

IT'S NOT THE MONEY IT'S THE LAND

On 4 May 2005, Bill Bunbury, Presenter of 'Hindsight', ABC Radio Social History Unit, spoke to the Kimberley Society about the outcomes of the 1965 Equal Wages Case for indigenous pastoral workers in Northern Australia. The following summary, which Bill generously provided for the newsletter, contains only a few of the oral history excerpts that he played to the audience.

Former Kimberley stockman Jacky Dann said:

We grew up in station and we bin ringin' in there. And the station manager or the station owner we got to show him where the cattle run and how to get around – but when the works starts we were going from there and never stop – droving cattle, mustering and branding – because we was the cheap labour – Aboriginal people was the cheap labour – And in this land we pay the price – from all that we get nothing back.

Former Kimberley pastoralist Peter Murray said:

I think the tragedy of it all was that nobody sat down – nobody thought about the repercussions – they just let it happen. And what always amazes me is that we're supposed to be a clever country, an enlightened country – and yet we allow decisions to take place without any consultation with the parties that are involved and we've got a disaster on our hands thirty years down the track.

Those excerpts began both the ABC Radio series "It's not the money it's the land" and the book, which I later wrote, on the Equal Wage Case of 1965, and they illustrate the fundamental dilemma that the 1965 decision produced.

In 1997 I was asked to make a presentation at the National Reconciliation Convention in Melbourne. The paper I presented was entitled *Chances Lost Chance Taken*. I talked about opportunities for Reconciliation with the First Australians which were foregone or grasped. Looking back now that title now seems doubly ironic because it was at the 1997 Convention that I first became fully aware of the consequences of an economic decision that was to affect the lives of thousands of indigenous workers and their families throughout the Northern Territory and the Kimberley. Here was a chance well and truly lost.

Later, during the Convention, I found myself listening to Sir James Gobbo, then Governor of Victoria. He reflected among other things on his feeling about the 1965 Conciliation and Arbitration Commission's decision to grant Equal Wages to Aboriginal stockmen. The consequences, he felt, had not been what the Commission might have hoped for.

It set me thinking. In the 1970s and early 1980s I had occasionally driven through small Northern Territory and Kimberley towns, Katherine, Halls Creek and Fitzroy Crossing, recording stories and moving on. But what I'd failed to apprehend was why so many Aboriginal families clung to the edge of those communities. They were certainly living rough – often literally camped on the edge of town.

It took another year of research and even more time to interview some of the major players before I'd completed a 3 part radio series "It's Not The Money It's The Land". These broadcasts went to air in 'Hindsight', Radio National's weekly history radio feature, in December 2000. I followed up the series by writing a book with the same title, which Fremantle Arts Centre Press published in February 2002. The title is significant because it emphasizes the major loss for Aboriginal people, that of land, as a result of the 1965 Wages case. And that's a long story, far older than the brief European tenure of Australia.

When pastoralists first entered the Kimberley and the Northern Territory in the late 19th century, their first contact with the original inhabitants was frequently followed by conflict over the use of land. Both wanted water and access to good pasture.

Deprived of game by the introduction of cattle and sheep, the indigenous tribes took to killing the white man's livestock, with inevitable reprisals by the Europeans. Conflict only ended when Aboriginal people entered the pastoral economy, on the best terms they could get. That meant that at least they could stay on their own country, even if they now depended on the pastoralist for food, clothing and welfare, in exchange for their labour.

That way of life persisted until the Equal Wages Case in 1965. Station life did provide an opportunity to stay on or visit one's own country in some cases. Obligations to country through ceremony could be sustained and traditional law passed on to younger people. On the other hand the workers were tied to the stations, often with little freedom of movement or opportunity to seek work elsewhere.

The isolation of station life also meant there was little opportunity for Aboriginal people to become familiar with money, and how the money economy worked, because they rarely saw it. Apart from hand-outs of clothing and tucker and occasional pocket money, say at race-time meetings when the whole station went to town, there was little incentive or education which would have prepared indigenous workers for the receipt of regular wages.

However World War Two caused the first crack in this laissez-faire regime. The Army, when it recruited Aboriginal labour for defence project, paid wages, causing

many station workers to question why this never happened inside the cattle grid. At war's end, fewer were prepared to resume the semi-slavery of station life.

Pastoral workers from the Pilbara set a precedent when, advised by a sympathetic prospector, Don MacLeod, they walked off sheep and cattle properties in May 1946, striking for a decent wage. The Pilbara strike preceded the Wave Hill walk-off by the Gurindji people in 1966 by twenty years. It was the first organised indigenous strike in the history of Australian pastoral life.

The role of Trade Unions in this story is interesting. They took no part in the Pilbara dispute and had, in fact, not intervened at all on behalf of indigenous workers in pre-World War Two Australia. If anything, the NAWU (Northern Australia Workers Union), in the 1920s and early 1930s, had evinced hostility and exclusion towards workers whom they saw as competitors with white workers in most work areas. Given that Aboriginal labour was unpaid, they were at least technically correct. Their view accurately reflected the White Australia policy of a high Wage, no cheap labour workforce.

However, by the time the Equal Wage Case came up in 1965, union attitudes had shifted, partly due to the leadership of men like Union organiser Dexter Daniels at Wave Hill and President of the NAWU, J McGinness, both notable and respected indigenous leaders. These men were at the forefront of the campaign for Equal Wages.

When the Commission hearings took place in 1965, only two parties were present to provide evidence for and against the case. John Kerr, later Governor General, represented the pastoralists, and the NAWU represented the workers. Their case was minimal. The Union saw Equal Wages as a long overdue restitution of almost a century of semi-slavery and assumed that the verdict would inevitably reflect natural justice.

QC, Hal Wootten, was then Junior Counsel assisting John Kerr, and despite his brief, personally sympathetic to the Aboriginal workers' arguments. However he was keenly aware that those most affected by the decision were not present. One of the ironies most apparent to him was the fact that it was the pastoralists who raised the question of benefit to Aboriginal workers.

They said, "We can see this is going to be very painful for aborigines and we wouldn't like that to happen but it's going to be one of the consequences if this decision is made."

Pastoralists, in effect, argued that once Equal Wages came in they could no longer sustain the traditional station economy, where the pastoralist or his manager fed

and clothed everybody, including dependants. They argued they could only retain a few selected workers. The rest, wives, children, older people and less efficient workers would have to take their chance elsewhere.

The Commission's hands were also tied. Inevitably Australia could not, in the eyes of the world, continue to tolerate a feudal economy within a democracy. It was also influenced by the assimilationist climate of the 1960s. While the Commission was well aware that, as the pastoralists warned, payment of Equal Wages would result in massive disemployment and dislocation, it awarded in favour of Aboriginal workers on the grounds of 'equal treatment for All Australians'. It hinted, as it did so, that the Commonwealth government would pick up the tab if disaster ensued. Sadly that is just what happened.

It is only fair to say that some pastoralists were well aware of the likely social dislocation and regretted the breakdown in European-Aboriginal relationships. Annette Henwood at Fossil Downs expressed this very strongly in a taped interview. She also told me that several pastoralists in her region got together to try to work out how to implement the scheme slowly so that it would not cause the major upheaval they anticipated. But the Award was pushed through and sadly, in most cases its application meant loss of country and loss of work.

The Commission had proposed a three-year delay in implementing the Award in order to give the pastoral economy time to adjust. Unfortunately this became the period of the greatest lay-offs and nowhere more so than in the Kimberley, where, although Equal Wages came late, they hit hard.

For many years the state government had encouraged the retention of Aboriginal communities on station properties, partly because when the inevitable dislocation occurred after the payment of the Award, they were aware that the small towns of the Kimberley, etc. would not be able to cope with the influx of displaced people.

Their worst fears were realised in the 1970s when hundreds of people left the stations and crowded on to the reserves of Halls Creek, Fitzroy Crossing and Wyndham. They had lost their work, their skills and most importantly their country, the essence of their identity and which gave spiritual and physical meaning to their lives. Now, in town, they were at risk from the worst aspects of white society, unemployment, alcohol and boredom.

One of the last stations to be affected was Gordon Downs, 120 kilometres south of Halls Creek. Here the people were scarcely aware of what the Equal Wage decision would mean to them. Leaving Gordon Downs – as a result of this situation – meant exile in Halls Creek- temporarily losing their country. That was described on tape by Patsy Mudgabel and Basil Thomas.

One of the important lessons for me doing those interviews at Gordon Downs was to be vividly reminded of the spiritual meaning of land. In one sense people had to lose land in order to regain it. But I remember too, when recording the interviews at Halls Creek, how easy it was to misuse words like 'lose'. I'd been asking ex-Gordon Downs stockmen what they felt about losing their land. The conversations were in Djaru, with local interpreter, Patsy Mudgabel translating for the benefit of the radio audience later. In a break in recording Patsy tactfully told me that the stockmen could not understand my question about losing the land. In their view they had never lost it. Rather, the land had lost them for a while. Country and obligations to country were always in their consciousness in exile at Halls Creek. Land was in people's heads and in their hearts, it only awaited their physical return.

But it's at this point that the story begins to turn round.

While the 1970s and early 1980s was a period of massive dislocation, it was also a period of political growth and revival among the Aboriginal communities.

Organisations like the Central Land Council and the Kimberley Land Council formed to help people cope with dispossession and to help them get back to country. As Kimberley land Claimant Rex Johns put it to me:

It's very important that we get our land back.

Bill: *More important than the money?*

Yeah – more important than the money – Our dreamtime land you know.

That phrase – or its gist became the title of both the radio series and the book. Some Aboriginal communities have now regained their own country and are running pastoral properties on their own terms, sometimes simply as communities free from the pressures and problems of urban life. This is a vital part of the story. For indigenous station communities the loss of work, which accompanied the Equal Wages decision, was matched by dispossession from land where they could carry out obligations to country and preserve much of their culture. It is often hard for other Australians to appreciate how much this meant to people who had been taken out of their own country.

Ribnga Green, who was Development Officer for the Kimberley Land Council at Halls Creek, went with the Gordon Downs people when they returned to land from which they had been evicted. He said,

The changes I saw in the people from the time after they first arrived in Halls Creek after being kicked off Gordon Downs Station to the time when they moved back to

their country, started setting up their tents and organising their affairs which included ceremonies and things like that as well.

People were back in their country so they could sing songs again and dance dances and do things that they'd been doing for aeons of time. To see those sorts of changes was the highlight of my working career. I don't think anything will quite equal that.

So what has this story been about? Have I simply described the inevitable process of change?

I remember driving back from Fitzroy Crossing to Broome early one morning in September 2000. Just as I turned south along the Broome-Derby road three helicopters rose up in front of me. I couldn't see the cattle they were mustering. They were invisible in the scrub. It was a vivid reminder of how much had changed in the pastoral industry since 1965. Mechanisation and more intensive cattle raising have replaced open-range pastoralism where the stockman and the horse were essential.

It is inevitable that indigenous families would have left the stations at some stage. Many, with greater mobility, wanted more from life and often sought wider opportunities for their children. But the question remains. Could we have done it better? Could we have avoided the uprooting, the loss of morale and the heartbreak, which accompanied that sudden dispersal from country?

Former Reconciliation Council member Ric Farley thinks so. I put it to him that one could argue that the payment of Equal Wages was inevitable, one of those leaps across a ravine that simply had to happen. But as he responded: -

The ravine certainly was there and it had to be crossed but I'm not sure if it had to be crossed in a single leap. I think if the commission had approached the issue in a way that they're tending to do now, recognising that there is a surviving Aboriginal culture and a surviving Aboriginal system of law. But if things had been approached in a more pragmatic way then perhaps the impact would not have been as great. But certainly it was an issue that was always going to arise. I think as in many other issues it wasn't addressed as well as it might have been.

So is this episode just a slice of history, one where we can shrug our shoulders and say, "Well it was a mistake and we wouldn't do things that way now". Or is this story still important?

Ric Farley's response is also helpful again.

Yes, because it's one of the reasons that indigenous people now find themselves facing the sorts of problems that they do. One of the questions often asked is, "Why can't Aboriginal people get a job like anyone else? Why are so many people hooked on alcohol or drugs, living on the edge of river banks or around large towns and cities?"

People have to understand that a lot of Aboriginal people were really forced into that position. They were not doing it by choice. That's not how people would choose to live if they had a choice but it's what the forces of history have imposed on them.

Now if we're to become a whole and inclusive society then people need to understand that and out of that understanding hopefully will come a much more informed debate about what needs to happen in the future.

Editor's note: Bill Bunbury's book, *It's Not The Money It's The Land: Aboriginal Stockmen and the Equal Wages Case*, is still in print and can be obtained through bookshops or Fremantle Arts Centre Press.