant on Economic, Social and Cultural Rights and the International Covenant on Civil and Political Rights, and speaks of how their interpretation within domestic common law limits their usefulness.
00:26:36	MD speaks of Indigenous rights and the right to self-determination. He also compares protecting rights to actively promoting them.
00:31:05	MD discusses the UN working group for Indigenous populations for prevention of discrimination of minorities. He highlights self-determination as a key issue.
00:37:10	ToS is introduced. He speaks of the International Labour Organisation and two of their conventions.
00:40:29	ToS speaks of the process of creating a draft declaration on rights of Indigenous

	peoples. He speaks of the document attempting to embrace recognising the process of self-determination.
00:46:23	Tape cuts of speech, end of 027301, field tape 2, side A.

[RETURN TO ITEM LIST](#)

ITEM DESCRIPTIONS

027302/ Field tape 2, side B

Performer/speaker(s):	Terry O'Shane, Grant Pakihana Hawke
Subject keywords:	Law - Jurisprudence - Terra nullius, Indigenous peoples - United Nations - Declaration on the Rights of Indigenous Peoples, Environment, Education, Land rights, Music – Vocal, Indigenous peoples - Pacific – Maori, Environment - Biodiversity
Language/people:	English, Māori
Places:	Sydney (NSW SI56-05)
Recording quality:	Good

Timing point	Description
	<u>Terry O'Shane (ToS) and Grant Pakihana Hawke (GPH) at the <i>People Place Law</i> conference, Australian Museum, Sydney, 09 September, 1993.</u>
00:00:00	Archive Announcement.
00:00:07	Pause.
00:00:08	Continuation of speech from 027301, field tape 2, side B - ToS discusses the flow on effects of the decision relating to <i>Terra Nullius</i> , and inconsistencies in the recognition of rights for Indigenous rights.
00:01:28	ToS speaks of Indigenous people organising themselves to bring an end to discrimination. He discusses the role of Indigenous knowledge in sustainable management of the environment. He speaks of the interests of Indigenous families and communities in the upbringing and education of their children.
00:03:07	ToS further discusses the 1992 High Court verdict relating to <i>Terra Nullius</i> and the need for international pressure on domestic government.
00:04:55	ToS speaks of the UN Declaration of the Rights of Indigenous People.
00:05:26	ToS speaks of the legal position of being an Indigenous Australian, and the terminology surrounding this. He discusses development of the NSW Land Rights Act and the current process for a National Lands Rights Legislation.
00:07:50	The MC of the event summaries the speech and the audience breaks for morning tea.
00:08:50	Tape off/on, sounds of crowds milling around and general conversation.
00:09:52	The MC introduces GPH as the event's keynote speaker, and lists his previous work and achievements.
00:11:12	GPH greets the audience in the Māori language.
00:12:35	Song item 1 – unidentified male and female vocalists singing in language – acoustic guitar accompaniment.
00:14:25	GPH continues to speak in language.
00:14:37	GPH introduces himself and speaks of his Irish and Maori heritage. He discusses his role in claiming Māori ancestral lands.
00:17:03	GPH speaks of attempting to have the sewerage outlet in Auckland moved in 1963 and the ramifications of this. GPH also discusses occupying land in 1975 at Bastion Point in New Zealand and the history of claiming land in New Zealand.
00:19:35	GPH points out that Māori people have been excluded from current environmental debates, and speaks of environmental contamination and the ramifications for land claims. He discusses the importance for environmentalists to listen to Māori voices,

	and to search for common ground.
00:24:15	GPH gives several examples where environmentalists and Māori people have disagreed with one another
00:27:39	GPH speaks of biodiversity and cultural diversity and the importance these in meeting human needs now and in the future.
00:28:55	GPH highlights the contradictions in the first two clauses of the Treaty of Waitangi, as well as the difference between the Māori and English versions, especially in relation to the transfer of power and ownership.
00:31:29	GPH turns his attention to the New Zealand Natural Resources Management Act. He discusses the Department of Conservation and their focus, and gives examples of difficulties created for Māori people by this Act.
00:36:36	GPH asks where Indigenous people sit in the future in relation to issues affecting them, such as natural resources debates. He speaks of particular community groups not being allowed platforms to discuss particular issues.
00:39:43	GPH puts forward that Indigenous people's values are important to sustainable resource management, and that land is important to the survival of Indigenous people.
00:42:28	GPH briefly summarises the main points of his paper and emphasises that he supports the Indigenous Australians' push for self-determination.
00:46:25	Tape cuts out during speech, end of 027302, field tape 2, side B.

[RETURN TO ITEM LIST](#)

ITEM DESCRIPTIONS

027303/ field tape 3, side A

Performer/speaker(s):	Grant Pakihawa Hawke, Aden Ridgeway, Josie Crawshaw, Judy Henderson and Terry O'Shane
Subject keywords:	Music – Vocal, Education, Health services, Health - Rural and remote, Mining industry – Manganese, Substance use - Solvent / Petrol / Glue sniffing, Law - Intellectual property
Language/people:	English
Places:	Sydney (NSW SI56-05), Groote Eylandt (NT Gulf Islands SD53-07, SD53-08), Darwin (NT Top End SD52-04), Cape York map area (Qld TSI SC54-12)
Recording quality:	Good

Timing point	Description
	<u>Grant Pakihawa Hawke (GPH), Aden Ridgeway (AR), Josie Crawshaw (JC), Judy Henderson (JH) and Terry O'Shane (ToS) at the <i>People Place Law</i> conference, Australian Museum, Sydney, 09 September, 1993.</u>
00:00:00	Archive Announcement.
00:00:07	Pause
00:00:08	Recording cuts into end of speech by GPH continuing from 027302 (Field tape 2, side B) speaking about environmentalists' roles.
00:00:43	Song item 1 – GPH and other unidentified vocalists, with acoustic guitar accompaniment.
00:02:10	AR speaks of a traditional song from northern NSW about love and sharing, and coaxes people up out of the audience to sing.
00:03:15	Song item 2 – several male and female vocalists, no instrumental accompaniment.
00:04:07	AR introduces JC, JH, ToS and GPH as the panel to address and respond to several topics that arose at the conference earlier that morning.
00:05:02	Pause, some background conversation amongst the audience.
00:05:44	AR asks JC to respond to ideas from the conference in relation to her previous experiences. JC gives some background to her attendance at the conference, and at other conferences.
00:08:35	JC speaks of her background in education, and of taking academic information and making it relevant to Indigenous people. She discusses her work at the Menzies School of Health in Darwin and the health status of Indigenous Australians.
00:09:55	JC discusses how Indigenous people have not taken up health services as much as she'd hoped, discusses issues within the Northern Territory health system which impact upon Indigenous health in the longer term, and gives several examples.
00:12:50	JC speaks of research at Groote Eylandt in relation to manganese poisoning of the Indigenous communities living there. She also discusses some of the symptoms of exposure to manganese. JC highlights the issue of soil contamination on the island.
00:18:01	JC emphasises the problems related to substance abuse – in particular, petrol sniffing and subsequent lead poisoning.
00:19:44	JC points out that due to pressure on Indigenous communities to be economically sustainable, they are being pushed into economic developments on their land, but are not considering the later consequences of these on the population's health. She

	emphasises the importance of obtaining baseline data looking at health status of the prior to agreement and of annual tests to monitor population health.
00:21:14	JH is introduced, and is asked to respond to the conference topics. She highlights that this conference has the potential to make a contribution to the debate in Australia at the moment. She also speaks of negotiations and flow on effects of the conference earlier that year in Rio di Janiero, as well as its failings.
00:26:26	JH speaks of the extent of sensitivities of the government to the words of Indigenous people, and the government concerns of land and resource claims.
00:27:51	JH discusses ownership of resources and intellectual property rights and highlights further issues and exploitation which may impact on Indigenous people.
00:30:14	JH highlights the position of the Australian government within international negotiations, relating to environmental issues and Indigenous rights.
00:32:00	JH speaks of the challenges and tensions brought about between Indigenous people and environmental non-government organisations following the UN Rio di Janiero summit. She also speaks of tensions and challenges within Australia, and gives the example of a successful collaboration in Cape York.
00:36:23	AR introduces ToS. ToS refers to Josie's presentation and notes that she forgot to mention the government policy response. He also speaks of travelling to New York for the UN summit and of his experience of its operation and how it excluded Indigenous people in particular ways.
00:38:50	ToS discusses the USA and George Bush's position relating to the summit in Rio, and its flow-on effects upon negotiations.
00:41:20	ToS urges the audience not to become despondent at the government's reactions, but to express solidarity and strength.
00:42:39	GPH is introduced, and notes that he supports JC's views in relation to her speech on Indigenous health. He emphasise that these issues also translate to other places including NZ, in terms of petrochlorophenol (PCP) contamination, and the process undertaken to identify the sites and effects of PCP contamination.
00:46:15	Speech cuts out, end of 027303, field tape 3, side A.

[RETURN TO ITEM LIST](#)

ITEM DESCRIPTIONS

027404/ Field tape 3, side B

Performer/speaker(s):	Terry O'Shane
Subject keywords:	Government policy - Self determination, Law - Jurisprudence - Terra nullius, Politics and Government – Sovereignty, Employment - Conditions - Industrial relations - Awards and enterprise bargaining
Language/people:	English
Places:	Sydney (NSW SI56-05)
Recording quality:	Good

Timing point	Description
	<u>Terry O'Shane (ToS), Aden Ridgeway (AR) and Josie Crawshaw (JC), Jeff Clarke (JCl) at the <i>People Place Law</i> conference, Australian Museum, Sydney, 09 September, 1993.</u>
00:00:00	Archive Announcement.
00:00:06	Pause
00:00:07	Continuation from 027303, field tape 3, side A – ToS speaks of potential resolution coming from the workshops at the conference.
00:00:23	AR refers to the genetics project referred to by Judy Henderson earlier what may eventuate from such a project. He then informs the audience that they are now breaking for lunch.
00:00:59	Pause
00:01:14	Unidentified female voice speaks of upcoming workshops that afternoon.
00:02:57	Pause.
00:03:02	AR introduces the panel of speakers, and introduces JC and ToS. He asks the audience if they have any questions or issues they want to bring up with the panellists about their earlier speeches.
00:04:52	An unidentified male asks about attending international working parties, and about potential conflict between rights and self-determination within colonised, or de-colonised countries. ToS speaks of decolonisation, and of self-determination as well as the related conflicts.
00:07:23	Another unidentified male asks about self-determination, and expresses concern relating to the world council of indigenous people's position within the UN. ToS addresses this question in terms of self-determination and autonomy, and gives East Timor as an example.
00:11:13	JC elaborates upon the same issue but also considers how this affects Indigenous Australians. She also speaks of inconsistent views between Indigenous Australians about what is actually wanted.
00:13:54	'Emily' asks a question about laws relating to collecting bush tucker, fishing and gathering. ToS admits not being sure of the legislation, however notes that this will likely be addressed in a later workshop, including difficulties relating to fences and personal title within Native Title.
00:16:51	An unidentified male asks about the concept of <i>Res Nullius</i> (as opposed to <i>Terra Nullius</i>). ToS explains that he has not heard of this previously, and discusses the UN's inability to enforce any standards upon sovereign nations such as Australia.

00:19:48	A lively discussion ensues between the unidentified male mentioned above, AR and ToS.
00:21:39	JCI asks whether sovereignty should be discussed as an issue, and What JC's and ToS' position on sovereignty is? JC discusses the importance of consensus amongst Indigenous Australians, and how she believes that Indigenous people need to push for sovereignty in Australia. ToS opposes the use of the word 'sovereignty', and explains that it hasn't been raised in similar discussions in New Zealand.
00:28:08	An unidentified female addresses ToS and asks about the ability of Indigenous Australians to be involved with negotiating enterprise bargaining. ToS speaks of the issues surrounding enterprise bargaining and of the need for individuals to be part of a relevant union in order to be involved and to address indigenous-specific issues.
00:31:07	AR suggests that everyone break for the workshops, and explains the locations of the next workshops.
00:32:08	End of 027304, field tape 3, side B.

[RETURN TO ITEM LIST](#)

ITEM DESCRIPTIONS

027305/ Field tape 4, side A

Performer/speaker(s):	Aden Ridgeway, Michael Cooke, Daisy Munyarryun, Gwen Boyukarrpi Dhurrkay, Helen Nunggalurr Bukulatjpi, Mavis Waykingin Gaykamangu, Paula Madiwirr Gaykamangu, Nancy Gudaltji, Natuyil Gaykamangu, Joy Gayura Dhurrkay, Joanna Sutherland, Richard Bartlett
Subject keywords:	Social organisation - Kinship - Systems - Patrilineal systems, Social organisation - Kinship - Systems – Moieties, Hunting, gathering and fishing, Religion - Dreaming - Creation / Cosmology, Environment – Conservation, Native title - Law and legislation
Language/people:	English, Yolngu languages/people (NT SD53), Wangurri language (N134), Djambarrpuynu language (N115), Warramiri language (N131), Gupapuyngu language (N122.1), Dhuwal clan (N198), Wubulkarra clan (N88)
Places:	Sydney (NSW SI56-05), Galiwinku (Elcho Island East Arnhem Land NT SD53-03), Milingimbi (Central Arnhem Land NT SD53-02), Langarra (Central Arnhem Land SD53-02), Rudall River National Park (Great Sandy Desert WA SF51-10)
Recording quality:	Good

Timing point	Description
	<u>Aden Ridgeway (AR), Michael Cooke (MC), Daisy Munyarryun (DM), Gwen Boyukarrpi Dhurrkay (GBD), Helen Nunggalurr Bukulatjpi (HNB), Mavis Waykingin Gaykamangu (MWG), Paula Madiwirr Gaykamangu (PMG), Nancy Gudaltji (NG), Natuyil Gaykamangu (NGa), Joy Gayura Dhurrkay (JGD), Joanna Sutherland (JS), and Richard Bartlett (RB) at the <i>People Place Law</i> conference, Australian Museum, Sydney, 10 September, 1993.</u>
00:00:00	Archive Announcement.
00:00:05	Pause
00:00:07	Recording cuts into summarising the day's event. He speaks of a group presentation on environmental management by the Arnhem Land women, and introduces MC to introduce them.
00:02:04	MC thanks the audience and introduces himself. He notes he lives at Galiwin'ku (Elcho Island), and that the women are students from Milingimbi, and speaks of Langarra (Island) as the location of the case study. He refers to a map which also includes Dreaming tracks and creation journeys marked out.
00:04:24	DM introduces herself and refers to the map. She gives an overview of the talk she and the other women will give, and speaks of being related to the land through kinship. She speaks of the Yolngu people (NT SD53), and who amongst the following speakers belongs to which particular clans.
00:06:19	DM speaks of dividing into two separate moieties, and what this involves in terms of families and marriages.
00:07:31	DM speaks of Langarra (Island) as a case study of what they will speak of today.
00:09:31	GBD introduces herself, and introduces JG and DW. She speaks of the Wangurri (N134) and Djambarrpuynu (N115) languages and of her homeland and her totems.
00:11:10	HNB introduces herself and NG. She speaks of their relationship, and of kinship

	categories. She explains similarities between two clans. HNB also briefly mentions inviting older people into the school to help with the Warramiri (N131) language and briefly speaks of their totems.
00:12:35	MWG introduces herself, PM and RN. She explains their kinship relationships, and highlights that they speak two different languages – Djambarrpuyngu (N115) and Gupapuyngu (N122.1). MWG briefly mentions her totems.
00:13:57	PMG discusses being related to the land, and totems which are part of the natural environment. She differentiates between European and Indigenous kinship systems and speaks of gender restrictions on aspects of this knowledge.
00:17:58	NG describes Langarra’s and Howard Island’s location, and speaks of the population of the outstation. She explains that it belongs to the Wubulkarra clan (N88) and of areas belonging to the Dhuwal (N198) clans, and the need for mutual respect and sustainable hunting practices. She speaks further of kinship relationships between clans, of the Wubulkarra clan totems, and how this carries into ways of cooking and hunting these animals and plants.
00:22:02	NGa introduces herself and speaks of her homeland and where she currently lives. She explains how different groups relate to different parts of the land and how this relates back to clans and kinship relationships between the different groups.
00:25:39	JGD introduces herself and explains how the Wanggurri and Warramiri clans relate to Langarra, and how these relationships are reflected through cultural practices and the creation story of the journey of the wild duck <i>Muthali</i> . She demonstrates who must be consulted in terms of clans and permissions for mining.
00:31:58	HNB speaks of how Indigenous people care for the environment through culture. She discusses landmarks created by spirit beings and how these are considered sacred. HNB also explains of how these beings gave people totems and how these totems link Indigenous people to the land. She then goes on to explain how mining and over-fishing can damage the environment and sacred places.
00:33:46	HNB describes how Yolngu people practice sustainable hunting, using turtles and mangrove worms as an example. She also explains how these practices cross over between sister-clans, and of restrictions at particular times or for particular people. She also speaks of burning off at specific times of year.
00:37:08	AR thanks the women for their talk, and introduces JS to co-chair.
00:38:13	JS speaks of the importance of developing resolutions in these workshops to contribute to the Native Title legislation being drafted. She speaks of different land holdings extinguishing Native Title and of this limiting Indigenous people’s rights to travel across land or hunt, gather and fish. JS introduces RB.
00:42:35	RB indicates that he will explore the nature of Native Title and common law, and its relationship to the environment and resource development. He begins by discussing Rudall River National Park, in WA, and its unique ecology and rich mineral resources.
00:44:50	RB states that Native Title is the recognition of the traditional homeland of Indigenous people. He discusses possession, freehold title, and common law in relation to Native Title.
00:46:16	Speech cuts out, end of field tape 4, side A.

[RETURN TO ITEM LIST](#)

ITEM DESCRIPTIONS

027306/ Field tape 4, side B

Performer/speaker(s):	Richard Bartlett, Noel Pearson, Joanna Sutherland, Peter Bradfield
Subject keywords:	Native title - Law and legislation, Native title – Compensation, Native title - Mining industry, Native title - Cases – Mabo, Government policy - Self determination, Native title - Mining industry
Language/people:	English
Places:	Sydney (NSW SI56-05), Rudall River National Park (Great Sandy Desert WA SF51-10)
Recording quality:	Good

Timing point	Description
	<u>Richard Bartlett (RB), Noel Pearson (NP), Joanna Sutherland (JS) and Peter Bradfield (PB) at the <i>People Place Law</i> conference, Australian Museum, Sydney, 10 September, 1993.</u>
00:00:00	Archive Announcement.
00:00:05	Pause
00:00:07	Recording cuts into speech by RB (commenced on 027305, field tape 4, side A), discussing how Native Title fits into common law, and the lack of right to compensation.
00:03:20	RB what is required to prove Native Title.
00:04:45	RB asks what is actually meant by Native Title. He speaks of traditional uses of the land and relationship to the land, as well as how it can change over time.
00:06:40	RB discusses the implications of native title for resource development and examines the issues in terms of the Rudall River case.
00:07:52	Pause.
00:10:59	RB speaks of the mining industry's refusal to recognise the legitimacy of native title in Western Australia, and of particular governments and organisations that were initially against Native Title.
00:13:11	RB summaries Native Title as fundamentally about compromise of rights of both Indigenous and non-Indigenous parties, and forcing parties to reach agreement.
00:14:03	NP is introduced by JS.
00:15:14	NP asks what should have been the implication of the Mabo decision? He states that it should have been recognition of inherent right to land and a right to self-government and self-determination.
00:19:00	NP speaks of legal opportunities at a common law level for Indigenous people to assert their rights to land. He also discusses the historical dimensions of the Mabo case.
00:20:30	NP asserts that Native Title should have been the catalyst for settlement of outstanding Indigenous rights issues and advancement towards self-governance and determination. He highlights issues with the Act and the current proposal.
00:26:09	NP elaborates upon the operation of environmental laws within Native Title, and discusses Crown ownership of minerals. He emphasises how native title will extinguish title/rights over certain leases.
00:28:06	NP speaks of the realities of the new Native Title bill. He speaks of previous tactics

	utilised by Indigenous Australians no longer being so effective. He discusses political tools and how to use them, as well as what needs to be achieved.
00:32:41	JS introduces PB.
00:34:15	PB speaks of aiming with this speech to crystallise the concerns of the mining industry, rather than to define whether it is right or wrong from a legal perspective.
00:35:09	PB highlights shared objectives arising between both indigenous and non-indigenous, in particular the need to develop a proper means of communicating, and to allow for long term planning on both sides.
00:36:16	PB speaks of the history of the Mabo decision, and the mining industry's position. He provides a brief summary of Native Title and describes it as a new form of retrospective property law.
00:38:33	PB speaks of the implications for mining.
00:39:30	PB discusses issues for the mining industry, including compensation. He also discusses its potential impact on exploration and its implications on lease renewal over land and the obligations of companies under corporate law.
00:42:49	PB suggests nine principles to address those concerns.
00:46:16	Speech cuts out; end of 027306, field tape 4, side B.

[RETURN TO ITEM LIST](#)

ITEM DESCRIPTIONS

027307/ Field tape 5, side A

Performer/speaker(s):	Peter Bradfield, Joanna Sutherland, Aden Ridgeway, Noel Pearson, Phillip Toyne, Robert Fuller, Terry Strapp
Subject keywords:	Native title - Cases – Mabo, Native title - Mining industry
Language/people:	English, Jawoyn people (N57)
Places:	Sydney (NSW SI56-05), Tanami Desert (Central NT SE52, SE53, SF52, SF53), Mount Todd (NT Top End SD53-09)
Recording quality:	Good

Timing point	Description
	<u>Peter Bradfield (PB), Joanna Sutherland (JS), Aden Ridgeway (AR), Noel Pearson (NP), Phillip Toyne (PT), Robert Fuller (RF) and Terry Strapp (TS) at the People Place Law conference, Australian Museum, Sydney, 10 September, 1993.</u>
00:00:00	Archive Announcement.
00:00:06	Pause
00:00:08	Tape cuts into end of speech by PB (commenced on 027306, field tape 4, side B), discussing claims made, and his understanding of the rights requested by Indigenous applicants.
00:01:25	PB speaks of the Australian Government's response to the Mabo decision and how it seeks to undertake this, as well as industry's concerns with these suggestions.
00:04:24	PB emphasises aspects he considers important in terms of the Australian community, Native Title and the Mabo decision.
00:09:01	PB speaks of the benefits of both mining, and Indigenous land knowledge. He cautions against polarising the issues, and highlights the importance of finding common ground.
00:11:18	JS notifies the audience that they will now break for morning tea.
00:11:25	Tape off/on, AR requests that attendees take their seats for the next session, the sounds of the audience milling around are heard.
00:11:58	AR invites NP, PT, RF and TS to the stage. He asks TS to provide an overview of the Zapopan agreement, and consider it as a possible model for future agreements.
00:13:58	TS initially discusses the ramifications of the Mabo decision from Zapopan's point of view. He speaks of interactions with the Indigenous communities in the Tanami Desert and of the Mount Todd region. TS mentions the Jawoyn people (N57) and recollects the negotiation process.
00:18:28	TS emphasises the need for both parties to compromise and enter into negotiations with goodwill and trust. He speaks of flow-on benefits from the negotiations for Indigenous people, as well as importance of a consistent and fair approach. TS also elaborates upon the company's Indigenous induction course.
00:21:35	TS speaks of forming an ongoing relationship with the Indigenous people of the region, and the importance of creating a trusting negotiation environment. He elaborates upon providing employment and education opportunities.
00:25:30	AR invites RF to respond.
00:25:47	RF notes he is speaking on behalf of the Jawoyn Association only, not all Indigenous people, and commences describing the agreement struck with Zapopan.

00:27:37	RF speaks of the Zapopan example as a model to reach deals and recognise rights. He asserts that three factors lead to the success of the Mt Todd agreement and elaborates upon these factors.
00:29:36	RF speaks of what he believes the impact of Native Title legislation will be upon negotiations, and discusses cases where the outcome has not been so successful for Indigenous parties.
00:31:00	RF discusses why he believes the Zapopan negotiations were so successful.
00:34:50	RF speaks of historical examples of panic over Indigenous land claims and rights, and what actually eventuated.
00:39:55	RF reflects upon the mining industry's view of Zapopan and the lessons of the Mt Todd negotiations.
00:43:00	PT attends the podium and recounts an anecdote about a conversation he had with a friend regarding the Native Title legislation. He starts to speak about the primary implications of the Mabo decision in relation to land and claims, and government restrictions upon these.
00:46:25	Recording cuts out, end of 027307, field tape 5, side A.

[RETURN TO ITEM LIST](#)

ITEM DESCRIPTIONS

027308/ Field tape 5, side B

Performer/speaker(s):	Phillip Toyne, Aden Ridgeway, Richard Bartlett, Noel Pearson, Peter Bradfield, Terry O'Shane, Henrietta Dean
Subject keywords:	Native title - Law and legislation, Native title - Mining industry, Native title - Cases – Wik, Native title - Cases – Mabo
Language/people:	English, Jawoyn people (N57)
Places:	Sydney (NSW SI56-05)
Recording quality:	Good

Timing point	Description
	<u>Phillip Toyne (PT), Aden Ridgeway (AR), Richard Bartlett (RB), Noel Pearson (NP), Peter Bradfield (PB), Terry O'Shane (ToS), Henrietta Dean (HD)</u> at the <u>People Place Law</u> conference, Australian Museum, Sydney, 10 September, 1993.
00:00:00	Archive Announcement.
00:00:06	Pause
00:00:08	The recording cuts into a speech by PT (originally commenced on 027307, field tape 5, side A) about whether Native Title will survive over Crown land.
00:01:09	PT speaks of how he believes the Mabo legislation will unfold. He identifies several criticisms of the legislation by Indigenous people.
00:04:09	PT speaks of the submission process relating to the new Native Title legislation.
00:06:02	AR introduces RB to respond to what has been said so far.
00:06:40	RB cites Canadian examples of treaties and negotiations between mining companies and Indigenous people.
00:07:55	RB discusses the possibility in Australia of a two-step agreement - firstly between the Indigenous people of a region and State/Federal governments, and then following this, between Indigenous people and the mining companies.
00:08:57	NP addresses the idea of a social justice package, and questions what the industry is prepared to give Indigenous people. He emphasises the importance of careful negotiation. NP also considers some of the outcomes of the Wik case.
00:14:15	PB reaffirms that the mining industry is currently confused about the ramifications of Mabo, and that Indigenous people should be treated fairly. PB emphasises the importance of a fair and prompt resolution.
00:17:15	AR announces question time.
00:17:27	ToS addresses PB regarding the 'new' law and highlights that Indigenous law is actually very old. He claims that the apprehension and uncertainty is a result of the campaigns run by the mining industry. ToS asks why PB sees it as a problem for the mining industry to negotiate directly with Indigenous people.
00:20:21	PB addresses this question, stating that he sees no problem with this. He believes the debate is hijacked by governments, bureaucracies and others. PB states that most companies would prefer to deal with Indigenous people directly.
00:22:25	ToS asks a further question, which is mostly inaudible.
00:23:12	An unidentified woman asks PT a question relating to prioritisation of fishing rights at state and federal levels.
00:24:01	PT states that the priorities were likely set in order to get the maximum degree of

	agreement possible from states and territories.
00:24:40	'Jenny' speaks of denial of Indigenous rights and questions TS about the Zapopan agreement.
	TS answers Jenny's question by explaining the process of consultation that Zapopan undertook with the Indigenous people of the region.
00:28:22	Jenny expresses concern about inequality within Indigenous communities and questions the process of the Zapopan negotiations.
00:29:55	HD asks a question relating to access to legal advice for Indigenous people during the negotiation processes.
00:30:38	PB emphasises the importance of all parties having advisors.
00:31:28	An unidentified male queries the global effects of Zapopan mining and the long term prospects for Jawoyn people to maintain their lifestyle. He also notes that he feels the caretaker responsibilities of Indigenous people were neglected by Zapopan.
00:32:34	TS discusses the environmental plans, controls and monitoring in place.
00:33:28	An unidentified woman expresses her distrust for mining companies and her feeling that Indigenous people are disadvantaged during the negotiation process.
00:34:31	TS speaks of the two representative indigenous organisations involved in the negotiations. He explains the difficulty in nailing down absolute consensus – however but notes that the Jawoyn Association and Northern Land Council are conscious of the difficulty of the task, and aim to preserve their clients' position.
00:37:27	An unidentified male asks PB about the proportion of mining companies which are willing to sit down with Indigenous people to negotiate.
00:38:11	PB suggests a very high proportion, and emphasises that there is a real concern amongst mining community about getting it right.
00:39:19	End of 027308, field tape 5, side B.

[RETURN TO ITEM LIST](#)

ITEM DESCRIPTIONS

027309/ Field tape 6, side A

Performer/speaker(s):	Robert Lester, Andrew Chalk
Subject keywords:	Native title - Cases – Mabo, Native title - Law and legislation, Race relations - Racial discrimination – Legislative, Law - Jurisprudence - Terra nullius
Language/people:	English
Places:	Sydney (NSW SI56-05)
Recording quality:	Good

Timing point	Description
	Robert Lester (RL) and Andrew Chalk (AC) at the <i>People Place Law</i> conference, Australian Museum, Sydney, 10 September, 1993.
00:00:00	Archive Announcement.
00:00:06	Pause
00:00:07	Announcement regarding purchase of audio-tape copies of conference proceedings.
00:01:24	RL introduces AC to speak upon the relationship of Mabo to existing legislation.
00:02:09	AC mentions he was originally going to speak about this, however, following the NSW government releasing their response to Mabo, he has decided to speak about this instead. He asserts that it limits statutory rights and denies Native Title rights.
00:04:42	AC explains the ways he sees the bill attack Indigenous rights.
00:06:42	AC speaks of the overall tone of the bill and gives examples. He emphasises that it seeks to override the Racial Discrimination Act.
00:10:15	AC speaks of the NSW attempting to extinguish Native Title through this bill, and adopting the exact position that the High Court rejected. He gives examples of how rights worked in the past, and what would now take precedence over Native Title.
00:14:08	AC speaks of how the bill identifies and treats particular attributes, if Native Title isn't deemed to be extinguished.
00:17:30	AC discusses some of the issues with the bill in terms of how it treats land usage – in particular, issues relating to traditional vs. modern usage, and asserts that the Bill is discriminatory in how it frames the requirements for lodging a Native Title Claim
00:20:27	AC speaks of the way the Bill restricts legal representation for Indigenous applicants.
00:22:10	AC speaks of the difficulties and limitations of proving Native Title under the proposed NSW Bill.
00:28:05	AC explains how Native Title is culturally based and the ramifications upon a culture if Native Title is extinguished. He speaks about the minimal avenues for compensation for extinguished Native Title.
00:29:45	AC discusses how the NSW bill deals with rights to specific resources such as fishing, minerals, water, beaches, rec areas and others.
00:34:12	AC speaks of the Crown potentially being able to control Native Title holders' land usage and how this is inconsistent with the Crown's reach for holders of other land titles.
00:35:57	AC speaks of his concerns relating to both the NSW and federal bills relating to Native Title. He claims that it essentially gives the state and federal governments a basis to confirm the concept of <i>Terra Nullius</i> .
00:37: 24	Call for questions from the audience.

00:37:54	An unidentified female asks whether the Commonwealth would be likely to take the NSW state government to court over their proposed bill?
00:38:21	AC comments that he would be surprised if the federal government would let the NSW Bill stand, and speaks of its ramifications in terms of the Racial Discrimination Act.
00:40:44	An unidentified male asks about land titles during the claim process, and the role of the Crown in this.
00:42:47	AC explains that he does not understand the question, and the unidentified male asks about the validation of the land title.
00:43:43	AC again explains that he does not understand the question.
00:44:06	An unidentified female asks AC a question relating to reservation of resources by the Crown, and whether this would constitute a breach of the Racial Discrimination Act.
00:45:11	AC suggests that this has more to do with whether Indigenous people hold interests in the minerals on the land and explains his position on this further. He explains that Native Title needs to be understood according to Aboriginal custom and law, rather than European law.
00:46:19	Speech cuts out – end of 027309, field tape 6, side A.

[RETURN TO ITEM LIST](#)

ITEM DESCRIPTIONS

027310/ Field tape 6, side B

Performer/speaker(s):	Robert Lester, Andrew Chalk, Jenny Munro
Subject keywords:	Native title - Law and legislation, Law - Jurisprudence - Terra nullius, Race relations - Racial discrimination – Legislative, Native title - Cases – Mabo, Culture - Relationship to land, Law - International law - Human rights, Politics and Government – Sovereignty
Language/people:	English
Places:	Sydney (NSW SI56-05)
Recording quality:	Good

Timing point	Description
	<u>Robert Lester (RL), Andrew Chalk (AC), Jenny Munro (JM) at the <i>People Place Law</i> conference, Australian Museum, Sydney, 10 September, 1993.</u>
00:00:00	Archive Announcement.
00:00:05	Pause
00:00:06	Continuation of AC's discussion from the previous recording (027309, field tape 6, about Native Title legislation in relation to the concept of <i>Terra Nullius</i> .
00:00:36	An unidentified female asks about human rights abuses and whether the NSW Bill has been analysed yet in terms of the relevant international laws.
00:01:15	AC admits he has only examined it in a cursory way, and more specifically in terms of the Racial Discrimination Act, rather than international human rights law.
00:01:41	Pause.
00:01:47	General conversation and milling around of audience.
00:02:00	Announcement to audience about a vault tour, and a barbecue.
00:02:30	RL introduces JM.
00:03:29	JM speaks briefly of the Indigenous Women's Centre in Redfern where she works. She discusses attitudes expressed at the conference, and her doubts and worries about the Mabo debate and legislation. JM emphasises her concerns about the terminology of the Native Title Bill, as well as its shortcomings.
00:05:18	JM claims the bills demonstrate similar attitudes to Indigenous people as displayed in 1788, and that this legislation ignores Indigenous rights, laws, culture and people. She speaks of her history and experience of land rights legislation and demonstrations.
00:07:05	JM discusses what Indigenous people can offer the country and the world, in terms of land management, control and usage, and how these other laws are likely to intrude on Indigenous management of the land. She speaks of how Indigenous Dreaming and religion are ignored.
00:09:09	She speaks of Indigenous rights, and how the Mabo bill and Native Title legislation needs to address recognition of Indigenous law and rights.
00:09:47	JM maintains that Indigenous people have rights and asserts that there must be recognition of Indigenous laws and way of life.
00:10:44	JM speaks of Indigenous people understanding land differently to non-Indigenous people, and of the emphasis on spiritual value, rather than economic value. She highlights human rights abuses against Indigenous people in Australia.
00:11:35	JM emphasises the importance of the High Court recognising Indigenous prior

	ownership of the continent, and she speaks of sovereignty. JM gives several examples of the effect of the current laws on claims, negotiations and court cases.
00:13:48	JM asserts that the proposed legislation does not assist Indigenous people, and in fact removes recognition of rights. She calls for a referendum on the legislation.
00:16:50	JM speaks of people coming together and reaching a consensus and she laments seeing her brothers and sisters (in her opinion) deny their history.
00:17:57	RL closes the afternoon session.
00:19:43	End of field tape 6, side B.

[RETURN TO ITEM LIST](#)

ITEM DESCRIPTIONS

027311/ Field tape 7, side A

Performer/speaker(s):	Aden Ridgeway, Robert Lester, Neita Scott, Lori Richardson, Aaron Ross, Ozzie Cruze and Alfred Lacey
Subject keywords:	Native Title, Land rights, Cultural heritage - Repatriation - Human remains, Research - Collections - Ownership and repatriation issues, Law - Intellectual property
Language/people:	English
Places:	Sydney (NSW SI56-05)
Recording quality:	Good

Timing point	Description
	<u>Aden Ridgeway (AR), Robert Lester (RL), Neita Scott (NS), Lori Richardson (LR), Ozzie Cruze (OC), Aaron Ross (ARs) and Alfred Lacey (AL) at the <i>People Place Law</i> conference, Australian Museum, Sydney, 11 September, 1993.</u>
00:00:00	Archive Announcement.
00:00:05	Pause
00:00:07	AR welcomes conference attendees and makes a few general announcements. He introduces the next subject of 'New Directions: where to from here?' and speaks of the potential to develop strategies to deal with Native Title. He introduces RL, and NS, LR, AR and AL as speakers for the morning, and invites RL to the lectern to speak.
00:04:53	RL speaks of Indigenous issues in NSW and of several advisory committees and objectives established both in NSW and on a more notional level. RL also discusses amendments to national parks and wildlife legislation.
00:09:21	RL focuses upon developments at a federal level and speaks of a task force appointed to recommend processes for returning cultural belongings and ancestral remains held in Australia and overseas. He notes that significant consultation is still to take place.
00:10:39	RL asserts that he does not believe any government has the right to form policies in relation to another cultural group's culture, but rather, it is the role of those practicing the culture. He claims that much consultation did not occur due to lack of resources.
00:12:10	RL briefly opens the forum to questions.
00:12:59	An unidentified male asks about the consultation that occurred within an interparty national committee set up a year before, and how effective this was.
00:14:35	RL states that the committee has nothing to do with what was currently being discussed and it dealt with Land Rights issues instead. He briefly refers to a national task force assembled in the 1980's.
00:16:55	OC asks about cultural property ownership and gives examples of Indigenous artefacts which were found on Crown land being kept as Crown property. He asks how far along the repatriation legislation is.
00:18:04	RL says he can't say, but discussions are being held. He gives an example of the Australian Museum returning Indigenous remains to communities, and some of the issues that arose within this context.
00:22:04	"Merv" speaks of lobbying the government to work towards a heritage and culture act for NSW. He expresses his frustration at the way Indigenous culture and cultural

	objects are handled. Merv speaks of the lack of funding, and of the perceived project prioritisation within these organisations and comments upon the way land councils are managed.
00:26:00	RL speaks to Merv's concerns and acknowledges hard decision have to be made. He emphasises that the NSW Land Council place culture and heritage issues high on their priorities list.
00:26:54	AR speaks of Indigenous frustrations as stemming from how they have been treated in Australia. He acknowledges that if addressing new directions, then culture and heritage need to be part of it. He speaks of Native Title and reconciliation within this context. AR discusses empowerment of Indigenous Australians.
00:31:41	AR mentions issues that need to be addressed, including questions about land ownership, access, cultural autonomy and social aspects and needs of Indigenous communities, along with the social and economic interests within Native Title.
00:33:50	LR is invited to the lectern to speak of her work at the National Museum.
00:34:18	LR frames the terms 'cultural and intellectual property' and speaks of a UN working group addressing this. She explains DFAT's role and input into this.
00:35:42	LR announces her intention to focus upon two policies. She discusses the Australian Aboriginal Affairs Council (AAAC) task force and speaks of their role in developing policy related to repatriation of Indigenous materials, as well as the policy's shortcomings.
00:37:12	LR also discusses the Council of Australian Museums Association (CAMA) which she explains shapes in-house museum work. LR explains its origins and the aim of making make museums accountable and objects accessible to Indigenous people.
00:39:45	LR speaks of the importance of providing commentary regarding new policy.
00:41:05	AR speaks of the Aboriginal Youth Association and of the importance of younger generations. He introduces ARs and AL.
00:42:16	ARs discusses the importance of unity amongst Indigenous people. He describes his experiences attending a conference in Geneva. ARs notes that younger people inherit the decisions of the older generations, and speaks of his experiences in Quebec.
00:45:40	ARs recollects a conversation he had with another conference attendee who had noticed the decreased attendance of younger Indigenous people at conferences and forums.
00:46:13	Recording cuts out mid-sentence, end of 027311, field tape 7, side A.

[RETURN TO ITEM LIST](#)

ITEM DESCRIPTIONS

027312/ Field tape 7, side B

Performer/speaker(s):	Aaron Ross, Alfred Lacey, Aden Ridgeway, Emily Walker, Phillip Toyne, Milo Dunphy
Subject keywords:	Education – Tertiary, Politics and Government - Political action – Activism, Language – Centres, Education - Language - Indigenous languages, Native title - Cases – Mabo, Environment – Conservation
Language/people:	English
Places:	Sydney (NSW SI56-05)
Recording quality:	Good

Timing point	Description
	<u>Aaron Ross (ARs) and Alfred Lacey (AL) Aden Ridgeway (AR), Emily Walker (EW), Milo Dunphy (MD), at the <i>People Place Law</i> conference, Australian Museum, Sydney, 11 September, 1993.</u>
00:00:00	Archive Announcement.
00:00:05	Pause
00:00:07	The recording continues with ARs' speech from archive recording 027311. He speaks of the minimal number of Indigenous people at university. He emphasises the importance of younger people in the struggle for Indigenous rights and why it is so important for them to step up in to roles relating to land and policy management.
00:01:25	ARs emphasises the importance of younger people understanding the essence of the struggle and politics, and their responsibility to participate. He speaks younger people learning how to access Indigenous organisations.
00:02:03	ARs discusses models and strategies to get younger people involved, and explains that the terms 'self-determination' and 'governance' are far-removed from the realities of their lives.
00:03:23	ARs introduces AL who speaks about the Aboriginal Youth Association. He discusses the conference held previously at Darwin, and the way that the National Youth Body formed from this.
00:05:50	AL asks that elders teach young people in their local community about local issues, and how to become involved with local Indigenous land organisations. He expresses concern at younger people not being informed about the Mabo decision and its potential ramifications.
00:08:20	AL speaks of needing to report on the conference.
00:08:55	AR tells the audience a story about a land rights rally and the frustrations of Indigenous people. He speaks of the need to translate speeches into something that will make a difference to the lives of Indigenous people.
00:12:28	General milling of audience, general announcement of upcoming workshops.
00:13:25	AR – introduces the next series of speakers.
00:14:56	AR invites EW to attend the lectern to speak of 'new directions', from an Indigenous language perspective.
00:15:21	EW speaks of her background. She discusses growing up with her grandmothers present, and explains why they did not teach her their language. EW recollects discovering her linguistic heritage.

00:16:47	EW elaborates upon setting up language centres at national, state and local levels. She speaks of other smaller projects around the country.
00:18:36	EW discusses the revival of Indigenous culture and dances, and gives other examples from around the country.
00:19:14	EW explores the increasing awareness and interest of non-Indigenous people in Indigenous language and culture. She speaks of the difficulty of teaching a language when so few speakers are alive.
00:20:43	EW discusses the impact of non-Indigenous settlers upon Indigenous languages and cultures and of different ways of practicing her culture.
00:22:55	EW speaks of attending a conference previously and of several other Indigenous attendees refusing to recognise her as Indigenous due to her physical features.
00:24:35	PT is introduced.
00:25:00	PT speaks of opportunities for collaboration between Indigenous people and conservationists. He highlights the implication of Mabo for national parks and speaks of some of the current Eurocentric approaches to land management, which cautions need to change.
00:28:06	PT suggests conservation as a mechanism for promoting reconciliation, justice, cross-cultural understanding and better environmental outcomes and gives several examples of conservationists and Indigenous groups combining together for positive outcomes.
00:31:10	MD is introduced and comments that he is struck by the similarities in concerns of Indigenous people and conservation groups. He gives several examples of positive outcomes resulting from collaboration between Indigenous communities and conservation groups.
00:36:04	MD speaks of the Uluru Management Plan, and issues with the management of other national parks.
00:37:11	MD speaks of the beginnings of the conservation movement in Australia.
00:39:56	MD recollects a meeting several years ago, which crystallised for him the importance of working together, both within and across groups, against mining and logging interests.
0:41:15	MD emphasises that Indigenous and conservation concerns often coincide, and they often share similar opponents. He speaks of potential ways to collaborate.
00:42:40	MD gives examples of questionable legislation which was stopped or amended to be less damaging, as a result of environmentalists campaigns during state elections.
00:44:26	End of 027312. Field tape 7, side B.

[RETURN TO ITEM LIST](#)

ITEM DESCRIPTIONS

027313/ Field tape 8, side A

Performer/speaker(s):	Peter Breen, Joanna Sutherland, Jeff Farrar, Nicholas Calabria, Milo Dunphy, Emily Walker
Subject keywords:	Law - Constitutional law - Bill of rights, Law - International law - Human rights, Native title - Law and legislation, Fishing, Environment – Conservation, Music - Instruments - Wind – Didjeridu, Religion - Dreaming - Creation / Cosmology
Language/people:	English
Places:	Sydney (NSW SI56-05), Jervis Bay (ACT / NSW S Coast SI56-13)
Recording quality:	Good

Timing point	Description
	<u>Peter Breen (PB), Joanna Sutherland (JS), Jeff Farrar (JF), Nicholas Calabria (NC), Milo Dunphy (MD), Andrew Chalk (AC), Emily Walker (EW)</u> at the <i>People Place Law</i> conference, Australian Museum, Sydney, 11 September, 1993.
00:00:00	Archive Announcement.
00:00:06	Pause
00:00:07	Recording cuts into the conference chair introducing PB.
00:00:46	PB speaks of an encounter with a spirit who told him to protect the land. He discusses working on a draft QLD Bill of Rights, and elaborates upon how he believes these rights apply to communities. PB discusses environmental rights and the provisions within this, and explains its link to human rights law.
00:04:42	PB speaks of rights under the proposed Bill of Rights specific to Indigenous people.
00:06:35	PB expresses why he believes Indigenous rights have been quashed through history.
00:07:45	PB discusses bills of rights within an international context.
00:08:30	PB speaks of the inequality of rights assigned to Indigenous people compared to those assigned to non-Indigenous people
00:09:18	Panel discussion time is announced and audience questions are called for.
00:09:36	JS asks a question of PB, regarding his familiarity with the Covenant on the Rights of Indigenous People, and Indigenous people's rights to be involved in the management of their resources.
00:10:34	PB notes that this came up through the Commission's work, and that they decided to address Indigenous rights, as the currently existing instruments were seen to be inadequate. PB explores the thinking behind this.
00:12:10	JF asks a question relating to conservationists' support of Native Title and speaks of the issues he sees with the draft Native Title bill in its current form. He refers to both Australian and North American native title law.
00:16:37	MD indicates that he is confused by the question and discusses fishing within Jervis Bay National Park.
00:17:39	MD cautions against drawing parallels between North American and Australian law. He provides an example from the Supreme Court of British Columbia to illustrate this.
00:19:12	AC addresses MD and expresses concern for the ability of conservation groups to

	work and collaborate with Indigenous communities. He uses Garigal National Park as an example to illustrate his point.
00:21:27	MD emphasises that there are examples on both sides of parties not getting along. A disagreement between MD and AC ensues. MD mentions several examples of disagreements between conservation groups and Indigenous groups, around the Sydney area.
00:24:48	'Don' asserts that the Bill of Rights in Canada was a total failure for Indigenous Canadians, and that he believes the Bill denies Aboriginality. He speaks of <i>Res Nullius</i> and the denial of human rights in Australia.
00:26:13	PB(?) states that he doesn't deny the gross denial of Indigenous human rights. He emphasises the distinction between individual and community rights, and speaks of the differences in the Bill as reflective of the changes in the development of human rights over the past decade.
00:27:43	NC mentions a meeting in Melbourne the next day, and asks whether any Indigenous groups would be attending. He notes the importance of consultation.
00:28:49	'Cliff' speaks of conservations groups benefitting from the NSW Land Rights Act. He addresses EW's speech, and notes that he appreciates what was said, and the work done and in need of doing. He acknowledges language as part of culture.
00:29:56	The conference attendees break for lunch, 'Firebrace and the Murray People' is announced as the group providing lunchtime entertainment.
00:30:30	Noises of general conversation and the crowd milling around.
00:31:53	Testing of microphone.
00:33:55	Recording cuts into song item 1 – didjeridu performance.
00:36:14	An unidentified male tells a story about the creation of the world and the spirit who dreamed it into being. He speaks of this knowledge being passed along through the animals, until it was given to humans, who passed it down the generations.
00:37:38	Song item 2 – didjeridu performance.
00:40:38	The unidentified male speaks of the previous story as an Indigenous bible, and of being warned about the missionaries. He discusses life prior to the arrival of non-Indigenous people, and the difficulties since. He introduces the dancers in the next performance.
00:42:54	Pause.
00:42:58.	'Tanya' introduces herself and 'Peta', and the dance group <i>Pamul Kadjiri</i> (spelling?) She briefly explains the shape-shifter dance to the audience.
00:43:56	Song item 3 – female vocalist, clapstick and accompaniment.
00:46:16	Recording cuts out, end of 027313, field tape 8, side A.

[RETURN TO ITEM LIST](#)

ITEM DESCRIPTIONS

027314/ Field tape 8, side B

Performer/speaker(s):	Ozzie Cruze, Jim Specht, Marjorie Anderson, Colin Anderson, Maggie Goodman, Jeanie Bell. An unidentified male
Subject keywords:	Music - Instruments - Percussion – Clapsticks, Music – Vocal, Hunting, gathering and fishing, Literature and stories - Story telling and story tellers, Music - Instruments - Wind – Didjeridu, Politics and Government – Sovereignty
Language/people:	English
Places:	Sydney (NSW SI56-05)
Recording quality:	Good

Timing point	Description
	<u>Ozzie Cruze (OC), Jim Specht (JS), Marjorie Anderson (MA), Colin Anderson (CA), Maggie Goodman (MG), Jeanie Bell (JB) and an unidentified male at the People Place Law conference, Australian Museum, Sydney, 11 September, 1993.</u>
00:00:00	Archive Announcement.
00:00:06	Pause
00:00:07	Continuation of song item from previous archive recording 027313. Female vocalist, clapstick accompaniment.
00:01:12	Audience applause.
00:01:29	Unidentified male speaks of fishing and Indigenous awareness of the importance of not overfishing. He cautions that the rainbow serpent eats anyone who overfishes.
00:03:14	He tells a story about a platypus, who was asked by three different groups - the birds, the fish and the animals - to join them.
00:03:50	Song item 1 - didjeridu accompaniment to the story.
00:06:53	He speaks about the lesson of equality within the story, and the 'divide and conquer' technique of the government.
00:08:11	The unidentified male tells a story about the sun-woman <i>Bila</i> (spelling?), the moon-man <i>Japara</i> (spelling?) and of the lizard man <i>Kuddana</i> (spelling?).
00:10:14	Song item 2- didjeridu accompaniment to the story.
00:13:49	The unidentified storyteller speaks of what he considers to be 'cool', including knowing yourself, looking after the environment and respecting one another.
00:14:36	The unidentified storyteller tells a story about the Brolga, who was originally a beautiful girl, back in the Dreaming.
00:14:48	Song item 3 – didjeridu accompaniment to the story.
00:17:13	The unidentified storyteller speaks of being in the Dreaming at all times, and of making changes for a better future for everyone.
00:17:36	Tape off/on. AR thanks Bangarra Dance Theatre.
00:17:52	AR announces that the recommendations from the previous workshops will now be heard.
00:18:20	OC speaks for the fishing, gathering and hunting workshop. He expresses appreciation to those involved in organising the workshop, and explains that it attempted to address the ignorance about traditional rights of Indigenous people, and notes that many people don't understand that traditional ways of life haven't ceased.

00:20:19	OC speaks of the recommendations from the hunting, fishing and gathering workshop, including recognition of Indigenous rights and traditional practices, ways of protecting waterways and coasts from overfishing, involvement of Indigenous people in developments, enforcing laws and monitoring of fishing, repopulating rare species of flora and fauna and access to waterways and coastal areas.
00:24:40	JS highlights the recommendations from the property rights workshop, which relate to Indigenous employment within this sector, and fairer use, allocation of rights and Indigenous control of aquatic resources.
00:26:43?	MA elaborates upon recommendations from media workshop, which includes supporting community broadcasters, challenging mainstream media, increasing international exposure, targeting press releases to other language groups within the community; creating alternative communication networks.
00:29:04	CA speaks of the eco agriculture workshop recommendations, including farming and sustainability to be addressed on national and international level, pooling of resources within sustainable communities, and exploration of local flora/fauna as food sources.
00:33:31	MG speaks of recommendations relating to Indigenous involvement conservation organisations, which relate to building trust, respect and honesty between individuals, communication and sharing knowledge with one another to breakdown racism and assumptions. MG suggested that the onus is on the conservation groups to ask about Indigenous concerns.
00:37:26	JB expressed her disappointment at a couple of aspects of the conference and workshops, then spoke of the recommendations related to language and sovereignty, including the need to resort to more formal protocol to show respect (eg, welcome to country), and that keeping a language alive relies upon the local communities and their initiatives. She emphasised that language is cultural heritage.
00:41:30	In speaking of the sovereignty workshop JB explained that there was a need to define what Native Title and Sovereignty actually are, for a diplomatic structure to Indigenous bodies. She spoke of the importance of a national perspective and cohesive leadership, and local communities being allowed to make their own choices.
00:46:17	End of recording 027314, field tape 8, side B

[RETURN TO ITEM LIST](#)