

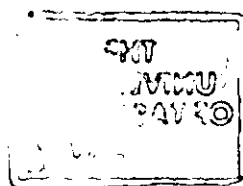
**THE ASSERTION OF TASMANIAN ABORIGINALITY
FROM THE 1967 REFERENDUM TO MABO**

By

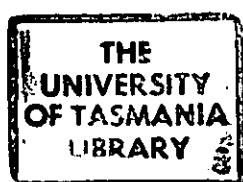
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Submitted in fulfilment of the requirements
for the degree of
Master of Humanities
University of Tasmania, December 1995.



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This thesis contains no material which has been accepted for the award of any other degree or diploma in any tertiary institution and, to the best of my knowledge and belief, it contains no material previously published or written by another person, except when due reference is made in the text of the thesis.

Dennis W Daniels
Dennis Daniels
November 1995.

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Thesis Abstract

The Assertion of Aboriginality in Tasmania From the Referendum to Mabo

This paper takes as its starting point a period before the 1967 Referendum which gave full citizenship rights to Australian Aborigines and the Federal Government a mandate over Aboriginal Affairs. During the 40's and 50's the Aboriginal people of Tasmania, represented by the people of Cape Barren Island, stubbornly resisted the assimilation policies of the day. In briefly examining the thesis of resistance as proposed by Lyndall Ryan in her 1981 edition of *The Aboriginal Tasmanians*, and the proposition that the Government sought to abandon the Island, the paper draws upon new material.

Despite the referendum the State government like the wider community saw little relevance to Tasmania, denying the existence of Aborigines as such, but joining in the Commonwealth/State Conferences of Aboriginal Affairs to safeguard State interests, obtain funds to prop up services to the Island, particularly health, and to secure housing finance.

Support for the Aboriginal cause, however, was not lacking. The Aboriginal Advancement League based in Devonport, the Communist Party of Tasmania and Abschol, which was to become the Australian Union of Students action group for Aboriginal rights, were to play a role in sensitising the Tasmanian community to Aboriginal issues and in seeking justice for Tasmanian Aborigines. It was Abschol, however, which was to become the dominant non-Aboriginal organisation in the pursuit of Aboriginal rights.

In the early '70's the Tasmanian Aboriginal people decided to take over their own destiny. This assertion was led by Rosalynd Langford, a Victorian Aborigine of Tasmanian descent. In 1972 the Aboriginal Information Centre (later the Tasmanian Aboriginal Centre) was established. This paper looks at the history of TAC over the next 20 years. It was to become one of the most forceful and successful black political organisations in Australia and we examine the reason for that success. Whilst the figure of Michael Mansell emerges on the local, national and eventually the international scene, the record would not be complete if it neglected reference to other contributors to the struggle.

Neither would the story be complete without reference to the genealogical work of Mollison et al, the whole question of Aboriginality, the reworking of Aboriginal history from the people's perspective, cultural renewal and Aboriginal spirituality. Central to this issue of history and identity is the world wide quest for the skeletal remains of the Van Diemen's Land people and their

return to Tasmania, which the paper identifies as a brilliant strategy of unification and consciousness raising, but one full of emotional and spiritual overtones.

This paper concludes with an examination of the struggle for Land Rights in Tasmania. At this point in time some form of Land Rights legislation seems inevitable, although as the story tells, Aboriginal people have had their previous hopes dashed on a number of occasions.* There is, however, a further matter on the Aboriginal agenda; self government. To underestimate these later aspirations is to fail to recognise the power and commitment of the Tasmanian Aboriginal people.

* Note: In November 1995 an Aboriginal Lands Bill passed through the Tasmanian Parliament (proclaimed 6 December, 1995), transferring certain lands to the Aboriginal people and establishing an Aboriginal Lands trust.

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CHAPTER 1 RESISTANCE AND SUPPORT

The assertion of Aboriginality in Tasmania has found its strongest expression since the late 1960's in consequence of a number of circumstances. It had its well spring in those Aboriginal descendants who established the sealing and mutton-birding communities of the Bass Strait Islands, and more specifically, the inhabitants of Cape Barren Island. The history of Cape Barren Island is the linchpin between the story of the indigenous people and Aboriginality to-day. It was on this field that the relationships between Aborigines and their descendants and the settlers, government and church, continued to be worked out. Here we find evidence of their continuing strong associations with the land and centuries old practices of food gathering, consistent claims for land and recognition, the discriminatory responses of government and its officials and the consequent resentment by the Islanders. This aspect of the Aboriginal story is well documented in Lyndall Ryan's *The Aboriginal Tasmanians*.¹

For many years the Island was managed by the State government as a reserve for 'half-castes', with all the worst features of such institutional control. Its aim was to encourage those living on the Reserve to become useful citizens, but the Islanders stubbornly resisted efforts to control their affairs. This resistance, often interpreted as sloth and indolence, or evidence of their Aboriginal background, persisted. There was always criticism of their behaviour from outside, whilst governments vacillated between protection and regulation to disinterest. The Islanders for their part always claimed their Aboriginality and their land. It is no accident that many of the early leaders of the Aboriginal movement have their inheritance in that isolated wind swept place.

In 1937 a Conference of State and Commonwealth Ministers agreed that the policy aim "for natives of Aboriginal origin but not of full blood...was their ultimate absorption" into the white community². After the War the Tasmanian Government clearly adopted the policy of assimilation under the Reserves Act 1945, determining to phase out the Cape Barren Island Reserve by 1951. Not that abandonment of the Island was a new idea. In a comprehensive, but confidential report to the Chief Secretary, C. E. W. James, in 1930, Dr Frank Gaha, who had been sent to the Island to advise on its social and health status, concluded that the Government should "boldly attack the problem by arranging to abandon (compulsorily if need be)and distribute these families throughout Tasmania to prevent them forming a colony again."³ This approach may have underpinned governmental thinking throughout the 30's and 40's, although there is no direct evidence that this is was so. Lyndall Ryan refers to these years as ones of relative prosperity for the Islanders, the Commonwealth providing special employment funds for work projects. The Islanders, she says, began to

gain the confidence to move to Launceston, especially during the Second World War "which opened up new horizons" ⁴. A number of other families moved to Victoria where Tasmanian Aboriginal networks remain today. There seemed to be some consideration to manpowering those who remained, that was, "the half castes on the Furneaux Group.....into industry on the mainland", although I am unable to ascertain whether such a policy was followed through. ⁵ In 1943 the Minister for Lands, J. L. Madden, considered amendments to the Reserve Act on the basis that " the time has arrived when residents should be given the same rights and privileges as ordinary citizens of the State, that they should no longer be subject to special legislation, but should be encouraged to mix and eventually become a part of the white population".⁶ In 1957 Premier Robert Cosgrove, describing them as incapable of making any effort to improve their conditions, believed " that segregation in such a remote area is a major factor in preventing these unfortunate persons from leading normal lives, and ... feel that the only solution to the problem is their systematic removal and absorption into the Tasmanian community".⁷

To the public announcement that the Government was considering their removal one correspondent made the interesting response, "who are the rising generation to marry if they are not allowed to form a small community of their own; will Tasmanians encourage their sons and daughters to intermarry with them so that they will become absorbed." ⁸

In 1959 Dr Gaha, now Chief Secretary, directed government departments to collaborate with the Commonwealth, "with a view to investigating the whole half cast population and examining the desirability of pursuing a policy of assimilation as proposed by the Commonwealth." ⁹ Subsequently a conference of government agencies in January 1960 decided to adhere to government policy to encourage integration of the Islanders," by assisting them to move to other areas.... with better employment prospects and opportunities for their absorption." ¹⁰ However, Gordon Smith the Director of Social Services, the Department which would have a major role in relocating families, warned, " to attempt to speed up what seems to be the inevitable assimilation of the Island people into the Tasmanian population would in reference to this group, be an unwarranted interference in their rights as citizens." ¹¹ In his advice to government he recognised even then the counter influences to assimilation; the movement back to the Islands each year for the brief muttonbird season, and the fact that "islands provided a base to which relatives return, especially if they encounter difficulties." ¹² He introduced into the debate, possibly for the first time, the issue of Aboriginality and its potential to divide the Tasmanian groups, when he said; " the Islanders do not identify with Aborigines and some have expressed mild resentment to group them with Aborigines elsewhere." ¹³ It is presumed that Smith meant mainland Aborigines and it is a striking sign of

the times that he could so easily have assumed that 'Aborigines' related exclusively to mainland Aborigines.

In January 1961 the issue was first placed on the national agenda when the Tasmanian representative to the Native Affairs Conference of Commonwealth and State Ministers introduced, "the Tasmanian problem of a mixed race of people living in comparative isolation... in substandard conditions..in an environment not conducive towards developing responsible citizenship."¹⁴

The Islanders appeared to have few defenders at this time. One was Miss Ada Hudson, a missionary who had lived on Cape Barren Island since 1934. In 1959 she wrote a letter to the Sir Stanley Burbury, then Government Administrator, pleading the Islander's case for strong Government support, and illustrating the disastrous consequences that had befallen young people who had been attracted away from the community. For more than 20 years Miss Hudson, supported from Hobart by the Bethel-Peniel Mission, had pleaded their cause, her letter on this occasion concluding, "is there anyway you can help these people in your position and prevent the entire wiping of them out."¹⁵

The pleas of the Islanders for recognition as a special group of people with rights to live on the Island were ignored. Unemployment relief projects were no longer provided. The introduction of child endowment in 1943 meant that in a number of cases out door relief payments were removed, leaving many Island families no better off. Although unemployment benefits were introduced in 1945 they would not become readily accessible until the late 60's unless applicants were prepared to leave the Islands to seek employment. However, a number of Islanders were in receipt of age and invalid pensions. It was apparent to one government official, who went to the Island to report on the social and economic conditions in 1959, that, "the pension whilst more than adequate for their upkeep... is used by them to maintain others... pensions were maintaining more people than intended", thus recognising the community life style of island existence.¹⁶ Poverty and lack of services, however, did force many to leave. In 1960 only fifty remained. Living in great adversity they refused to leave because they feared losing their land.¹⁷

In 1966 A. V. Gough, the Director of Education determined to close the school on Cape Barren by the end of 1967. ¹⁸ This proposal was vigorously opposed by Gordon Smith. "The forced closing of the school would in my opinion be a most unsatisfactory step," he said, "unsound in human terms and the problems that could arise would be incalculable." ¹⁹ Attempting to force the issue of departure of the people from the Island, he said, " could harden their attitude resisting all encouragement to leave". ²⁰ To Gough's suggestion that an expert advisory committee be established, Smith, showing some insight into the way the community operated, said he thought small grass roots committees would be more "realistic and positive in achieving eventual assimilation" ²¹ There must have been some suggestion that holdings under lease to Islanders be sold

off to more enterprising landowners for Smith's correspondence shows he opposed such an idea as "being likely to create ill feeling".²² It is apparent from these interdepartmental briefs that assimilation was still high on the Government's agenda.

Smith had been brought from New Zealand in 1954, together with his Deputy, Bernard Hill, who was given major responsibility for Aboriginal affairs, to bring State social services into more enlightened times. Why both failed to understand the aspirations of Aboriginal people, given that Hill in particular worked closely with Aboriginal individuals, is difficult to understand. It may well be that they saw as their first duty the welfare of children and where indigenous people were concerned found it difficult to equate the Maori experience in New Zealand, with which they were familiar, with that of a relatively small group of isolated individuals whose last full blood ancestors had died some 100 years earlier.

1967 was the turning point in the Aborigines battle to remain on Cape Barren Island. This was the year of the national referendum which gave Australian Aborigines full citizenship rights and the Federal Government a mandate over Aboriginal affairs. This new approach to the treatment of Aborigines was called self determination; they were now given the right to decide how they should live. The Island and its inhabitants would become one of the first communities to benefit from community development and enterprise funding, although the achievement of self determination was as yet some way off.

The State Government still refused to see the relevance of national developments in Aboriginal Affairs to Tasmania, where Aboriginal descendants continued to be seen as just that, descendants only, and terms like 'half- castes' and 'islanders' continued to be used. Brian Miller, Chief Secretary in the Labor Government, denied the claims of the Cape Barren Islanders to what had been their Reserve. He still believed that, given attractive alternatives, they would abandon the Island. In joining in the Conference of Commonwealth and State Ministers for Aboriginal Affairs in July 1968, he said, that although Tasmania had no indigenous Aborigines, it should take part in national issues as part of the Federation, and "because the interest of the Bass Strait Islands must be preserved". "If there was to be a national allocation of funds to improve the living standards of Aborigines," he said, "Tasmania would press its claims for inclusion, although the Bass Strait Islanders were by no means regarded as Aborigines in the true sense of the word."²³ Miller saw the availability of Commonwealth Housing funds for Aborigines as a means of providing affordable accommodation for Island families on the Tasmanian mainland. Dr Allen Foster, at the time Assistant Director for Health, wanted to channel funds for Aboriginal health into the Island to deal with problems which had proven intractable for many years.²⁴ One State official, however, advised that the

acceptance of special Commonwealth funds "could inhibit the long established government policy of treating the Islanders not as a group apart but as ordinary Tasmanian citizens." ²⁵ These contrary approaches to the Island problem were examples of the kind of ambivalence Tasmanian politicians and their senior officials would demonstrate towards Aboriginal issues over the next decade.

The Government's views were generally supported by the Tasmanian community and the media of the day. Referring to the Islanders as a "generic mixed grill" the *Mercury* asked, " will they ever integrate becoming socially competent members of their new society...or will they.....as their Tasmanian ancestors did nearly a century ago....sit on a hill and slowly die of drink, disease and despair."²⁶ Obviously supporting the removal of children and younger families for education and a better life on mainland Tasmania, the *Mercury* went on to say, " the fate of the Islanders is all signed, sealed and delivered. It is only a matter of time before the last families are settled and the last stayput.....dies." ²⁷

Fortunately for the Tasmanian Aboriginal community support was to come from other areas, notably the Federal Government, but just as important in its timing, the University Students Action movement. This latter support, through an organisation known as Abschol (see below, page 6), ensured the debate would focus on issues of humanity and justice and not simply political matters, for example, State rights.²⁸

Abschol, however, was not the first organisation dedicated to the rights and advancement of Aborigines. A Tasmanian branch of the Aboriginal Advancement League had existed in Devonport since the 1950's. Whilst it is interesting that this meant the early use of 'Aborigine' in the Tasmanian context, it appears the organisation had simply borrowed from its mainland counterparts and was interested in the rights of mainland Aborigines. It saw the Islanders deserving of charitable attention as descendants of the original race. Although the Leagues were later accused of paternalism, they did draw the public's attention to issues of concern, and had been seeking citizenship rights for Aborigines since the 1930's. After 1967 Aborigines began taking control of the Leagues across Australia, shifting the focus to issues like housing, health, education, land rights and the legal system.²⁹

In Tasmania the League consisted only of non-Aboriginal persons, but its emphasis changed from 1967 when joined by Rev Jim Colville, a Methodist minister. The Methodist Church (now Uniting) began to adopt a radical approach to Aboriginal Rights and other social justice issues from around this time. In 1969 the 22 General Conference of the Methodist Churches of Australasia would resolve to support the principles of Aboriginal land ownership, the benefits of minerals accruing to Aboriginal communities, compensation for descendants who had been deprived of land and culture and Aboriginal self government.³⁰ Pastor Doug Nichols, a national Aboriginal

figure and co-Director of the League ³¹ visited the North West in July 1968, during which he raised concerns that no action had been taken to preserve the rock carvings at Mersey Bluff.³² League members found other carvings in the area, but kept the locations secret for fear of vandalism. In 1969 the Australian Institute for Aboriginal Studies provided grants to assist in the study of middens and archaeological sites in Tasmania, including work on moulding the remarkable group of engravings at Mt Cameron West.³³ These scientific enquiries gave a respectability to an interest in Aboriginal matters in this State.

Real problems began with the visit of black activist and Federal President of the Aboriginal Advancement League, Bob Maza, in July 1970.³⁴ Maza in a symbolic gesture laid a wreath on the Mersey Bluff carvings and demanded unsuccessfully to view Truganini's remains. Disappointed at the small numbers of people who attended the three League meetings, Maza criticised the apathy of Tasmanians, "who seemed to want to perpetuate the extermination policies of their predecessors." ³⁵ The Tasmanians were now being forced to face their grim history. He was to further perturb the Tasmanian community by suggesting Aborigines could well bring a reign of terror to Australian cities by "blowing up bridges, burning crops, polluting water supplies and destroying power stations." ³⁶ This was Tasmania's first taste of black action and the community didn't like it, Colville himself as coordinator of the visit, being brought before the church eldership for censure. Because of the Government's attitude to Truganini's remains, which they declared would be locked away, a group conceived a plot to steal them, but did not proceed on the basis that there would be possible violence, as well as the realisation there was little involvement with the local Aboriginal population.³⁷ The League eventually requested the Museum to respect Truganini's request in regard to the disposal of her remains.(see below)

Colville later coordinated a State visit by forty Aboriginal children from the mainland, who were accompanied by another Aboriginal activist, Charles (Chicka) Dixon, in January 1969. A number of the children encountered racism when expelled from a Burnie milk bar following the alleged taunt, "foreigners are better than you blackfellows".³⁸ The Warden of Burnie, W.(Bill)Young, concerned about the town's reputation, took the unusual step of returning to the milk bar and treating the children to drinks. Tasmanians, however, could no longer comfort themselves with the view that racism was not an issue in this State. One positive outcome noted by Colville in reflecting on these years was the number of Tasmanian Aboriginal families (non Islanders) who came forward to offer to billet these children and a further forty who were to arrive around the same time. A more subterranean and hitherto unrecognised group of Tasmanian Aborigines was beginning to "come out".

It was Abschol, however, which was to become the dominant organisation in pursuing Aboriginal rights. Abschol, which began in 1961 as a scheme for providing scholarships to enable Aboriginal students to undertake tertiary

education, was sponsored by the Australian Union of Students. It soon realised that few Aboriginal Students ever advanced beyond junior secondary school to avail themselves of scholarships. The focus shifted to political action to improve Aboriginal living conditions and publicise their needs. Abschol became the Australian Union of Students, Aboriginal rights action group.

The group in Tasmania included Derek Roebuck, noted radical and Professor in Law at the University of Tasmania and Law graduate Pierre Slicer, both of whom were members of the Communist Party. The Communist Party in Australia had an interest in Land rights going back to the 1930's. In 1968 the communist author Frank Hardy published *The Unlucky Australians*, which was a sympathetic account of the 1966 protest by the Gurindji people of the Northern Territory against occupation and exploitation by the Vestey's company at Wave Hill cattle station. This protest focused the nation on Aboriginal Land Rights.³⁹ One of the first political demonstrations Abschol organised was a display of goods from the Vestey's group of companies outside supermarkets, urging Tasmanians not to buy. Slicer, a respected judge in the Supreme Court of Tasmania, and one of the few non-Aborigines whom the community came to trust, was to play a prominent part in Aboriginal politics over the next 15 years.⁴⁰ In 1965, whilst furthering his studies in the United States, he had lived in a black ghetto, and had first hand experience of the black struggle and black activism. Reflecting on these years, Slicer said that the party in Tasmania had no master plan, as it were, for the Aboriginal people. It simply consisted of people who shared a belief in the betterment of society in the wider sense. The plight of the Aboriginal people, and the Cape Barren Islanders in particular, gave them a focus within the context of social justice, and was an issue they could touch.

This group was joined in their pursuit of the rights of Tasmanian Aborigines, then still known as descendants, by Bill Mollison, a lecturer in Psychology at the University, who had gained an understanding of the aspirations of the Islanders whilst working as a technical officer for the CSIRO studying mutton birds on the Furneaux Islands. Mollison had a capacity to motivate students and a number were drawn to the cause. The group included Harry Penrith, a mainland Aborigine, who was studying law at the university under the Abschol scheme, and Roy Nichols, a Tasmanian Aborigine, who would eventually take over Directorship of Abschol, as well as a number of leadership positions in the emerging Aboriginal structures.⁴¹

In 1969 a group of Abschol visited Cape Barren where they conducted a census and found 70 people who were adamant they wanted to remain on the Island.⁴² Abschol persuaded the University of Tasmania Student's Representative Council to pass a motion deploring the Tasmanian Government's failure to support economic development on the island.⁴³ In August 1971 Abschol met with Liberal Premier Angus Bethune. He proved to be even less gracious than the previous government. According to Abschol records of that meeting, he

said, " we have no sympathy with people who don't pay their way, and we would like to get them off the island." "Ours," he was reported to have said, " are at best 1/4 or 1/8 caste in their 10th or 12th generation, and more highly developed than the mainland Aborigines. We treat them as ordinary Tasmanians".⁴⁴

On 14, 15 August 1971 Abschol organised a conference of Islanders. Two hundred attended from all over Tasmania. The opening day was marred by discord as the resident Islanders accused their mainland relatives of disloyalty, the Islanders seeing themselves as the ones suffering hardship. Those that resided on the mainland, particularly in urban areas, however, saw themselves suffering discrimination as half castes in a non-Aboriginal community. By the second day the atmosphere improved as families recognised relationships. One Aboriginal leader, taken to the conference as a child of thirteen, recalls meeting relatives she had never known before and coming away with a sense that these were days of great importance.⁴⁵ This conference, which is still large in the memories of those who attended, set the pattern for future meetings of Aboriginal persons for some time to come. There was the usual reminder of who they were, and a reinforcement of Aboriginality, kinship and culture, before getting on with business. The most significant resolution was that "we do not wish the Tasmanian Government to attempt to dilute and breed out our people and our cultural heritage." Here was the most forceful assertion of Tasmanian Aboriginality to date.⁴⁶ In September, following a visit from the National Director for Abschol, Ian Langman, the Islanders signed a petition protesting against the policy of removal.⁴⁷ The local school master, however, said the Abschol visitors were outsiders who had come to stir up trouble.⁴⁸

By now Abschol was getting under the skin of the authorities. In June 1972 Mollison called for an enquiry into Aboriginal affairs in Tasmania, including what he described as the social welfare policy of forced removal of Aboriginal children from their families. The Social Welfare Department replied angrily to its Minister, detailing child welfare policy and denying there was any discrimination against Aboriginal families. It challenged the Abschol statements, which it said were based on unsubstantiated hearsay "from which grossly inaccurate inferences have been drawn."⁴⁹ Abschol persisted in its demands for an enquiry, this time approaching the Commonwealth. The State department in response accused Abschol of "a partisan attitude towards Tasmanians of Aboriginal descent and when engaged in this topic is careless of the facts." It went on; "there is no policy to get them off the Island. The decision to make a move from the Island rests with the family. The right of the individual to make this decision is respected, no coercion or inducements are proffered."⁵⁰ However, the assiduous nature of Abschol attacks focused attention on the Islanders needs, and in 1973 the Department appointed a child welfare officer, Barbara Lypka, to the Islands. Lypka's work was to involve much more than traditional welfare work, and included community consultation

and advice for Aborigines who wanted to apply for assistance under the Commonwealth Aboriginal Enterprise Scheme.⁵¹

Complaints concerning the forced removal of children from the Islands remains a vexed issue and are currently part of an enquiry established by the Commonwealth Government. The committee chaired by Sir Ronald Wilson is to report by the end of 1996. Because there is no consolidated report on the matter at this stage, and the public is unable to access the crucial personal files, it is impossible to form any judgement. Writing in 1969 Bernard Hill estimated there were approximately forty Island children living and being educated on the Tasmanian mainland. At least half of these were as a result of private arrangements, partially due to the establishment in 1966 of a private organisation for "the further education of Cape Barren Island children" by Dr John Morris of Launceston. Some of these children were in independent boarding schools.⁵² The establishment of the Aboriginal Secondary Grants Scheme in 1969 for children entering secondary school studies enabled more to take up educational opportunities on the mainland, particularly in Launceston, residing with families, friends or in private establishments.

Some of Abschol's concerns regarding the general conditions on Cape Barren Island were soon picked up by a Senate enquiry into the welfare of Australian Aborigines. In 1975, following a visit to Cape Barren Island led by Senator Neville Bonner, the State Health Department was accused in the press of wasting \$83,000 in Commonwealth funds.⁵³ The health officials were later able to justify expenditures spent on projects on the Island. Their defence, however, did not get the kind of headlines that the earlier accusations had received. What had happened, without the hapless officials and its Minister, Hedley Farquhar, realising at the time, was that they had walked headlong into Aboriginal politics in action, dominated by a hidden agenda item, that white bureaucrats were not to be trusted with Aboriginal funds and Aborigines should manage their own affairs.

NOTES

1. Lyndall Ryan, *The Aboriginal Tasmanians*, (Brisbane), 1981, pp 222-262.
2. Commonwealth Parliamentary Papers, No 299, 1974.
3. SSD, 3/1/6, December 1960, folios 51-54.

This is a copy of Dr Gaha's report which he presented to the government on 8 July 1930 and later gave to the Director of Social Services on a confidential basis in December 1960.

4. Ryan, op. cit., p 247.
5. *Examiner*, 29 May 1943.
6. Correspondence to Director of Social Services from Secretary for Lands, SSD., 3/1/6, 29 March 1943.
7. Correspondence to Director of Social Services from the Premier, SSD., 3/1/6, 18 July 1957.
8. *Examiner*, 27 November 1957.
9. Correspondence to the Director of Social Services from the Chief Secretary, SSD., 3/1/6, 17 March 1959.
10. SSD., 3/1/6, 21 November 1960, folio 49.
11. SSD., 3/1/6, October 1959.
12. Ibid.
13. Ibid.
14. SSD., 3/1/6, 3 January 1961, folio 57.
15. SSD., 3/1/6, 28 July 1959, folios 75-79.
16. Report on the living conditions of Cape Barren Islanders, SSD., 3/1/6, Aug/Sept 1959.
17. Ryan, op. cit., p 249.
18. Correspondence for the Director General Education to the Director of Social Welfare, DSW., 3/1/6, 8 December 1966, folio 176.
19. Correspondence to the Director General, Education from the Director of Social Welfare, DSW., 3/1/6, (undated) December 1966.
20. Ibid.
21. Ibid, folio 172.
22. Ibid, folio 171.
23. *Mercury*, 12 July 1968.

24. Interview with Les Baillie, former Administrative Officer with the Department of Health.
25. DSW., 3/1/6, 4 November 1968.
26. *Mercury*, 22 August, p 4.
27. *Mercury*, 26 August 1968, p 4.
28. *Encyclopaedia of Aboriginal Australia*, Editor Dr David Horton, Aboriginal Studies Press, Canberra, 1994, pp 29,30.
29. *Ibid*, pp 24,25.
30. Copy of these resolutions held on DSW., 3/1/6, 1969.
31. *Aboriginal Encycl.*, op. cit., pp 792-793. Nichols was to become the first State Aboriginal Governor, but retired early in office because of ill health.
32. *Advocate*, 3 July 1968.
33. Annual Report of the Australian Institute of Aboriginal Studies 1969/70., Commonwealth Parliamentary Paper, No 204.
34. *Aboriginal Encycl.*, op. cit., p 673.
35. *Examiner*, 23 July 1970.
36. *Examiner*, 22 July 1970, p3.
37. Interview with Jim Colville who is currently a senior officer in the Commonwealth Department of Health, Housing and Community Services.
38. *Mercury*, December 31, 1968.
39. *Aboriginal Encycl.*, op.cit., pp 1164-1165.
40. Interview with Pierre Slicer. Slicer's use of the personal pronoun 'we' when referring to Aborigines identifies him with those who took part in the struggle. However, he is not Aborigine.
41. *Ab. Encycl.*, op. cit., pp 168-169.
Penrith later changed his name to Burnum Burnum and on Australia Day 1988, in a symbolic gesture, planted an Aboriginal flag on British soil.

42. Interview with Phyl O' Neil, former Abschol member and a member of the visiting group to Cape Barren.
43. Ryan., op. cit., p 251.
44. B.C. Mollinson and Corinne Everitt, *A Chronology of Events Affecting Tasmanian Aboriginal People*, (Uni of Tas), August 9, 1971, (no pagination), 1978.
45. Ryan, op. cit., p 251; Interview with Karen Brown, current Manager of the Tasmanian Aboriginal Land Council.
46. Mollinson and Everitt, *Chron.*, op., cit., August 14, 15, (no pagination), 1971.
47. *Examiner*, 9 September 1969.
48. *Examiner*, 17 September 1969.
49. Director of Social Welfare to Minister, DSW., 3/1/6, 3 July 1972, folio 23.
50. Director of Social Welfare to Minister, DSW., 3/1/6, 6 February 1973, folios 183, 184.
51. Interview with Barbara Lypka, currently Manager of Housing Services, Tasmania.
52. Tasmania's Progress Report to the Council of Australian Aboriginal Affairs 1969, DSW., 3/1/6.
53. Interview with Les Bailie.

CHAPTER 2 SELF ASSERTION

In the early 1970's Aborigines across Australia were deciding to take over their own destiny. In Tasmania this self assertion was lead by Rosalynd Langford. Langford had grown up as a child in Victoria and later worked for Pastor Nichols and the Aboriginal Advancement League. Her father was a pastor and member of the Aboriginal Evangelical Fellowship, which was established in the 1960's as an assembly of Aboriginal pastors, who no longer wanted to be under the control of white missions.¹ Langford herself came to Aboriginal politics imbued with a strong sense of Aboriginal self determination. According to Langford she felt estranged in the Tasmanian community, and looked for her own people in the faces of passing Tasmanians. She was drawn to the plight of the Islanders when she learnt of their grim history. Following a chance meeting with Mollison and Morgan Mansell, a Tasmanian Aborigine, she began to agonise about Tasmania's indigenous people whom she recognised as her family. Towards the end of 1972, urged on by husband Geoff Langford, she established the Aboriginal Information Service in Liverpool Street to assist people of Aboriginal descent with information and advice, and to unite them as one people. "We are ready to take over our own destiny," she informed Abschol, whilst continuing to seek their financial and advisory support. Mollison, Roebuck and Slicer remained strongly supportive, having already seen the desirability of Aborigines leading their own struggle. At first wary about the association of the centre with the communists and the possibility of political exploitation, she eventually decided they were the only group prepared to help. Besides, the status of Roebuck, she believed, would give the fledgling organisation some credibility, particularly as she began to tackle issues of police victimisation and discrimination. As events will disclose the communist tag was one which would take the organisation and its members some years to shake off.

Langford made the point early in their association that she didn't want whites speaking for her. "Blacks can speak for themselves," she told them." At the first Aboriginal Legal Aid Conference held in Canberra in 1974, although accompanied by Slicer and Roebuck, she assumed public leadership for the Aboriginal movement in Tasmania, confronting Gordon Bryant the Minister for Aboriginal Affairs and securing \$50,000 for legal aid. Before being appointed Minister, Bryant had been the ALP's spokesperson for Aboriginal issues and a leader within the Victorian branch of the Aboriginal Advancement League, holding the presidency from 1957 to 1964.² Langford's association with Bryant and the Aboriginal Advancement League during her days in Victoria would assist in legitimising the Tasmanian cause within Australian labor politics. Langford commenced an Aboriginal information newsletter stating the Centre's aim as " trying to alleviate many of the problems of the Aboriginal race as a

whole and to arouse our people to their rights as people". She warned that Aborigines would not get these rights without a fight.³

Early in 1973, following work by Abschol and Langford, the Flinders Island Aboriginal Association was established to deal with Aboriginal secondary scholarships and services on the Island. In March 1973 the Centre, now known as the Tasmania Aboriginal Centre (hereafter TAC), came under the direct management of Aboriginal people. Trevor Mansell was elected Director and Langford, Secretary.⁴ Although at this time Aborigines were in some ways lacking in the skills required to run a central organisation, Langford was determined the management of Aboriginal affairs should be placed in the hands of Aboriginal people as soon as possible. Pierre Slicer was to become the Aboriginal legal aid solicitor, a position he maintained until 1985. Also in March the Cape Barren Island Association was formed, the elections being monitored by Slicer and Langford. Annette Mansell was appointed Chairperson and Karen Brown, Secretary.⁵ However, visits from Aboriginal Information Services were not welcome by everyone, a superintendent of police blaming delinquency and unrest on "communist inspired activities." ⁶ One informant told me of this officer waving a file which he claimed was an ASIO file on communist involvement in Aboriginal activities in Tasmania. Later there would be rumors that a member of ASIO had infiltrated the Aboriginal community.

The Minister for Health and Welfare, Dr Allen Foster, was even more direct. Concerned about Bryant's direct negotiations with the "competent activist " Langford and the "dissident " Morgan Mansell, he said, " the present situation due to the activity of some activists now based on the Tasmanian mainland and determining the future of these people still resident on Cape Barren Island is a form of paternalism which is infinitely greater than any previously established by any state administration." ⁷ Foster's main concern was that Commonwealth initiatives could result "in a ghetto of people of Aboriginal descent segregated to the Furneaux Islands where the economic viability of proposed and potential industries could not readily be proven at this point of time." ⁸ Essentially Foster was a just and sympathetic man and, following a meeting with Mansell and Langford, he agreed to establish a Aboriginal advisory group. In May the second annual conference of Tasmanian Aborigines was held. A branch of the TAC was established in Launceston and a young Aboriginal Michael Mansell was appointed president. Things were moving quickly and the Centre had taken the first steps towards becoming one of the most successful and powerful black political organisations in this country.

In 1973 the National Aboriginal Consultative Committee was established and Morgan Mansell was elected Tasmanian representative. Two year later Roy Nichols was elected Chairman of the National Aboriginal Conference. This acceptance by the more traditional Aboriginal groups on the mainland meant much to the Aboriginal Tasmanians and further encouraged the expression of Aboriginality.

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Apart from these changes there were parallel developments which contributed significantly to the assertion of Aboriginality in Tasmania, including the compilation of Aboriginal genealogies, and new perspectives on Aboriginal history.

Several pieces of genealogical work had been carried out before the 60's, the best being that of Tindale. However, Tindale's work was on the hybridisation of the Tasmanian Aborigines that had been brought to the Islands, and defined Islanders in terms of their parts-white to Aboriginal blood. With little reference to culture or custom Tindale locked thinking into a simplistic view of Aboriginality that defined people out rather than in, although he did recognise the Aboriginal Islanders as a different group from mainland Tasmanians.⁹

New genealogical work began following the introduction of the Aboriginal study Grants scheme in 1969.¹⁰ In order to assess applications it was necessary to validate claims of Aboriginality. Abschol and the Commonwealth Department of Education embarked on a proactive approach to locate people of Aboriginal descent, utilising the resources of the Psychology Department of the University of Tasmania. It was here that the Aboriginal Rights Action Group had one of its main activists in the person of Bill Mollison.

The 1966 census prior to the referendum gave a figure of 37 Aborigines in Tasmania. At the time of the referendum the Tasmanian government estimated there were 200 people of Aboriginal descent. The first Abschol surveys put the figure at around 1000. Whilst Abschol had built up a list of names and addresses of persons and families believed to be of Aboriginal descent for 1969-71, work on the genealogies began in earnest in 1972. Mollison would be assisted in his work by Corinne Everitt whom he was able to employ as a full time project officer out of Commonwealth funds. The first edition of Mollison's work was available in December 1972. Many Tasmanian families were contacted using the student resources. The revised edition appeared in March 1973.

Three major lines were traced where there was clear documentary evidence of descendancy. The first were the descendants of the Eastern Straitsmen, that is the descendants of the community of Aboriginal women and sealers on the islands of Eastern Bass Strait. Then there was the Briggs family, being the descendants of Dolly Dalrymple, daughter of George Briggs and Woremodeenner, confined in the main to the North and North West, as well as Victoria; and finally the descendants of Fanny Cochrane Smith, daughter of Tanganutura and (Nicermenic?) who married William Smith and to whom she had eleven surviving children. Her descendants resided mainly in Southern Tasmania, with strongholds in the Huon and Channel areas.¹¹

The 1974 edition of Mollison's work on Aboriginal genealogies estimated there were 3000 descendants. The figure for each of the census since the referendum was: 1972 (670); 1976 (2942); 1981 (2636); 1986(6721); 1991 (8819).¹² Even Mollison and his co-workers would be surprised to find that today there are almost 9000 Aboriginal Tasmanians. This rapid increase, and the existence of a range of special benefits for Aborigines, although more limited than publicly perceived, has created a degree of cynicism in the non-Aboriginal community. Even Aborigines have begun to attack Mollison's work as "the 'Stud Books' ...creating much anger and hurt... untruths.. causing conflict, pain and harm." ¹³

The Mollison work did have considerable impact on the descendants of the first Aborigines. Much of this sort of work, whether it is concerned with convict ancestry, adoption origins or Aboriginality, can be intrusive and traumatic. Mollison's work was blunt and uncompromising. Only token regard was paid to privacy. And there were mistakes. Nevertheless his findings forced many to face up to their background, and to make choices concerning identification and acceptance. It also enabled many disadvantaged Aborigines to access Commonwealth education programs and better themselves. This meant restored self esteem and preparedness to take up the struggle. For some individuals it would be some time before they came out, but today the majority accept their Aboriginality with pride. Many other Tasmanians continue to research their own family backgrounds to ascertain whether they have an Aboriginal heritage, the editions of Mollison's work and supplementary volumes providing a rich source of family information. Importantly, the Mollinson work moved thinking from white to black dilutions to descendancy. It would be the Aboriginal people themselves who would move the debate from the issue of descendancy to one of Aboriginality, and then to Pallawah.

Another important contribution to the genealogical picture was the work of Plomley. Plomley distilled from the Robinson papers lists of Aboriginal women, their white associates and offspring.¹⁴ It is now possible for many descendants to journey up the genealogical rivers to find the last of the native mothers, their tribes and locations. Thus, as early as 1975, one correspondent to *Black Action* felt able to complain that the Centre did not speak for the Cape Grim tribe (Beeton family descendants) or the Ben Lomond tribe (Maynard family) or Trebaka (Fanny Cochrane Smith descendants).¹⁵

As Aborigines made this personal journey into the past, and at the same time began to relate to midden sites, caves formerly inhabited by their ancestors, and even the very breath of their ancestors as they pilgrimed to see the hand stencils in the Maxwell River caves, many discovered a reassuring cadence between the past and the present.

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Important in the assertion of any culture is its art and literature. Little survives in the nature of Tasmanian Aboriginal art. Rosalynd Langford is leading the way in the development of a modern Tasmanian Aboriginal art form, and in her borrowing from other forms emphasises that Aboriginal culture is everchanging, and like all cultures, is open to new influences.

In reviewing Aboriginal literature we need to be mindful that it departs from the European genre and concentrates on legends and personal biography. Story telling has always been an important element in Aboriginal life involving the passing on of custom and culture. Story telling has been re-emphasised in the assertion of Aboriginality. It also assists in establishing an Aboriginal perspective of history, restoring self esteem. It restores respect for elders and those who have gone before. Tasmanian Aboriginal women see their role to be particularly important in this process, since, "surviving Pallawah women became the sole custodians of our culture, stories and spirituality. They ensured the continuity of our race because without tribal male input, only they remained to carry on tradition."¹⁶ In accepting this responsibility the women have taken a strong role in the assertion and development of Aboriginality and the education needs of their children. Consequently their participation role in tertiary education is three times greater than the aborigine male.¹⁷

Aboriginal stories have always existed, and continue to form a substantial part of the socialisation and educational patterns whenever they meet, particularly in the annual migration to the mutton bird rookeries. It was Ida West who first put her stories on paper as a permanent record, and to reach a wider Aboriginal audience.¹⁸ To a great extent 'folksy' they nevertheless carry conviction, particularly in reference to her Aboriginal heritage. In her plea to "get their little bit of culture back", she says, "I only wish I could have learnt more about our culture. Some of it has come back to us and we are not ashamed of it now".¹⁹ In referring to the conflict of cultures, she says, "We were brought up to respect our European relatives." "You had to be white. At dances you had to put on ...powder to color your skin." ²⁰ Many Aborigines were able to identify with these sentiments.

Some of the most significant work for Aborigines has been that emanating from the Aborigines in Tasmania Project, sponsored by the Education Department and DAA to provide for the Tasmanian student, material relevant to the study of Tasmanian Aborigines. The most important aspect of this work, which was co-ordinated by Heather Felton, was that the preparation of these materials involved the participation of Tasmanian Aborigines through a consultative process and oral history. The first *The Return to the Islands*, 1984, is the story of mutton birding, its place in Aboriginal history, culture and society. This was followed by *On being Aborigine*, 1985, in which individuals spoke frankly of their personal acceptance of their Aboriginality, their feelings and ideas of identity. *Living with the land* is a set of 7 books, 1991, which interpret

Tasmanian history from an Aboriginal perspective, the concluding two books, *Continuity and Change* and *Family and Community*, looking at contemporary Tasmanian Aboriginal society.

Personal anecdotes form a substantial part of all these works, as does *We Who Are Not Here*, and the Aboriginal periodicals, *Pugganna News* and *Tunapi*. *We Who Are Not Here* is a southern voice as distinct from the Island voices, and is a particularly good recording of people speaking of their lives in the Aboriginal half light before they were able to emerge and claim their identity.

The writing of Aboriginal history from an Aboriginal perspective has strengthened Aboriginal assertion and the place of the Aborigine in Tasmanian society. Lyndall Ryan's *The Aboriginal Tasmanian* give such rewriting a sound academic base. Plomley has criticised Ryan as failing to recognise that those descendants have only a partial relationship with the original inhabitants and their culture.²¹ However, Ryan demonstrates that, although dispossessed Aboriginal Tasmanians did not die out, but have successfully established a new Aboriginal community. Julia Clark's *Aboriginal People in Tasmania* is also sympathetic to the Aboriginal point of view. Clark argues that, despite a limited range of items in the Tasmanian toolkit compared to mainland Aborigines, this is not indicative of an inferiority. She also argues that there is a continuity of some aspects of their earlier culture today.²² This issue has become important to Aboriginal self esteem and pride in cultural heritage. In 1976 Heather Sculthorpe felt confident enough to attack Rhys Jones' "unfounded theories of how simple and primitive our ancestors were", and suggested that his film *The Last Tasmanian* implied that all atrocities against the Tasmanian Aborigines could be excused because they were a dying race.²³

In looking at the Aboriginal creative word, Jim Everett, who is certainly the most prolific Tasmanian Aborigine writer leading the way in poetry, drama and short stories, says it is important to understand that Aborigines are only at the beginning of literary expression. In his five stories published in Noonuccul's *Australian Legends and Landscapes*, Everett develops a range of legends for children, setting the telling of each in a modern context.²⁴ As a means of linking the contemporary with the past it works well. "We don't have to go back to tribal days," he told me, "we can write legends today based on what we know of the past". "These stories", he writes in a forward to his work, "represent the contemporary legends of the Tasmanian Aboriginal people, and although they are not stories from our tribal people, they have the status of being our stories."²⁵

Poetry is by far the favoured medium for Aboriginal expression. According to Karen Brown, who, alongside of Everett is one of the leading poets, "every Aborigine is a poet." It is a form of expression favoured because it is economical and meditative. Much Aboriginal poetry has arisen out of education programs and workshops enabling many Aborigines, particularly the disadvantaged and uneducated, to express their feelings of discrimination,

alienation and dispossession. When it first emerged it was crude, at times sentimental, but always passionate and provocative. Everett's verse is politically strong, often angry and bitter. Even his non-Aboriginal supporters find verses like,

"Australians you now call yourselves
You mongrel mob invaders
You deny your blood mixed past
Yet think your blood has made us",

too powerful to deal with.²⁶ However, his nostalgic poems like 'Old C'es', may prove to be as important in telling of the twilight years between dispossession and assertion. Whilst Brown does not retreat from a political perspective (read History Lesson), her's is a gentler voice, especially in her nature verse. Other poets, like Greg Lehman and Ambi Mc Donald, can't be ignored, some of McDonald's poetry meriting publication in an anthology of Tasmanian representative verse.²⁷ Apart from the creative work, the political papers of its leaders such as Langford, Everett, Mansell and Sculthorpe, a number of which are referred to in this work, are also important in establishing an Aboriginal literary tradition.

Other important parts of this cultural theme are the formation of the Weilangta Dance Troupe in 1980, which seeks to restore traditional Aboriginal dancing, and the Aboriginal music group Rygela ('come and dance'), whose music tells of the Aboriginal past but also reflects contemporary issues affecting the community. Of still more recent origin (1993) is the Tasmanian Aboriginal Language Project which wants "to preserve, protect, review and promote the rights and freedom to use and develop our language and support its survival."

NOTES

1. Interview with Rosalynd Langford

2. *Ab. Encycl.*, op.cit., pp 158,59.

3. *Aboriginal Information Newsletter*, 1973. Note: Whilst *AIS Newsletters*, *Black Action* and *Pugganna News* are rich sources of information on the development of the Aboriginal community, many of the early issues are undated and lack pagination.

4. *Ibid.*

5. Annette Mansell is currently Manager of Tasmanian Aboriginal Centre in Burnie; Karen Brown is Manager of the Tasmanian Aboriginal Land Council.

6. DSW., 3/1/6, July 1973, folio 160.
 7. Correspondence from A. J. Foster, Minister for Health to the Hon. Gordon Bryant, Minister for Aboriginal Affairs, DSW., 3/1/6, 28 June 1973.
 8. Ibid.
 9. Norman Tindale, *Growth of a People*, (RQVM), No. 2, 1953.
 10. *Ab., Encycl., op., cit., p 30.*
 11. B. C. Mollinson and C. Everitt, *The Tasmanian Aborigines and their Descendants*, (Hobart), 1978; B.C. Mollinson and C. Everitt, *The Genealogies of the Eastern Straitsmen*, (Hobart), 1974; B.C. Mollinson and C. Everitt, *The Briggs Family Genealogy*, (Hobart), 1976.
- Whilst there appears to be little doubt that Ploorernelle was Fanny Cochrane Smith's mother the true identity of her father is not known. Ploorernelle was married at Wybalena to Nicomenic. Fanny was born here and it is assumed that Nicomenic was her father. There is reference in James Backhouse's "*Narrative of a Visit to the Australian colonies*," (London), 1843, to the possibility that John Smith, a coxswain who resided at Flinders Island, was the father of Fanny. The matter remains in doubt, Aborigines preferring to believe Fanny's word that she was indeed Nicomenic's child. See Mollison and Everitt, *Tasmanian Aborigines*, T.A., Note 3, and Cassandra Pybus, *Community of Thieves*, pp 179-187.
12. Aust. Bureau of Statistics, *1991 Census of Population and Housing, Time Series, Community Profile*.
 13. Vicki Matson-Green, *Tasmania 2: You can't deny me and mine any longer, Contested Ground; Australian Aborigines under the British Crown*, (Sydney) 1995.
 14. Brian Plomley and Kristen Henley, *The Sealers of Bass Strait and the Cape Barren Island Community*, *THRAPP*; No. 20, Sept 1990, pp 37-127.
 15. *Black Action*, undated (1975?)
 16. Patsy Cameron, *Pallawah Women, Their Historical Contribution to Our Survival*, Pt. 1. A Matriarchal Heritage, *THRAPP*, Vol. 41, No 2, June 1994, pp 65-66.
 17. Vicki Matson-Green, *Pallawah Women: Pt 2, Leaders among Pallawah Women*, *THRAPP*, Vol 41, No. 2, June 1994, p 60.

18. Ida West, *Pride Over Prejudice*, (Aust. Institute Aboriginal Studies), 1984.
19. Ibid, p 46.
20. Ibid, p 23.
21. N. Plomley, Review of the Aboriginal Tasmanian, *THRAPP*, Vol 29, No 1, June 1982, PP 38-40.
22. Julia Clark, *The Aboriginal People of Tasmania*, (Tas. Museum), 1983.
23. *Pugganna News*, No 1, 1979.
24. Oodgeroo Noonuccal (Ed), *Australian Legends and Landscapes*, Sydney, 1990.
25. Ibid, p 101.
26. J. Everett and K. Brown, *The Spirit of Kuti Kini*, (Eumarrah Publications), 1990.
27. V. Smith and M. Scott (Eds), *Effects of Light*, (Hobart), 1985, pp 168,69.

CHAPTER 3 The Commonwealth, Tasmanian Aboriginal Centre and Identity

The 1967 referendum gave the Commonwealth power to legislate for Aboriginal people for the first time. Whilst somewhat symbolic, the result of the referendum, and what followed, saw the beginning of action on behalf of Aborigines, and organisation around the issue at the national level. The emergence of radical black organisations and a proliferation of protest movements demanded a response from the national government. The outcome was a series of policies and practices which provided a major impetus towards the recognition of Aboriginality in Tasmania.

In 1967 the Commonwealth established the Office of Aboriginal Affairs. Throughout the four years of its existence under the Liberal Government of Malcolm Fraser, the Office was engaged in a struggle to convince the national and state governments of the legitimacy and justice of Land Rights.¹ It was largely unsuccessful, because its advice usually conflicted with that of the Department of the Interior, the Government favouring the latter.

In 1973 the incoming Whitlam Government created the Department of Aboriginal Affairs under a Ministerial portfolio. As it cast its often unwelcome mantle over the whole of Australia the Commonwealth Government was to challenge State attitudes. In 1973 the Government appointed A. E. Woodward to examine matters related to Aboriginal land, particularly in the Northern Territory. However, a number of the recommendations of the Woodward Commission had wider implications. Woodward said, "differences between Aborigines should be allowed for, but any artificial barriers, in particular based on degrees of blood must be avoided."² This, and the claim the Tasmanians put forward at the time (see below), meant that the Aborigines of Tasmania clearly came within the Commonwealth mandate. A further recommendation was that regional councils of Aborigines should be established in each State to consider the application of the Woodward recommendations for Aborigines in any particular locale.³ However, although the government moved to establish regional offices of Aboriginal Affairs, in anticipation of a closer process of consultation, it failed to do so in Tasmania, the State becoming a part of the South East Region for Aboriginal Affairs which was based in Victoria. It remained so throughout the seventeen year life of the agency, that is until the Department of Aboriginal Affairs was absorbed in 1990 into the functions of the new Australian and Torres Strait Islanders Commission, and Tasmania became an Aboriginal region in its own right. From 1973 to 1990 the Tasmanian people were to feel continually disadvantaged by the situation, a proportionately greater amount of regional funds repeatedly going to the bigger

state. To the local Aborigines this grievance became an issue of recognition and discrimination, the Victorians for some reason or other being seen to be more deserving of help than the Tasmanian groups. The Commonwealth did, however, establish a District Office of Aboriginal Affairs in Hobart, and appointed Brian Lindsay, a former administrator for the ABC, as District Officer. Although administratively responsible to the Regional Director in Melbourne, Lindsay insists he always had a direct relationship with the Canberra office.⁴ From the beginning his was to prove an onerous task.

Although the Tasmanian Aborigine population was then considered small, it had access to the five programs administered by the Department of Aboriginal Affairs. These included; heritage (that is land and heritage protection); public affairs, including communications and broadcasting; registration of Aboriginal corporations; social and legal services; and community development.⁵ It was the last of these which would have the greatest influence on Aboriginal development, including as it did, training, employment, education, housing and community infrastructure. Whilst the provision of funding would largely be based on submissions received from organisations, these later enterprises would involve a great deal of community consultation. A process of community development and project grants began to stimulate the Aboriginal community. The concept of self determination meant regular meetings with local Aboriginal people around a range of issues. Although these were often traumatic, with some protesting the decision making processes were not their way of doing business, the increased participation brought out more and more Aborigines, and a more forceful expression of Aboriginal aspirations. There is probably no group of people within the Tasmanian community who have been so frequently consulted, by both internal and external forces, or drawn into so many programs. This has meant that the Tasmanian Aborigines have become meeting-smart.; outsiders no longer find them an easy target for manipulation. Their processes of consideration are both cautious and deliberate.

Very quickly a form of leadership emerged; generally this was of two kinds. One was a form of eldership made up of respected aboriginal elders, usually women, who sought recognition and reconciliation, and a younger, more radical group. Outsiders would perceive this as division and seek to use it for their own purposes. The radicals were always aware of the possibility of their elders, who had been held subservient to the white population over a number of generations, being manipulated by the movement's opponents. When it came to the big issues, however, the community had the capacity to close ranks, especially if one of their number came under attack from the non-Aboriginal community. As one of the most respected of matriarchs, (Auntie) Ida West, put it in 1977 when Michael Mansell was under attack; "Mick (Mansell) has got the guts to speak out and stand for what he thinks is right for his people."⁶

What the people required, however, was an organisation which could unify the diverse groups, map a course for future development, and represent them in

negotiations with government. The Tasmanian Aboriginal Centre was strategically placed to fill this role. It has been the Centre which has carried forward the aspirations of Aboriginal people, and must be given the main credit for their social, cultural and political resurgence. Always controversial, it has nevertheless pushed ahead with its agenda to ensure land rights, social justice and self determination for Aboriginal Tasmanians.⁷ In this paper we will focus on three main issues; Aboriginality, the return of human remains, and land rights.

From the beginning there were difficulties and tensions between the Department of Aboriginal affairs and Aboriginal agencies across Australia.⁸ In Tasmania the TAC was one of the first recipients of funds and, in time, was to become one of DAA staunchest critics. Part of the problem was due to the centralised authority of a Department endeavouring to deal with a large number of community groups across the country. However, the real resentment was that white bureaucrats were still managing their affairs. In 1977 the Centre expressed disappointment with DAA attitudes and suggestions from the Hobart office that not all Aboriginal people in Tasmania wanted to deal with the Centre, which was also accused of not cooperating with government agencies.⁹ On one occasion Mansell and his followers took over a meeting of DAA officials in protest of what he saw as a consultative process designed to set Aboriginal groups in competition against each other.¹⁰ However, some credit must be given to Brian Lindsay and the Hobart office of DAA for establishing a variety of community development projects in the State.

Although Charles Perkins was made Aboriginal head of DAA in 1984, and a Tasmanian Aborigine, Brian Mansell, put in charge of the Tasmanian office, the die was pretty well cast, Aborigines throughout Australia still wanting a greater degree of control. This led to the establishment of ATSIC in 1990.¹¹ In Tasmania Kerry Randriamhefa, a former Secretary of TAC, became State Manager of ATSIC.

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Soon after its establishment in 1972 the demand on TAC quickly exceeded resources, demonstrating the desire of a great number of people to receive and identify with Aboriginal services. It lobbied hard for recognition within the Tasmanian community and, due to the public relations skills of Langford, was successful in ensuring protection of sacred sites, as well as Aboriginal input to their management. One of the problems for the Centre was balancing what it perceived as its political role with the provision of services. According to Slicer, it was afraid "if it let go of politics it would slide into welfare." It did not want to become a welfare agency, but wanted to develop Aboriginal communities to where they could do their own thinking, and provide for themselves.¹² It sought to influence government social policy, particularly in

areas of health, education and housing, to ensure to an appropriate provision of services for Aboriginal people. Its success in doing this is outside the scope of this paper.

To better understand the living conditions of its people the Centre carried out research in the late 70's. Heather Sculthorpe's findings demonstrated a high level of disadvantage in the Aboriginal population compared to the general population. It revealed that 16% of those surveyed had been admitted to hospital the previous year; that only 2.25% of the population remained in education after the age of 19 compared to 9.55% of all Tasmanians; 48.5% derived their income from social security; 48% of households had a member who had been charged with a criminal offence, and 38% believed they had been treated unfairly because of their Aboriginality.¹³ Such survey outcomes run the risk of stigmatising the target groups. However, what this particular work showed was that there was group of people in Tasmania whose level of disadvantage mirrored that of many Aboriginal groups on the mainland. It also reflected the failure of traditional government services to deliver effective services to Aboriginal Tasmanians. It stiffened the resolve of the Aboriginal Centre to ensure that government services were more appropriate and sensitive to Aboriginal needs.

Its efforts in relation to sacred sites, and the return and disposal of Aboriginal remains, the first being those of Truganini in 1976, not only provided a rallying point for Aborigines, but introduced a spiritual dimension into the Aboriginal movement.

At first the Aboriginal request was simply that Truganini's remains should be returned to the Aboriginal people so that they could be disposed of in accord with her wishes. John Cove, in *What the Bones Say*, maintains that her skeletal remains were used by the Aboriginal rights movement to gain public support for its general political objectives, since her death had been used to assert the extinction of Tasmanian Aborigines.¹⁴ This may not have been quite so. Langford's approach tended to be more intuitive arising out of the personal affront she felt, knowing her people were being treated in this way. She, and others, saw in the treatment of Truganini's remains reflections of the discrimination they had known. Political opportunities would present themselves several years later around the Crowther collection of skeletal remains, but these would be opened up by the attitudes of the government of the day rather than a pre-arranged Aboriginal strategy. To reduce the discussion to politics dismisses the emotional and spiritual dimension of the human remains. As Roy Nichols, who was one of the chief negotiators for the return of Truganini and the Crowther collection, puts it, the recovery of their ancestors' remains had to be achieved or the Tasmanian Aborigines would have been less as a people.¹⁵

In 1970 Harry Penrith, on behalf of Abschol, wrote to the Museum saying its retention of Truganini's skeletal remains would be a continuing insult to the dignity of his race. Would the Queen of England's skeleton be retained, asked Penrith, if researchers believed that the Windsor family had a unique skeletal structure; "these remains", he said, "are the remains of the last Tasmanian Aboriginal Queen." ¹⁶ As we have seen, soon after, Bob Maza, one of the early Aboriginal activists, was denied access to the skeleton. The response of the Chief Secretary, Kevin Lyons, was that "leading anatomists and physical anthropologists had advised the government that in the scientific world it would be regarded as the gravest kind of vandalism to destroy this unique and most valuable scientific specimen." ¹⁷

In 1973 Langford was successful in getting the Land Rights conference in Darwin to write to the then Prime Minister Gough Whitlam, asking him to intervene and to persuade the Tasmanian Government to hand over the remains.¹⁸ The TAC polled the Aboriginal community which was unanimous that Truganini's wishes should be complied with, and favoured cremation as the means of disposal. The government decided it should cremate the remains, but then hand over the ashes to an Aborigine elder, Roy Nichols. The 30 April, 1976, the centenary of Truganini's death, was chosen as the appropriate date.¹⁹ Nichols and the then Chief Secretary, Doug Lowe, carried the coffin to the furnace. After the cremation Lowe handed the ashes to Nichols. Truganini's ashes were spread in the waters of the D'Entrecasteaux Channel. A week later a memorial park was opened on Mount Nelson. In his speech Nichols said, "... the real meaning of today's dedication must be its on going commitment...from the government and the people ...to ensure that the descendants of a race are allowed to escape from their oppression and live full lives within this society, whilst retaining their identity as descendants of the Aboriginal race." ²⁰ Soon after Nichols was appointed to the Aboriginal Relics Advisory Council to advise the Minister for National Parks on matters related to Aboriginal relics. It would be 6 years before Aboriginal remains again became an issue.²¹

In 1982 the TAC realised that the Museum was holding other Aboriginal human remains, known as the Crowther collection. It was furious, insisting that these had been deliberately concealed. "We can't trust our people's bones with the wider community", said Langford. Caught out, the Museum offered joint management, emphasising the scientific importance of the bones. This time there would be no compromise. The TAC took legal action against the Museum authorities for improperly interfering with human remains, and claimed they were illegally taken from graves by Dr Crowther and his associates in the first place. At first the Attorney General Max Bingham appeared to be willing to hand over the remains, but then changed his mind, accusing the TAC of political chicanery, and of not representing the wider Aboriginal community. There was a suggestion that the Centre was bringing in activists from the mainland to attend any ceremony which might be arranged.²² On 8 December

1983 there was a demonstration outside Parliament. "We are up against a racist state", said Mansell, accusing both the Government and the Labor opposition.²³

It was here that the human remains became a rallying point for Aborigines and their supporters. The Tasmanian Treaty group attacked the government in the national press. "After abandoning the pseudo scientific justification for their retention," it said, "they are guaranteeing an ever widening and more embarrassing advertisement of their bloody mindedness".²⁴ This issue is seen by astute observers as a turning point in the Aboriginal struggle. Some churches, which a generation earlier might have seen the wishes of the people as having pagan overtones, now came out in support. It appears the government's attitude offended something in the community psyche. As journalist for the *Mercury* Sue Jacobson put it, "the continued desecration of the remains seems to touch a nerve in the hardest of hearts".²⁵ Return of the remains was to gain universal support, although division on land rights would remain. It is interesting that in the 1981 census 2636 people identified as Aborigines. In the 1986 census, that is 2 years after the issue around the Crowther collection, 6721 people were prepared to identify, an increase of nearly 120%.²⁶ This form of identification is as private as it is public. It may have been personal resentment to the government's attitude, as well as the growing community support, which finally persuaded many more people to identify as Aboriginal persons.

Because of this support the matter moved towards resolution. Bingham wanted the State to have responsibility for the cremation as was the case with Truganini's remains; TAC wanted Aboriginal control and an open cremation at Oyster Cove. The TAC legitimised its proposal through the Council of Aboriginal organisations to counter Bingham's concern the TAC argument did not have full support. Roy Nichols, although earning the displeasure of the TAC, accepted Bingham's appointment to survey the Aboriginal community.²⁷ Following a unanimous response the bones were handed over to two Aboriginal elders, Ben Everett and Ida West. Bingham met with leaders who assured him the ceremony would be conducted in a respectful manner and the media would be excluded.

Michael Mansell, now legal advisor to the TAC, now took up responsibility for the return of further Aboriginal remains for disposal by Aboriginal people. "It means a great deal to the Aboriginal community to cremate their dead. It is comforting to know that their ancestors are not locked away in dark, dingy boxes",²⁸ he said. He then embarked on a world wide quest for the skeletal remains of the Van Diemen's Land people to be brought back to Tasmania for appropriate funeral rites. Premeditated or not this proved to be a brilliant strategy, full of emotional and spiritual overtones (see below). Each success further consolidated the Aboriginal community and served to remind the non-Aboriginal community of the inhumanity of their ancestors.

In 1987 a number of Aboriginal skeletal remains were located, including a group in the Museum of Victoria, which the authorities released to the Tasmanian Aboriginal community.²⁹ The most important was the skull of William Lanne which was held at the University of Edinburgh, and that of Shiney, held by the Royal College of Surgeons in Dublin. These were the remains of known individuals and their existence attracted world wide attention. The return of the remains received strong media attention. Rodney Gibbons, who picked up Lanne's remains from a room in Australia House, London, speaks of a moment of insight when he and his companion were left alone with their ancestor's remains and light made its way into the room to rest on the box containing the skull. Gibbons, Everett and others still talk of the presence and behaviour of black cockatoos, the Aboriginal message birds, during the disposal of Shiney in the Sorell cemetery.³⁰ It was particularly moving for those privileged to behold Shiney's head, preserved as it was, with the flesh intact; here was what their native people actually looked like. Many Aboriginal people had sensed in the return and disposal of these remains a rekindling of a spiritual sense of being. Whatever the non-Aborigine may think of these experiences, they are real to them.

The caves and other sacred sites provide an ongoing experience and give rise to strong spiritual emotions. The preservation of sacred sites was one of Langford's first objectives, appreciating as she did, not only their symbolic value but how little of the Tasmanian heritage and culture remained. At first the Government was as equally dedicated to preservation of such sites, although reluctant to do more than share in their control and management. Problems began for the Government with the Hydro Electric Commission's plans to flood the Gordon Franklin area, which would have meant the destruction of a number of sites, including the newly discovered Kuti Kina caves, where remains and artefacts were found. Archaeologists were already hailing this as a discovery of world importance. For the Aborigines they were particularly significant, generating a pride in the fact that their ancestors could have survived for some many years in such a harsh environment. Earlier, Mansell was bravely given to speculate that perhaps tribesmen had even survived to this day, "waiting for the right time to expose themselves".³² The discovery of these caves during the debate on the flooding is seen by many Aborigines as a spiritual event rather than a coincidence. Visits to the caves and other sacred sites have become a necessary pilgrimage for Aborigines seeking a relationship with the past.

An issue central to the Aboriginal movement in Tasmania was Aboriginal identity. Defining who they were, and convincing the broader community they still existed, was one of the first tasks undertaken. Too often, according to Slicer, defining who 'we' were was derived from who 'we' were not, and who 'we' were against. Many of the Tasmanian people identifying in the late 60's and 70's were used to being called many things in the past. Vicki Matson-Green, pondering this issue, laments that "the stereo types of 'half caste',

'quarter cast' and 'part aborigine' began to be internalised by the communities, particularly on the Islands.... the Pallawah people were being socialised into accepting the dominant society's definition of Aboriginality".³³

The term Aboriginal descendant seemed to many, including the government, satisfactory enough. But it was Mansell who first saw the problem this posed in terms of unifying the community and the Aboriginal cause. One could be a descendant, even taking out any benefits which might be provided, without being committed to each other or the struggle. "The identity issue is crucial", he said. "Flinders and Cape Barren don't help. Flinders blacks want to assimilate, and as for Cape Barren, they want to be called Islanders-how cute".³⁴

It was Mansell who decided all Tasmanian descendants should call themselves Aborigines. "It is our white blood," he said, " which is used to call us descendants; half-castes, descendants, part Aborigines are all white man's terms." "If we want to call ourselves Aborigines, lets do it and be proud."³⁵ In *Pride over Prejudice* Ida West recognised Mansell's contribution to the identity question; " I would like to thank Mr Mick Mansell for he called us Aborigines instead of using those words, 'half caste, quarter-caste'. Terrible words." ³⁶

However, some leaders recognised the problem this caused for light skinned members of their community, and sought to encourage them. " By identifying," said Rodney Gibbons, " they are standing up for something they can hide if they want to and showing they are prepared to take all the ridicule".³⁷ One Aborigine told me that she had never heard the word Aborigine applied to her community until she was visited by a group from TAC. When told she was an Aborigine it took away all the hurt associated with words such as 'half-caste' and 'part Aborigine.' On the other hand another told me he refused to let his children call themselves anything but descendants, since they had never lived as Aborigines.

A study of census data reveals that in 1991, 1245 people of 8948 Aborigines continued to identify as 'Islander'.³⁸ By some this is seen as a resistance to being called 'Aborigine', by others, no more than a show of independence. The reason may simply be that the term 'Aborigine' remains a derogatory one in Australian society, and carries a stigma many are still not prepared to bear.

However, in 1983 Mansell, referring to media references to 'blacks' and 'Aborigines', said," this reflects a major change in the history of Aborigine people in the last 100 years..... our minds are no longer controlled by whites."³⁹

The more recent use of the term Pallawah to describe Tasmanian Aboriginal people may in the end prove to be the most acceptable. Whilst 'Aboriginal' is universally applied by Europeans to all indigenous people, 'Pallawah' is distinctly Tasmanian. As a spiritual name it takes us back to the genesis of the

race, unifying all descendants and cancelling out the diffusion and degradation of their identity after years of invasion and dispossession.⁴⁰

Everett has now pushed the issue of Aboriginality further declaring, "Aboriginality is a set of responsibilities concerning environmental protection of the ecology of Aboriginal lands..... our obligations as custodians of Aboriginal lands".⁴¹ He has argued that negotiations with Government over Native Title and Land Acquisition, "should not rate more highly than our very being, our identity as Aboriginal people, our Aboriginality and the principles associated with our identity", referring to Aboriginal obligations to "our 'Earth Mother' or the 'Eco-Mother' ".⁴²

NOTES

1. *Ab. Encycl.*, op., cit., pp 821.822.
2. *Australian Land Reform Commission* (Woodward), Parl. Paper No 69, 1974, p 11.
3. *Ibid*, Recommendation 777 (iv), p 139.
4. Interview with Brian Lindsay.
5. *Ab. Encycl.*, op.cit., p 251.
6. *Black Action*, No 4, June 1977.
7. See Appendix 1 for notes on TAC as a revolutionary organisation. These were developed out of interviews with members, research into its newsletters for the period and the writer's personal knowledge.
8. *Ab. Encycl.*, op., cit., p 251.
9. *Black Action*, June 1977.
10. *Black Action*, No 6, November 1977.
11. *Ab. Encycl.*, op. cit., p 144.
12. Interviews with Slicer and Everett.
13. Heather Sculthorpe, *Tasmanian Aborigines: A Perspective for the 80's* (TAC), 1980.

14. John Cove, *What the Bones Say*, (Ontario), 1995.
15. Interview with Roy Nichols.
16. Cove, op.cit., p144.
17. *Mercury*, 24 July 1970, p 7.
18. *Aboriginal Information Newsletter*, No 4.
19. *Aboriginal Information Newsletter*, February, 1976.
20. West, *Pride Over Prejudice*, pp 89,90.
21. *Aboriginal Information Newsletter*, October, 1976.
22. *Mercury*, 2 September, 1982, p 9; *Pugganna News*, No 13, October 1983.
23. *Mercury*, 8 December 1983, p 1.
24. Cove, op. cit., p155.
25. *Sunday Tasmanian*, 11 March 1990, p 7.
26. *A.B.S.*, op. cit.
27. *Pugganna News*, No 18, June 1984.
28. *Mercury*, 10 May 1989, p 3.
29. *Pugganna News*, No 25.
30. Interviews with Jim Everett and Rodney Gibbons; J. Everett, Forward to *Aboriginal Men of High Degree*, A. P. Elkin, (Queensland), 1994 ed.
31. Cove, op cit., p 142.
32. *Black Action.*, No 6; Everett, *High Degree*, op. cit.; *Pugganna News*, No 15, September 1983.
33. Vicki Matson-Green, 'You cannot deny me and mine any longer', *Contested Ground*, (Sydney) 1995
34. *Black Action*, No 8.
35. *Black Action*, January 1976.

36. West, *Pride over Prejudice*, p 87.
37. Heather Shelton, *Living With the Land*, Book 7, p 53.
38. ABS., op. cit. 1245 people ticked the box 'Torres Strait Islander' on the census form. Following further surveys ABS have concluded that this group prefer the 'Islander' identification rather than the only other alternative, 'Aborigine'.
39. *Pugganna News*, No 13, October 1983,
40. James Everett, Correspondence to President TAC, 30 March 1995.
41. Ibid.

CHAPTER 4 Land Rights: From 1967 to 1989

Despite the restoration of identity and culture there remains for the Aboriginal people a deep seated desire to regain their lands and restore their dignity. Therefore, the most provocative, yet essential, element of Aboriginal assertion is Land Rights. It was in the 70's that the Aboriginal Tasmanians began making land claims as a right. There had been a consistency of claims for Cape Barren Island for some one hundred years, but these claims were based on existing laws, that is land tenure and leases. Something different was now at stake, land by right of prior possession, the full ramifications of which are only beginning to be understood following the Mabo decision by the High Court, which refuted the legal fiction of terra nullius.

In 1973 Ros Langford presented a proposed Land Rights Bill to a Land Rights conference in Darwin.¹ In the same year the TAC forwarded a submission to the Woodward Aboriginal Land Rights Commission. The submission claimed "for a group of Tasmanians" a continuous history of occupation and usage, and oral and written traditions, and genealogies which linked Tasmanian descendants with a number of named Aboriginal tribes, and continuation of tribal occupations, particularly mutton birding. The submission said there was a desire among this group to retain identity with Aboriginal people, and reminded the Commission of the promises made to the Island people, that the Furneaux would be reserved for their use.²

In December 1976 the TAC petitioned the Prime Minister, Malcolm Fraser, the Minister for Aboriginal Affairs, and Bill Neilson, Premier of Tasmania, for the return of lands to the Aboriginal people.³ Claims included, Cape Barren Island and Wybalena, all muttonbird islands, all areas where rock carvings and sacred sites existed, as well as compensation for Crown lands. If compensation was not made, it said, then these lands, too, must be returned. Although, as we shall see, opportunities for resolution were to present themselves over the next 20 years, essentially the claim has not changed.

In April the following year the Tasmanian Aborigines claim was strongly supported by the Federal Council for the Advancement of Aborigines and Torres Strait Islanders, as well as the World Council of Churches and the Trade Union movement.⁴ The Tasmanian situation and demands had emerged on the national stage. In the October edition of *Black Action*, the paper that replaced the *Aboriginal Information Newsletter* as the official journal of the TAC, Michael Mansell, at that time a field officer, exhorted the Aboriginal people, "where our ancestors left their mark on rock carvings and the like why should the white man own the land-let us preserve it so our kids can always be reminded of their heritage as something to be proud of and unique."⁵

In 1977 Mansell interrupted proceedings at the Hobart Casino to petition the Queen whilst she was visiting Tasmania, laying claims to several sites. Referring to coverage of that event, which brought the issue on to the Commonwealth, if not the world stage, Mansell said, "the media was not interested in what I was saying, it was more interested in calling me a communist or talking about my skin colour."⁶ On 9 November 1977 the Tasmanian Aborigines set up a tent on the lawns of Parliament House, and presented a petition to the Speaker, asking the Government to recognise the Parliament's special responsibility towards Aborigines, especially in relation to the land, itemised land claimed and sought exclusive rights to, and assistance to the tune of \$1,000,000 (to be shared by the Commonwealth and the State) with the development of the mutton bird industry.⁷ A working party established to advise the government made three major comments: there were 3000 identifiable Aborigines in Tasmania; little was known of the nature of the original people, their history and traditions; and, Tasmania and Queensland were the only States which did not have land held in trust for Aboriginal people.⁸

The Labour Government formed a Study Group to look at, (1) the feasibility of a land trust, (2) the mutton bird industry, and (3) the social development of Aboriginal people. In August, however, the TAC withdrew its support, because its demand for Aboriginal representation was not met. However, the committee chaired by Senior Crown Counsel, D. Mason Allen, proved to be unexpectedly generous in its assessment of the rights of Aboriginal people. Allen, a former army officer, had put Aboriginal people off by his stern and forthright manner. However, his report concluded, "that any claim that there are no Aborigines in Tasmania is false and regrettable and it is unfortunate that the Tasmanian community at large is unaware of the history of the living Tasmanian Aboriginal community, including its customs, folklore and physiology." The group recommended the establishment of a Lands Trust, controlled by a committee of Aborigines, with power to hold and acquire land.⁹ Aborigines took heart from this recognition of their existence and their right to identify. Referring to the report, Heather Sculthorpe, whom the *Mercury* made sure to point out was "red haired and freckled", said land would bring independence and liberate the Tasmanian Aborigines; "we can't forget the past-we are the past"¹⁰

In February 1978 it was announced the Aborigines were negotiating the lease of Trefoil Island for exclusive rights to the mutton birds with funding from the Aborigines Loans Commission to give Aborigines a chance to prove their determination and show them capable of running the industry.¹¹ This move was eventually successful, the Island being purchased by the Aboriginal Development Commission for the Trefoil Island Aboriginal co-operative in 1980. Hailed as a first Land Rights success at the time, it was nothing of the sort, for, following windup of the cooperative, the deeds remain in the custody of the Aboriginal Development Commission, not the Aborigines of Tasmania.

In the late 70's Michael Mansell consistently put his radical approach to Land Rights before the Aboriginal people. "Land rights is the only hope we have as a race of people.... things must be made to happen",¹² and later, "so I argue that we don't ask for a little, we demand a lot. If we offend white people then that's their problem; they didn't mind offending our ancestors when they took our land."¹³

Although the Aboriginals were now leading the struggle for Aboriginal land rights, organised non-Aboriginal support was to come from a new quarter. In 1979 the National Aboriginal Conference asked the Australian government that a treaty be negotiated.¹⁴ Almost immediately a prominent group of white Australians established the Aboriginal Treaty Committee. It included such eminent figures as Dr. H. C.(Nugget) Coombes, former Governor of the Reserve Bank, author Patrick White, poet Judith Wright, social commentator Philip Adams and historian Charles Rowley. It presented a resolution for consideration by both Commonwealth Houses of Parliament, that a treaty of peace and friendship be concluded between Aborigines and the Commonwealth of Australia.¹⁵ Its manifesto, *Its Coming Yet*, was released to the public the same year, and it placed Australian wide advertisements seeking sponsors and support groups to campaign for a treaty. "We are convinced that the signature to a treaty would witness before the entire non-Aboriginal population and the outside world a formal respect for the status of Aboriginal people."¹⁶ In Tasmania, Tom Errey, radical and one of the more forthright and erudite of correspondents to the *Mercury*, convened a Tasmanian treaty group in July 1981. The aims were; (1) land rights for Aboriginal people, (2) affirmative action for Aborigines in areas of education, health, employment, housing and the law, and (3) restoration of a sense of identity and dignity.¹⁷ Although the Aborigines themselves would raise questions in relationship to the treaty in Tasmania, Everett, for one, saying a treaty can only be negotiated when people are equal, there remains an empathy between the treaty group and the Aborigine community.¹⁸ Gestures of solidarity include street marches, vigils, lobbying, and the occasional letter to the editor.

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In 1980 the State Government appointed an Aboriginal liaison officer, James Everett, and Brian Miller, now Attorney General, began drafting a Land Rights Bill. Indicative of its insensitivity to Aboriginal history and feelings, it based Everett in the Department of Social Welfare, a State agency associated with the removal of families from Cape Barren Island. Anyway, the Land Rights Bill never saw the light of day. Some later day labor politicians blame Miller's tardiness and lack of resolve for the Bill not proceeding. Everett in 1987, again concerned about the sincerity of the ALP on Land Rights issues said, that whilst the draft bill was supported by Miller, "and drafted and redrafted, cabinet had not committed itself."¹⁹ During the consultative process Mansell

had accused the State Government of trying to divide the people over land rights, because Miller was by passing the TAC, which had been making arrangements for groups to meet.²⁰ The TAC had now asserted itself to the point where it saw itself as the representative of all Tasmanian Aborigine people. The truth of the failure to get the Bill before Parliament, however, is more likely to be related to the contents of the Bill, and the process of consultation which followed.²¹

The Bill itself appears to have been a good piece of land rights legislation for its time. It was of an enabling nature, with an attached schedule of areas to be gazetted as claims were established. *The Pugganna News*, reporting to its people in July 1980, basically supported the Bill, seeing the establishment of a Lands Trust, completely run by Aborigines and funded by the government as the most positive aspect of the Bill. On the negative side it noted that the Government would appoint members of the Trust, it could take back land, and mineral, water and forestry rights remained with the Government.²² Slicer says that, following some changes to the early draft and the inclusion of a provision for the election of Trust membership, three issues emerged. First, there was a dispute about the method of representation of the proposed Land Council resulting in some infighting. Then, there was a concern expressed that, if the community accepted what was offered, that would be all they would get. The major issue for Aboriginal leadership was the Bill's declaration that all land included within its parameters was inalienable. Mansell insisted it should be omitted. Whilst Aborigines would never sell their land, he said, it wasn't for white men to tell them what they should do. Langford, though concerned, didn't see that it mattered and wanted to see the Bill through. In the meantime the State Mines Department and National Parks also had concerns. The Government lost power early in 1982. And so the consultation process meandered into history, a window of opportunity lost. Not that the Bill would have passed the Upper House. Its introduction to Parliament, however, would have demonstrated an elected government's support for Land Rights and tested public opinion as early as 1981.

By now the TAC was attracting further allies. On 23 September 1981 the Action Group for World Development called on the State Government to pass legislation to ensure Tasmanian Aborigines had full land ownership, including control of fishing, water, forestry and mining rights. It noted, "a widespread reluctance of the State government, the education system and the community at large to recognise the presence of Aboriginal people in Tasmania."²³

In 1982 the Tasmanian Aboriginal Centre put a submission to the Senate Select Committee of Enquiry into the South West, in which it declared that all land in Tasmania was of interest to Tasmanian Aborigines, but that in the South West two Tasmanian tribes were known to have lived and travelled. All sites in this area should be protected, it said, coming as they did within the definition of Aboriginal Relics Act 1975. "Even the Tasmanian Wilderness Society", the

TAC told its people, "which holds itself sympathetic to Aboriginal rights has used the issue of sites for its own purposes without regard for the Aboriginal community and without an appreciation of the basis of Aboriginal claims." ²⁴ The Centre was not above taking on friends when it came to the assertion of Aboriginal claims.

On 15 June 1982 a Land Needs Conference, chaired by Charles Perkins of the Aboriginal Development Commission, met in Hobart to identify the important aspects of land needs of Tasmanian Aborigines, and the role of land acquisition in determining their economic and social development.²⁵ It was addressed by Roy Nichols, Chair of the Aboriginal Advisory Council, Pierre Slicer and Michael Mansell. Perkins argued that the State government should set aside unalienated Crown land for Aborigines.²⁶ The conference called upon the government to have draft land rights legislation completed and passed in the present session of Parliament, requested funds for a Lands Council, and condemned an apathetic State government.²⁷ On 17 October the Uniting Church Synod of Tasmania announced its support for Aboriginal Land Rights.²⁸

Although frustrated over Land rights, Aboriginal Tasmanians were showing a greater maturity and making progress in other directions. They continued to be successful in obtaining Commonwealth and State funding for educational, health and social services. Everett remained in the position of Aboriginal Liaison Officer for seven years, negotiating with the government on a number of issues, including sacred sites, child welfare, education and health. He established an organisation of Aboriginal agencies in an endeavour to keep them on a common course, and to prevent political fragmentation. Everett referred to this unity as, "the very thing white people do not want".²⁹ By now the Liberal government had shown it was reasonably disposed to the more conservative groups, including the Tasmanians of Aboriginal Descent Association, which under Ted Stevenson, opposed land rights and the Tasmanian Aboriginal Centre. Everett saw the proliferation of agencies as a threat to Aboriginal solidarity. He also saw his role to be one of sensitising Government Departments to Aboriginal aspirations, commenting, "how to break the feeling of intrusion by blacks is not easy, whites must understand they are in fact the intruders." ³⁰

The incoming Liberal Government of May 1982 and Premier Robin Gray made it quite clear that it opposed Land Rights or any special treatment for Aborigines. In its election policy it had announced it "believes in the freedom of all individuals and no person shall be discriminated against because of race and religion." ³¹ It was to use this principle of equality for all as it defended its position on Land Rights throughout its period in office. It did, however, recognise the Aboriginal community as an important part of the Tasmanian community, and said, "a Liberal Government will appoint a government Minister to have responsibility for the welfare of Aboriginal people." ³²

Kerry Randriamhefa, the Centre's new spokesperson, said the government had betrayed its pre election commitments, since it was not even prepared to grant leaseholds. "This amounted to a declaration of war on the Aboriginal people", she said.³³ Aboriginal people now began to look to the new Federal Labor Government and Aboriginal Affairs Minister, Clyde Holding, to intervene through its promised Federal legislation. Randriamhefa called for a State Land Council to hold land collectively for Aboriginal people. The new Aboriginal Affairs Minister for Tasmania, John Cleary, declared that land rights legislation was a pipe dream, a statement Randriamhefa said, "was aimed at suppressing the aspirations of the Aboriginal people."³⁴

Frustrated with the Government's declared opposition to national land rights legislation as proposed by the Federal Government, the Aboriginal Tasmanians occupied Oyster Cove on 16 January 1984, flying the Aboriginal flag in protest.³⁵ Originally intended as a short term measure to educate the rest of the community, their occupation remains a symbol of Aboriginality, intentions and protest. It is seen by many Aboriginal leaders as the most significant action to date; Aborigines actually took back their land.³⁶ Whilst Aborigines had for some time considered action of this nature, it appears the actual sit in was a spontaneous event when, tired of talking, they simply left the TAC and took themselves to the cove.

Soon after the Tasmanian Aboriginal Centre put a specific proposal before the Tasmanian Government. "Let the petition serve as a notice of our intentions," Mansell told the *Mercury* newspaper.³⁷ On 10 April the *Mercury* published a poll which showed that a majority of Tasmanians supported some form of land rights.³⁸ Of the 995 Tasmanians surveyed, 56.3% believed descendants should be granted rights to land of specific historical or religious significance; 32.5% did not support land rights. 60% of support was in Braddon; lowest support was in Franklin, where the Oyster Cove occupation was contentious. Strongest support was from low income groups; 47.4 % of public servants favoured Land Rights. The TAC was grateful for the response, Brian Mansell highlighting the 67% support from young people, saying, "it shows a sympathy for our position which is a credit to the values of the population".³⁹ The Aboriginal community found an unexpected ally in the *Mercury* which had previously opposed land rights. A new editor, looking for some major public issues with which his paper could run over a period of time, met with Mansell and other leaders at Oyster Cove. He genuinely sought to understand Aboriginal aspirations. Editorial policy became pro-Aboriginal and lifted the profile of many issues affecting Aboriginal Tasmanians, in fact this paper has become a valuable source of information on Aboriginal progress in Tasmania.⁴⁰

Despite the poll and growing support for Aborigines, Premier Gray refused to recognise Aboriginal claims on the basis that it was the policy of his

government to treat all Tasmanians equally. This theme would be repeated throughout the years the Liberal party was in office.

In May 1984 the TAC took another tack. It began a campaign of direct negotiation with big Tasmanian companies for Land Rights. In a letter to Australian Newsprint Mills it wrote, "Aboriginal people aspire to once again seeing their land in their hands, including that with which you are concerned."

⁴¹ The TAC said it preferred a positive relationship with the companies, and suggested the establishment of working parties to avoid conflict. But ANM was not interested, because the land they were exploiting was Crown Land. TAC said it would take whatever action it could to prevent companies from destroying sacred sites. It insisted it was not holding companies to ransom, but in their negotiations simply asked companies to leave sites alone.⁴² However, they did want companies to pay a percentage of royalties to Aborigines. The Centre said they were forced to deal directly with companies, because the State Government was refusing to act.

In a substantial article in the *Mercury* of 29 August 1984 Quentin Beresford, summarised positions at that time. Michael Mansell said there were strong feelings of injustice within the Aboriginal community, because of the refusal to recognise their existence; the Liberals in refusing to set aside land were evoking the principle of equality; whilst Labor supported the principle of recognition and land rights, but did not know how to proceed.⁴³

The Commonwealth Minister again threatened to use the powers of the Government to override the State and grant land rights. Max Bingham, the Attorney General, protested, saying the story of land rights was different in this State, because Tasmanian Aborigines had no tribal structure.⁴⁴

Cape Grim as the site of a massacre and Kutikina cave, a significant location of Aboriginal prehistory, were now added to the list of Aboriginal claims.

In a newspaper article Paul White, a member of the 1978 Aboriginal Affairs Study Group, and described as a consultant ecologist, raised the spectre of Marxist infiltration into the Aboriginal community. If given their own land, he said, they could set up missile sites. Cheryl Fulton, the new Secretary of TAC, scoffed the idea, and expressed concern that Holding had not intervened to protect Oyster Cove. Fulton said Aborigines favoured community ownership. White said one problem was the inability of Aborigines to manage land.⁴⁵

In June 1985 the *Mercury* reported that the State government had softened its stance on land rights after Premier Gray had met with Aboriginal representatives. Gray said he was prepared to have land rights legislation discussed in cabinet.⁴⁶ However, Fulton, not convinced Gray was genuine addressed a protest group outside Parliament House on 9 July.⁴⁷ Mike Aird and Ken Wreidt, opposition members, agreed to support land rights. Bob Brown,

independent member, who by now had gained world fame on environment issues, gave his support and promised a strong parliamentary debate.

On 11 July the ALP, although in opposition, announced it would introduce its own land rights legislation, but in Wreidt's words "could not blindly accept the Aboriginal proposals."⁴⁸ Fulton clearly hoped the Federal government would assist Tasmanian Aborigines to get land, but assured the community that "the personal lives and property of individuals would not be affected by the granting of land".⁴⁹

On 6 August Michael Mansell brought the issue to an international forum when he addressed a International Law Conference at Geneva. He said the Tasmanian Government was ignoring land rights and enforcing assimilation on to Aboriginal persons. He referred a report to a United Nations working party on Human Rights regarding the government's consistent denial of Aboriginal communities, and a lack of assistance.⁵⁰

In the meantime Tasmanian Aborigines were becoming disillusioned with Commonwealth inaction, saying Holding had done nothing constructive for State Aborigines, and on 11 October laid claim to Tasman Island, a former lighthouse, because neither the Commonwealth nor the State wanted it.^{51 52} By now they were getting desperate; 10 years had passed and they had nothing. As Everett told his people, "we are tired and we need a victory".⁵³ On 12 March 1986 Aborigines attempted to enter Parliament with Bob Brown joining the protesters on the lawns.⁵⁴

On 15 April Clyde Holding announced he was prepared to negotiate with the State government.⁵⁵ Roger Groom, the new State Minister for Aboriginal Affairs, announced, "the State Government would resist any attempts by Federal Government to force land rights legislation in Tasmania".⁵⁶ The TAC expected the Commonwealth to use its constitutional powers based on the 1967 referendum. On 16 April John White State Opposition introduced his Land Rights Bill into the Parliament; land was to be vested in an Interim Tas Aboriginal Land Council.⁵⁷ Because the Government controlled the parliamentary agenda it would never be debated. However, John Bennet, the Attorney-General, met with Perkins, now Secretary of DAA, to consider a land swap, the Commonwealth suggesting they would trade the old Commonwealth quarantine station at Bruny Island for Oyster Cove as a first step in the reconciliation process.⁵⁸ Cracks appeared to be emerging in the Liberals solidarity on the matter. On the contrary the ALP seemed to still be unsure about its position, the State ALP leader, Neil Batt, voting against a Federal Labour Conference motion to implement land rights legislation by 1988.⁵⁹

Tasmanian Aborigine agitation was becoming more apparent, and Senator Neville Bonner at the National Enquiry into Peace and Justice warned about using violence to achieve land rights.⁶⁰ The *Mercury* editorial sought a more

flexible approach by the State government. It said the Government was dragging its feet when the majority of Tasmanians supported giving land back which had historical and spiritual significance. It suggested that 1988, the Bicentennial Year, would provide such an opportunity.⁶¹ Despite rumors and excitement in the community that Aborigines were about to get land, the handing over of Oyster Cove was vetoed by the State Government. Peter Hodgman, Assistant Minister for Lands, said the government did not support the land transfer, nor the handing over of the quarantine station. He said the government had no intentions of granting land rights to Aboriginal people.⁶² Ida West, the respected Aboriginal matriarch, said the decision was an enormous blow to Aboriginal people. Brown claimed the Government's attitude was spiteful.⁶³ On 15 January Aborigines celebrated three years of occupation at Oyster Cove which had now become a strong focal point for the movement.⁶⁴

The State Government was still refusing to debate the opposition land bill. In May the *Mercury* predicted a constitutional challenge to override State opposition, with Roger Groom retorting, "such a move would be fought to the death".⁶⁵ On 12 May *Mercury* believed Oyster Cove and Wybalena on Flinders Island would be the first land given back under Federal Land Rights legislation.⁶⁶ By now Michael Mansell had made his controversial trip to Libya. Some Liberals now opposed Land Rights by saying a transfer would reward Mansell for his treacherous act. Within the week Holding had announced land rights in Tasmania had been placed on the back burner, and funds withheld from the Centre, because of Mansell's Libyan connection⁶⁷. Here was a clear indicator of how much the issue had become personalised around the Aboriginal leader.

When Michael Mansell went to Libya, the home of international terrorism under the rule of the military dictator, Colonel Gadhafi, it proved to be one of the most controversial incidents in which an Australian Aborigine had ever become embroiled. It was an event which could have resulted in the fall of Mansell, and the end of the Centre as the legitimate black voice in Tasmania. In the beginning it appears that his trip to Libya, to attend a conference against Zionism, Racism and Imperialism, was no more than a spontaneous response to a last minute invitation. The *Mercury* postulated that his trip was out of a desire to secure Libyan funding for the Aboriginal cause, implying the importation of terrorism into the fight for Aboriginal rights. Prime Minister Hawke was critical of Mansell, concerned as he was about Libya's attempt to strengthen its relationships in the South Pacific.⁶⁸ Mansell, said the *Mercury*, was in double trouble, first under attack from his own people, led by the Aboriginal Secretary for Aboriginal Affairs, Charles Perkins, and secondly, by the Government, which, as an interim measure, cut off funding to the Centre.⁶⁹ Mansell, undeterred, went on the offensive. "We have lost a whole country," he said, "We can't be used any more by the Libyans than we have been by the Australians".⁷⁰ Ted Stevenson of the Aboriginal Descendants Organisation, said, "Mansell had a lot to answer for".⁷¹ Mansell then raised the issue of

Aboriginal sovereignty, and a separate passport for the Aboriginal people. "Mansell's Morass Deepens ", headlined the *Mercury*, obviously concerned with Mansell's action, having previously supported him on a number of issues.⁷²

Holding drew a parallel between Libyan right wingers, who sought to separate the races, and Mansell's desire for a separate Aboriginal passport. "There is," he said, "no way the Government would allow politically naive people to establish relationships that could lead to Libya's terrorist activity in this country."⁷³ Mansell was attacked in the media by Perkins and the Australian Israel Association.⁷⁴ The Minister for Aboriginal Affairs then set out to investigate complaints from the Aboriginal community that the Centre was not properly providing its federally funded functions. However, Jim Everett, at the time the Secretary, despite threats to Centre funding, put his support behind Mansell.⁷⁵

While Mansell's full defence for his actions appeared to be muted in the local press, he was able to give a full account of his actions through *Pugganna News* and public meetings.⁷⁶ He told his people he had not gone overseas to seek Libyan dollars, but saw the trip as an information exchange exercise. He pointed out that others, including a trade union official and a member of the Democrats, had also gone to Libya. He had been singled out, he argued, because of his outspoken views on the treatment of Aborigines. He said it was an attempt to isolate him from the Aboriginal movement. He said he had spoken on behalf of the Aboriginal nation and saw it as an opportunity "to tell a whole range of people from all over the world what is happening in this country.....I am not going to say it (Australia) is a terrific place for Aborigines to live in". Mansell and the TAC began to draw support from elsewhere in the country, the NSW Land Council, for one, declaring, "any action or threat to cut funding to the Centre represents an assault on freedom of speech".⁷⁷ His own people now stood behind him; at meetings some elders reminded others of how far he had brought them.

The Commonwealth Auditor General eventually cleared the organisation of the suggestion of financial impropriety, and so it, and Mansell, survived to emerge stronger than ever. "The real issue", Mansell said, "is the right of Aborigines to decide what Governments and nations we will speak to". He said, "Holding's concern was that he will be seen as the man who lost control of the Aboriginal movement."⁷⁸ Not only Mansell, but the Aboriginal movement in Tasmania, had triumphed, firmly asserting who they now were, and where they were going.

The relationship with the conservationists was to be further tested when Everett threw down the gauntlet at a conference on eco politics, accusing them of "trampling on Aboriginal land". "How many are prepared to concede that Aboriginal rights should override those of white claims for sovereign rights", he

asked.⁷⁹ The following day the *Mercury* reported "a stunned Mansell" witnessing almost three hundred influential conservationists endorse black sovereignty, including the demand that the Australian government recognise Aboriginal sovereign rights. It resolved to seek international support for a separate Aboriginal nation. A puzzled Michael Mansell queried whether the conference understood what he meant, that is; "sovereignty means control, power, authority. The motion is not about Oyster cove, but sovereign rights over the whole country".⁸⁰

In 1988, the Bicentennial Year, the Aboriginal people again had reason to believe the Government was about to make some concessions regarding land claims. Ray Groom, appeared sympathetic. He wanted to do something for Aboriginal people in 1988, and said, "there has been a tremendous effort to survive. Aborigine blood still exists in Tasmania".⁸¹ In the same month Bishop Newell called for reconciliation, asking that the question of land rights and self determination be seriously considered. "People of Aboriginal descent are acutely conscious that their land has been usurped", he said.⁸²

In response to a report that an 1846 document had been unearthed in which the Tasmanian Aboriginal leaders appeared to have recognised the transfer of all VDL to British ownership, Mansell denied its legitimacy, because it was signed under duress; "why would they willingly give up their land", he asked.⁸³ This document, signed by Walter Arthur an Aboriginal leader at Wybalena, was in fact a petition to Queen Victoria in which he makes the point that the Aborigines on Flinders had not been taken captive, but were free, the move to the Island being the result of a negotiated settlement. It was to become the linchpin for Henry Reynolds book *Fate Of A Free People*⁸⁴, wherein he says, "The petition embodies a serious assessment of the Black War and the so-called friendly Mission, which, if it had been known and respected by Europeans would have fundamentally changed the way local history was interpreted.... contains a radical, even a startling reassessment of some of the central events in the history of settler-indigene interaction".

In the meantime Groom advised a deputation of Aboriginal women, which included Ida West, that he would obtain Oyster Cove for them, and thereafter encourage the government to consider other sites. He presented a submission to Cabinet, recommending the gifting of Oyster Cove to the Aboriginal community, not as a right, but on the basis of its spiritual and historical significance.⁸⁵ The submission was narrowly defeated. The Commonwealth continued to make overtures to the State government, offering to exchange Commonwealth land for Oyster cove. The Gray government remained intransigent. In announcing the State Government had decided that Oyster Cove should be protected as a sacred site under National Parks and Wildlife Act, Groom, obviously reflecting Cabinet's response to his submission, said "there is a real concern that the granting of traditional land rights or a special title to people of Aboriginal descent may be divisive".⁸⁶ Soon after Aboriginal people

celebrated the fifth anniversary of their occupation at Oyster Cove; 1000 people took part. Around this time Everett, who had a growing concern for Aboriginal spirituality, was seriously questioning the motives of churches, who, he said, were using a cosmetic land rights policy "to look good seeking to convert Aborigines through a land rights scenario".⁸⁷

Notes

1. *Aboriginal Information Service Newsletter*, No 4, 1973
2. Copy in author's possession.
3. *Mercury*, 9 December 1976, p 14.
4. *Mercury*, 14 April 1977, p 18.
5. *Black Action*, October 1976
6. *Black Action*, (No 3?), 1977.
7. *Mercury*, 10 November 1977, p 32.
8. Report of the Aboriginal Affairs Study Group, *Tasmanian Parliamentary Papers*, Vol 199, 1978.
9. *Ibid*, p 9.
10. *Mercury*, 17 November 1977, p 5.
11. *Mercury*, 8 February 1978, p 1.
12. *Black Action*, No 8.
13. *Pugganna News*, No 5, 1980 (undated).
14. Stewart Harris, *It's Coming Yet*, (Canberra) 1979, Appendix 1, pp 81-87.
15. *Ibid*, Appendix 2, pp 84,85.
16. Draft Statement of Aims, Tasmanian Support Group for Aboriginal Treaty, Pamphlet in author's possession.
17. *Ibid*, Interview with Tom Errey.

18. *Pugganna News*, No 7
19. *Edgeways*, 1 June 1987, p 29.
20. *Mercury*, 12 April 1980, p 48.
21. *Pugganna News*, No 12.
22. *Pugganna News*, No 6, 1980.
23. *Mercury*, 24 September 1981, p 24.
24. *Pugganna News*, No 12.
25. *Mercury*, 12 June 1982, p 11.
26. *Mercury*, 16 June 1982, p 9.
27. *Mercury*, 17 June 1982, p 10.
28. *Mercury*, 18 October , p 8.
29. *Pugganna News*, No 6, July 1980.
30. *Pugganna News*, No 5, May 1980.
31. *Mercury*, 10 April 1984, p 4.
32. Ibid.
33. *Mercury*, 25 February 1982, p 3.
34. *Mercury*, 2 August 1983, p 9.
35. *Mercury*, 17 January 1984.
36. *Pugganna News*, No 17, February 1984.
37. *Mercury*, June 1984, p 1.
38. *Mercury*, 9 April 1984, p 1.
39. *Mercury*, 10 April, 10 April 1984, p 4.

40. Interview with Michael Mansell. While Mansell said the editor at the time was Ian McCausland, McCausland did not become Editor until 1988, and the *Mercury* was sympathetic before that time. My view is that, whilst the *Mercury* was shifting its position on a range of matters, its support for some form of Land rights became more obvious in the late 80's.

41. *Mercury*, 23 May 1984, p 1.

42. *Mercury*, 24 May 1984, p 3.

43. *Mercury*, 29 August 1984, p 9.

44. *Mercury*, 23 May 1984, p1.

45. *Mercury*, 30 March 1985, p 8.

46. *Mercury*, 14 June 1985, p 3.

47. *Mercury*, 10 July 1985, p 30.

48. *Mercury*, 11 July 1985, p 1.

49. *Mercury*, 13 July 1985, p 13.

50. *Mercury*, 7 August, p 24.

51. *Mercury*, 9 October, 1985. p 3.

52. *Mercury*, 12 October, 1985, p 3.

53. *Pugganna News*, No 22 (undated)

54. *Mercury* 13 March 1986, p 3.

55. *Mercury*, 15 April 1986, p 1.

56. *Mercury*, 25 April 1986, p 7.

57. *Mercury*, 17 April 1986, p 18.

58. *Mercury*, 5 June 1986, p 4.

59. *Mercury*, 8 July 1986, p 5.

60. *Mercury*, 22 July 1986, p 4.

61. *Sunday Tasmanian*, 16 November 1986, p 1.

62. *Mercury*, 19 November 1986, p 1.

63. *Mercury*, 21 November 1986, p 5.

64. *Mercury*, 16 January 1987, p 3.

65. *Mercury*, 11 May 1987, p 1.

66. *Mercury*, 12 May 1987, p 4.

67. *Mercury*, 19 May 1987, p 5.

68. *Mercury*, 14 April 1987, p 1.

69. *Mercury*, 23 April 1987, p 1.

70. *Mercury*, 22 April 1987, p 3.

71. *Mercury*, 23 April 1987, p 1.

72. *Mercury*, 5 May 1987, p 3.

73. *Ibid.*

74. *Mercury*, 6 May 1987, p 9.

75. *Examiner*, 10 May 1987, p 6,7.

76. *Pugganna News*, No 25, June 1987

77. *Ibid*

78. *Ibid*

79. *Sunday Tasmanian*, 24 May 1987, p 5.

80. *Mercury*, 25 May 1987, p 4.

81. *Mercury*, 7 January 1988, p 3.

82. *Mercury*, 25 January 1988, p 4.

83. *Mercury*, 20 May 1988, p 1.

84. Henry Reynolds, *Fate Of A Free People*, (Victoria), 1995, p 10.
85. Copy of minute in author's possession..
86. *Mercury*, 6 January, 1989, p 2.
87. *Mercury*, 11 July 1989, p 25.

CHAPTER 5 LAND RIGHTS FROM 1989 TO MABO

In the State elections held in May 1989 the Liberal Party won 17 seats, the Labor 13 and the Independents 5. After negotiations with the two major parties the independents signed an accord (thereafter known as the Labor-Green Accord) with the labor members to form government. The Accord included a portfolio of Aboriginal Affairs and Land Rights legislation. In October 1989 the new government Minister, John White, announced that an Aboriginal Land Rights Trust Bill would be introduced into parliament granting rights over eighteen areas, involving 53,000 hectares of land. Land would be given to an incorporated Aboriginal Land Council, and include Oyster Cove, Wybalena, Mt Cameron, ten of the smaller Furneaux Islands, which contained mutton bird rookeries, 30,000 hectares of Cape Barren Island, Cape Grim and the Kutikina caves.¹ The proposal was immediately condemned by a Liberal member Bill Bonde who said it would divide the Aboriginal community.² The Tasmanian Aboriginal Land Council (TALC) feared that delays would give racists groups a chance to create division. Greg Lehman, the TALC secretary wanted to ensure Aborigine input into the draft bill.³

The TALC came into existence in September 1989 as an initiative of the Aboriginal people. It was, and remains an elected body and representative of Aborigines across the State, including the Islands. Its main objective is " to consult with and represent the Aboriginal community through providing advice and services on heritage, land rights and land management issues". The TALC seems to have been prepared to hand over responsibility for pushing the heritage issues to this body. Since its incorporation it has received government funding, and has become one of the main mechanisms through which the government consults with Aboriginal people.⁴

Mansell insisted the process could be simplified if the deeds were handed over immediately. The State opposition continued to raise the bogey of division and claims on private land⁵. There did appear to be some disagreement amongst Aborigines, Ted Stevenson, for one saying violence would eventuate if demands of the Pinterranner clan (North East) for all crown land and \$5,000,000 compensation were not met.⁶ The Land Council saw this as radical and sought to assure non-Aboriginal groups by saying it respected the investment and effort put into existing leases, and "does not expect that return of Aboriginal title will be any cause of concern to present lessees".⁷

The most serious division was in the Furneaux. White received a letter from the Association of Outer Islanders, declaring it wanted areas in that region to be removed from the list. However, White said the government would not back off handing over a big slice of Tasmania despite parochialism, singling out North

West and Flinders Island. Aborigines blamed opposition on Cape Barren Island on white lease holders. ⁹ Greg Lehman, from the TALC, citing the support of the United Church and the Catholic Church, said opposition was exaggerated and land rights would only have a positive effect on the community.¹⁰

Reg Watson, regular correspondent to the *Mercury*, local historian and member of the Anglo Saxon Society, raised the spectre of tribal divisions and opposition from the Cape Barren, even suggesting the possible importation of arms. He went on to declare "they were never a nation", and suggested genealogical searching was no more than an effort to claim benefits.¹¹ On 10 January 1990 support came from an unexpected quarter when Leon Beswick, Tasmanian president of the Young Liberals, argued at a national conference that, "all Aboriginal communities should enjoy the benefit of land rights when it was ignorant white Australians attitudes which cost them their lives and their lands many years ago.....insulting and ugly attitudes have surfaced amongst young liberals whose own desire for wealth and publicity dominated their decision making processes....a remaining glimpse of White Australian selfishness".¹²

On 3 April 1991 the Aboriginal Lands Bill was introduced into State Parliament by John White, some two years after the Labor-Green accord took office. Anticipating opposition to the Bill, especially in the Legislative Council, Aborigines and their supporters demonstrated outside Parliament, and one man was arrested for raising an Aboriginal flag. " This legislation is a symbolic recognition of prior occupation of this State by Aborigines, " announced White, and went on to describe the past government's failed assimilation policies and " the forced removal of children from families on Cape Barren Island to mainland Tasmania in an attempt to force the parents to leave the Island to secure their children," an interesting admission.¹⁴ He continued; "Government recognises that the Aboriginal people have occupied this State for more than 30,000 years and that they were displaced without either their agreement or compensation and in fact against their will." ¹⁵ White insisted the Bill was developed after exhaustive discussion with Aboriginal people, including the Tasmanian Aboriginal Centre, the Land Council, the Flinders Island Aboriginal Association and the Cape Barren Island community.¹⁶

Jim Everett, manager of the Aboriginal Affairs Office, now based in the Department of Premier and Cabinet, had played a significant part in coordinating the consultative process. Apart from transferring land to Aboriginal ownership, to be administered by the Aboriginal Land Council, the Bill contained other important provisions. It provided that general rights of mining over the gazetted areas would also be vested in the Land Council. Another important, but controversial provision, concerned wildlife, recognising as it did traditional Aboriginal rights to take animals for personal use. "This land is the identity of the Tasmanian Aboriginal community... represents its past, present and future", concluded White, challenging the House to have "the guts" to set the scales right.¹⁷ The debates that followed are important in the

context of Tasmania's social history, because they reflected the attitudes that persisted in the community at that time.

John Barker opened up the debate for the Opposition, emphasising the Liberal Party's policy of equal treatment for all. He stated their policy on Aboriginals¹⁸ This was the policy that had developed incrementally during the Liberal period in office, but which fell far short of any concessions in the area of Land Rights or self determination for the Aboriginal people. Barker said, "the Bill will create new divisions within the Tasmanian community and inflame old attitudes and concerns", and said it was incompatible with the Government's own social justice objectives of equal opportunities. He read to the House the objections of a number of Cape Barren Islanders who were fearful the Land Council would inhibit proposed developments on the Island. "We are fighting for survival and the hopeful (economic) recovery of the Island, " they had written, "and the TALC has not given us any reason to welcome their intentions."¹⁹ Barker quoted the opposition of the Chamber of Mines and the Tasmanian Farmer's and Grazier's Association.²⁰ To the latter objection White responded that such opposition was peculiar given that much of the land its members held was given to them by government grants.

Aboriginal Land Rights was an integral part of the Accord and White's motion was supported by the Green member, the Rev Lance Armstrong, in a strong and substantial speech to the House on the dispossession of the Aboriginal people.²¹ He concluded, "the return of land to Aboriginal people will prove to be one of the more positive events in Tasmania's history...it will (not) be divisive. I believe it is opening up the way for genuine reconciliation between white Tasmanians and Aboriginal Tasmanians."²²

Ray Groom who, as Minister for Aboriginal Affairs in the previous Government, had sought some land concessions for the Tasmanian Aborigines, found himself opposing the Bill on the basis that, "it would not in any real sense advance the interests of Aboriginal people in Tasmania", and saw, "no point in attributing blame for alleged past wrongs by previous generations."²³ Given his acknowledged sympathy for the Aboriginal aspirations his was a difficult position. In retrospect the struggle for leadership within the party was already alive and Groom, possibly with leadership in mind, had to defend the party's position on Land Rights.

Fran Bladel, Member for Franklin, in a spirited defence of the Bill, emphasised the prior occupation of the State by Aboriginal people. "The historical and present relationship to the land has always been a spiritual, cultural and economic thing for the Aboriginal people.....This government intends to return to the Tasmanian Aboriginal people the freedom to continue that relationship to their land unhindered and self determined, established in their own way, on their own terms, and that is right and proper and just".²⁴ Her's was a very clear and unambiguous understanding on Aboriginal self determination.

Bill Bonde, Member for Braddon in the State's North, and opponent of land rights, spoke of the number of Aborigines who didn't want land rights, and who, because of events, were now rejecting their heritage; "they are living as Europeans; they accept the standard of living that goes with European lifestyle. They do not want it all ways, they believe Australia has been generous enough to them. They are worried this issue will cause bitterness in the community." He referred to the failure of the Trefoil Island enterprise, querying whether Aboriginal organisations were capable of management.²⁵

Dr Bob Brown, leader of the Greens, accused the opposition of putting European values on land. In a predictable speech he said, "the planet would be enriched and safer if we stopped and listened to the Aboriginal voice which did not see land in terms of occupancy and ownership and use."²⁶ He praised the Aboriginal people who have "the dignity, the right and the determination not to be unheard again."²⁷ White concluded the debate, referring to each site and its particular value to the Aboriginal people. He said the change of mind of some Islanders was due to the fear created by outside influences. The white community of Flinder's Island, he intimated, had been in control of the Aboriginal community's land from when they first arrived.²⁸

The Bill then passed into debate in the Legislative Council.²⁹ Whilst it was before the Legislative Council Aborigines were to occupy Rocky Cape, setting up camp in the national park, because it was left off the list of sites, and in protest against the racist attitudes of north west councils. "Blacks seize coastal resort," screamed the *Advocate*.³⁰ Opposition member John Barker, seizing the opportunity, said, "they want land rights to cover the whole state".³¹ Mansell justified the occupation by saying the history of the region was bloody with the death of Aborigines and Goldie, manager of the Van Diemen's Land Company, had killed Aborigines at Cape Grim in 1827. The Rocky Cape camp site would be used, he said, to restore culture. Mansell said it was better for the unemployed to sit in at Rocky Cape than to rot in the cities.³² At the time Everett, Glen Shaw, Secretary of the Centre, and Lehman, were meeting with a number of councillors, in an endeavour to persuade them of the justification for the Bill.³³ In the meantime the Council of Tasmanian Churches called upon the Legislative Council to pass the legislation.³⁴

Douglas Lowe, the former Premier and now Member for Buckingham, led the debate for the government in the Legislative Council with an impassioned speech.³⁵ Taking the Council through the history of invasion, deprivation and assimilation, he went on to argue that "the assertion that Aborigines are extinct is not true.... they have been robbed of their fundamental right, their identity." The State Government, he said, "is committed to recognising the Aboriginal community and moral obligations to redress the circumstances of Aboriginal people."³⁶ He reminded the Council that "the Bill does not return sovereign rights, but does provide a great opportunity for self determination within

Tasmanian society." "The Bill", he said, "is not generous, but is a land mark in that Tasmania will join in the national movement to recognise the special rights of Aboriginal people." ³⁷ In an interesting aside, he said he had made a personal commitment to the Aboriginal people of Tasmania when, in 1974, as Chief Secretary, he had seen Truganini's remains. It was then he realised he had an obligation to this Aboriginal "lady" and her descendants.

Tony Fletcher, Member for Russell in the North West, led the opposition to the Bill, raising again the spectre of division within Tasmanian society, and referring specifically to opposition from Cape Barren Island.³⁸ "The Bill creates the potential for a second nation within Tasmania..... cannot accept the concept of land rights for non tribal people".³⁹ He said he was concerned about racial slurs cast on anyone who opposed the Bill, and moved for a referendum on the matter. Although pushing the Liberal line there was a sense in which Fletcher did not appear to be entirely unsympathetic. Dick Archer, Member for South Esk in the North, and noted conservative, opposed the Bill, saying he would not respond to the guilt complex being forced on the present generation of Tasmanians. He reminded the Council that 250 people at Whitemark on Flinders Island had voted against the Bill. He said Cape Barren Islanders were vehemently opposed to the TALC taking over their affairs.⁴⁰ George Brooks, Member for Westmoreland in the North, whilst professing himself to be an admirer of the Aboriginal race, made a personal attack on Michael Mansell.⁴¹

Reg Hope, Member for Meander in the North West, also raised the concern of Cape Barren Islanders who had told him, "we do not want city slickers from Hobart... we trust the government more".⁴² Another interesting aside was Hope's defence of Goldie, the long dead settler, whom Mansell had accused of murdering blacks. Peter Schultze, Member for Gordon on the West Coast, believed land rights would be a form of discrimination and raised questions of Aboriginality.⁴³ Ray Bailey, Member for Cornwall in the North East, by no means a radical, on the other hand, stated, "Parliament must recognise the occupation of Van Diemen's Land prior to European settlement." ⁴⁴ John Loone, Member for Tamar in the North, did not believe Aboriginal people were capable of management responsibilities, and attacked the Mansell camp. "Mansell and his supporters are doing their cause great harm," he said, "by the continuous spate of provocative statements and the occupation of Rocky Cape."⁴⁵

Whilst Peter Mackay, Member for Pembroke on Hobart's eastern shore, and another carrier of the liberal cause in the Upper House, acknowledged the importance of sacred sites, he said the solution to Aboriginal problems was not to be found in land rights. However, he could not be described as totally unsympathetic.⁴⁶ Hank Petrusma, a high profile Protestant businessman and Member for Hobart, supported the Bill on the grounds of social justice. He read to the House extracts from the Tasmanian Council of Churches petition: "We

see the granting of land as an expression of penitence and a demonstration of a reconciling spirit which will enable new relationships to grow in our community".⁴⁷ Petrusma closed by saying, " by creating dislocation and powerlessness among Aboriginal people white society has engaged in an indirect form of aggression." ⁴⁸

Lowe's closing plea was, " if your Council will take steps to day it will not only be a most courageous step but a most humane step... a desire to preserve for the future the heritage that our generation is capable of passing back to the people".⁴⁹ On 12 July the Legislative Council dumped land rights legislation, 11 votes to 6.⁵⁰ On 16 July the *Examiner* reported that Aborigines following examples at Oyster Cove and Rocky Cape had occupied Wybalena.⁵¹ Church leaders criticised the Legislative Council which Michael Mansell described as the last bastion of bigotry.⁵² The defeat of the Bill in the Legislative Council was predictable. Land Rights would not again receive public scrutiny until the Mabo decision of 1992 soon after the Liberal party was returned to power.

In May 1992 Aborigines occupied Risdon Cove. The State Government deliberately avoided taking action. John Cleary, the Minister for National Parks, agreed to meet with the Aborigines, but not while the law was being broken. Rocky Sainty, an emerging leader from the North West, said the Aboriginal people wanted to inform the community of the killing of the Moomairrener people at Risdon Cove soon after the first landing; "the site is a valuable link to our past; we need to be there in order to relate to that past." ⁵³ Occupation ended after three weeks.⁵⁴

On 16 July a group of Australian Aborigines meeting at Kakadu formed the Aboriginal Provisional government, described as " a body reflecting the Aboriginal aspirations for the future. Michael Mansell, one of its prime movers, became its first secretary. It upholds the notion that Aborigines are a people "whose uniqueness does not mean that they must be governed and controlled by Australians forever". It maintains that it "wants an Aboriginal state to be established," but that, "all the essential controls will be vested back into Aboriginal communities, and only overseeing powers will be vested in the APG." Acquisition of land is seen as an essential part of the process, the return of all Crown Lands providing the basis for economic independence.⁵⁵ Originally attacked as representing a form of apartheid, further debate on Aboriginal Provisional Government was to become subdued after Mabo, at least for the time being .

On behalf of Tasmanian Aborigines the newly established Aboriginal Provisional Government claimed all Crown land.; only Aborigines, it declared, should exercise legal, economic and social control over these lands. They made a significant claim on mutton bird islands and sacred sites. "The only way we can survive as a people is to have enough land over which we can exercise absolute control and can determine our future." ⁵⁶ Predictably the claim was

rejected by the State Government, to which Mansell replied, "certain international principles protecting the rights of indigenous people were already enshrined in Australia, thus blocking the capacity of hostile state governments to block Aboriginal self determination; government will not decide on this issue....our task is to force a further extension of those laws and to force governments to negotiate." ⁵⁷ Appealing to the sensitive economic plight Tasmania was enduring at this time, he said, "Aboriginal self rule will boost the Tasmanian economy by \$25,000,000 in the first five years. All income generated would be spent in Tasmania".⁵⁸

In 1982 Eddie Mabo and others began legal proceedings to establish their traditional ownership of Murray Island (Mer) in the Torres Straits. In 1992 the High Court of Australia found that the people of Mer had owned their land prior to annexation, thus refuting the legal fiction of terra nullius.⁵⁹ The Aborigines were at first jubilant. Jon Wells, Secretary of the TAC, declared, "20 years ago anyone who suggested Aborigines should be given title to land would have been laughed at, but its not a joke, never has been a joke and Tasmanians are starting to take us seriously." ⁶⁰

The State's immediate response was, " The High Court decision will have no bearing on State Government policy and that policy treats all Tasmanians equally. It was overwhelmingly endorsed at last election".⁶¹ Nevertheless, within a short time, Mabo would bring the government and Aboriginal representatives back to the negotiating table. For the purpose of our exploration of the theme of the assertion of Aboriginality, our work finishes at this point. Much yet has to be written about other aspects of Aboriginal assertion, including the criminal justice system, education and health.

Epilogue

The assertion of Aboriginality in Tasmania is a remarkable story: a remnant of people, descendants of the original race, following a century of dispossession, disempowerment and denial of their very existence, set out in the early 1970's, with the support of a university student's action group, to claim their identity as Aborigines and their land. If the first claim seemed absurd, the second was unthinkable. Today their existence is recognised and their cultural heritage is secure. At the time of writing they are in the process of securing a form of land tenure over particular sites.* The Tasmanian Aborigines are now a community of significant status and power. Whilst not pretending that it is the same that existed at the coming of the first Europeans, they are in the process of establishing a unique cultural and spiritual base.

The Tasmanian Aboriginal Centre has become one of the most powerful and successful black organisations in Australia. However, its successes have

brought problems. Clearly there are group of Aborigines who feel alienated from the main movement, because of the size and scope of the TAC, its centralised authority, and the force of its leadership. Others, like Jim Everett, are concerned that the movement in its negotiation with the government in regard to lands and sacred sites has taken a wrong turn, and is working to government agendas and expectations. " Are we to become exploiters of our Mother- Earth in accordance with the very philosophy we have for years sought to extinguish", Everett asks, pleading for a closer relationship with the environment movement, despite difficulties in the past.⁶²

The issue of Aboriginality has risen again as many Aborigines question the right of some to call themselves 'Aborigine'. Consequently there has been a call to establish a set of criteria to define 'Aboriginality', and a consultant has been appointed to examine the matter. The outcome could result in further bitterness and recriminations if people are excluded. One of the concerns of those non-Aborigines who have a high regard for Aboriginal people is the exclusion of their non-Aboriginal heritage, even a denial of its existence. This will become a real issue for the Aboriginal historian. As Michael Roe puts it in his essay *The Burden of Tasmanian History*, "Such a standard finds culpable not only the readiness of European colonists to believe Aboriginality died with Truganini, but also latter-day Aborigines' readiness to deny their British paternity." ⁶³ All these problems are for the Aboriginal community to solve without the interference of outsiders.

In the meantime the TAC has taken the Tasmanian case to a variety of international forums, and has joined with indigenous people elsewhere to claim their sovereign rights as a dispossessed nation. These links are particularly strong with certain North American Indian communities, from which they have drawn spiritual and political inspiration. The following are words of encouragement spoken to the Tasmanian Aborigines by Chief Moses of the Cree nation (Canada). " Aboriginal people of Australia are sovereign...They have always been sovereign and the failure of later immigrants to recognise this fact is nothing but ignorance bound up with the creed of self interest... but the international community will eventually grant this recognition whether the local people do or not".⁶⁴

The issue of Aboriginal sovereignty could well become one of the major issues facing the Republic of Australia in the first decades of the 21st Century. The Tasmanian Aborigine Michael Mansell is one of the most prominent spokespersons for Aboriginal self-government. To underestimate these new developments is to fail to recognise the power and commitment of the Tasmanian Aboriginal movement.

* Note: In November 1995 the Aboriginal Lands Bill (proclaimed 6 December, 1995) passed through both Houses of Parliament, transferring certain lands to the Aboriginal people and establishing the Aboriginal Lands Trust.

Notes

1. *Mercury*, 19 October 1989, p 12.
2. *Ibid*
3. *Mercury*, 20 October 1989, p 5.
4. Interview with Karen Brown.
5. *Mercury*, 14 February 1990, p12.
6. *Mercury*, 15 March, 1990, p 6.
7. *Ibid*.
8. *Advocate*, 5 April 1990, p 4.
9. *Sunday Tasmanian*, 24 June 1990, p 3; *Mercury*, 11 September, p 9.
10. *Mercury*, 21 August, 1990, p 8.
11. *Mercury*, 11 September, 1990, p 8.
12. *Mercury*, 10 January, 1991, p 3.
13. *Mercury*, 4 April, 1991, p 1.
14. 41 Parliament of Tasmania. House of Assembly, 2nd Session 1991, *Hansard*, pp 420-424.
15. *Ibid*, p 422.
16. *Ibid*, p 423.
17. *Ibid*, p 424
- 18.

"We recognise the unique cultural heritage of Tasmanian Aboriginal people and recognise and support their desire to preserve and promote their heritage.

All Tasmanians share a common future and are entitled to equal opportunity and fair and sensitive treatment. regardless of race, colour or creed.

We recognise that some Aboriginals have special needs. We support all needy Tasmanians, regardless of race or background, by ensuring that they have guaranteed access to the institutions which deliver health, education, housing and other services."

19. Ibid, p 427.

20. Ibid, p 432.

21. Ibid, pp 436-441.

22. Ibid, p 441.

23. Ibid, p 497.

24. Ibid, p 505.

25. Ibid, pp 508, 509.

26. Ibid, p 517.

27. Ibid, p 518.

28. Ibid, pp 524-530.

29. 41 Parliament of Tasmania. Legislative Council, 3rd Session 1991, *Hansard*.

30. *Advocate*, 31 May 1991, p 1.

31. *Mercury*, 12 June 1991, p1.

32. *Sunday Tasmanian*, 16 June, 1991, p 5.

33. Interview with Jim Everett.

34. *Examiner*, 20 June 1991, p 3.

35. 41 Parl Leg. Council, op., cit., pp 1737-1740.

36. Ibid, p 1738.

37. Ibid, p 1739.

38. Ibid, p 1740-1750.

39. Ibid, p 1741.
40. Ibid, p 1751.
41. Ibid, p 1759.
42. Ibid, p 1764.
43. Ibid, p 1773.
44. Ibid, p 1776.
45. Ibid, p 1777.
46. Ibid, p 1782.
47. Ibid, p 1792.
48. Ibid, p 1797.
49. Ibid, p 1831.
50. *Mercury*, 13 July 1991, p 1; the Bill was supported by Ray Bailey, Don Wing, Athol Meyer, Douglas Lowe, Hank Petrusma, Charles Batt..
51. *Examiner*, 16 July 1991, p 5.
52. *Mercury*, 20 July 1991, p 1.
53. *Mercury*, 5 May 1992, p 3.
54. *Mercury*, 22 May 1992, p 5.
55. *Ab. Encycl.*, op., cit., p 23; *Pugganna News*, No 32, December 1990, pp 7-13.
56. *Sunday Tasmanian*, 30 August 1992, p 1.
57. *Mercury*, 31 August 1992, p 1.
58. *Mercury*, 1 September 1992, p 4.
59. *Ab., Encycl.*, op., cit., p 637.
60. *Sunday Tasmanian*, 18 October 1992, p 4.

61. *Mercury*, 7 October 1992, p3.
62. Everett, Correspondence to TAC and TALC, op., cit.
63. Michael Roe, The Burden of Tasmanian History, *The Flow of Culture: Tasmanian Studies*, Canberra, 1987, p 1.
64. *Pugganna News*, No 35, December 1992.

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41 Parliament of Tasmania. House of Assembly, and Session 1990, Hansard.

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Jim Colville

Tom Errey

Karl Underwood

Les Baillie

Barbara Lypka

APPENDIX

Some notes on the revolutionary nature of the Tasmanian Aboriginal Centre

The TAC was aware from the outset it would have an uphill battle establishing its credibility within the Tasmanian community. After all the public perception was that the last Tasmanian had died in 1876, that the present generation of descendants were usurping the position of the original natives, were merely envious of land owners, and interested only in the emerging benefits flowing from the Commonwealth's largesse. Whilst Langford, as the first Secretary to the organisation, a position which would more and more take on a political role, behaved intuitively, there was behind the organisation a strong revolutionary fervour. If it did not have a definite strategy at first, it had at least decided on its tactics. According to Slicer they decided to "be unreasonable, bloody minded; to hit first and to hit publicly". This showed up quite early through its legal aid services where accusations of discrimination, police abuse and injustice began to emerge. Whilst looking after the client's interests, the Centre sought to bring what it saw to be abuses in the system to the public's attention. Issues of injustice within the justice system provided the first rallying point, Mansell in 1975 urging his people "to speak up about how police are exploiting their power and using it against our race.. speak up in this way Australian whites may allow us to gain our self esteem".¹ Whilst the criminal justice system is not a theme to be examined in this paper reform is one of the Centre's strongest commitments and through its main spokesperson, Michael Mansell, remains critical of what it sees to be the failure of the Government to implement the recommendations of the Royal Commission into Aboriginal Deaths in Custody.

Its bloody minded approach explains why a number of government agencies found it difficult to firm up any lasting arrangements with the Centre. According to Everett there was deliberate rejection of the corporate approach at the start. The momentum of revolution had to be maintained, and the Centre could not afford to stop at any point to appease the bureaucracy; it was not in its interests to make government look good, as the Department of Aboriginal Affairs was one of the first to find out.

Right at the start it decided it had to be internally strong. At the same time, according to Slicer, it was aware it had to be ethically sound and squeaky clean in its financial management. It established an administrative structure which has proven appropriate for its role, and the growth and changes over the next 20 years. The Secretary is the head of the organisation and is responsible to an elected board. It now has an Administrator to manage day to day operations, with the Secretary assuming a stronger policy and public leadership function. Very early it organised its structure into program areas, and drew the appropriate proportion of administration funds from each to fund a legitimate core administration.

Its real strength is derived from its staff. Its first employees were untrained field workers whose clients were potential clients of legal services. Because of the number of agencies involved in Aboriginal families, these workers had to pick up very quickly on agency policies and practices. Their role became one of client advocacy before it became an acceptable word. In Slicer's words, they became not only "information bearers", but "political critters". The TAC has been described as a training camp for black activists, and it is true that early in their placement new members are tested to see whether they are committed to the cause. However, it has a broader staff development role than this, and it has worked assiduously at equipping its staff with a range of qualifications and skills in order to build a strong Aboriginal community which, at the end of the day, will be able to provide for itself.

When the National Employment Strategy for Aborigines (NESA) was established in 1978, Clyde Mansell, a vocational officer in the Department of Employment, and former field officer for the Centre in Launceston, worked hard at ensuring Aborigines made maximum use of opportunities for training in State and Commonwealth Government offices. Knowing how bureaucracies worked would prove useful to the Centre and other Aboriginal organisations when these people returned to their agencies. Others took advantage of university openings, and there has been a dramatic increase in academically qualified people within the Aboriginal community. This blend of political skill, bureaucratic experience and qualifications, has given to the community confidence, strength, intelligence and self-esteem which have advanced the Aboriginal struggle in Tasmania.

Heather Sculthorpe and Michael Mansell are both qualified legal practitioners and have been involved with the Centre virtually since it started. Sculthorpe's contribution is acknowledged throughout the movement as being extraordinary, having served in a number of positions, including Secretary and Administrator. Whilst not as public as some of the men, she is rightfully seen as one of the real intelligences and movers behind the struggle. The Aboriginal Honour roll is, however, considerable, many Aborigines having made substantial contributions to the assertion and progress of their people.²

In the 70's and 80's the movement was very much political. It didn't always seek approval from the community, assuming the community would go in the direction set by the Centre. Differences often lead to fragmentation, but this was never more than marginal. For example, the Aboriginal Advancement League in Launceston offered an alternative, but soon reshaped its mandate to emerge as Tasmanian Aboriginal Child Care Agency.

Another difficulty is that the Centre is a political organisation which provides services. There would be, and to some extent there remains, tension between its political agenda and its service delivery function. Too easily, dissatisfied

clients would be able to accuse the TAC administration of threatening to withdraw services if the client did not make a political commitment. Whilst this essay is not an enquiry to either exonerate or uphold such accusations, it is a fact that it was used by its enemies in an attempt to undermine the agency, particularly as it became more politically active.

An important instrument in its struggle is its newspaper, called originally *The Aboriginal Information Newsletter*, then *Black Action*, signalling a more aggressive approach, and finally *Pugganna News*. Blunt and plain speaking, it has become the most important source of information for the Aboriginal community. Through this medium it achieved a number of essentials for a revolutionary organisation. First it imposed a kind of discipline on its members. At times this is very personal.³ On other occasions admonitions were much more general, as when Everett expressed concern with the attitudes of black bureaucrats; "the fact remains that few black servants place radical demands on whitey..... perhaps our political work is not to their liking." ⁴ Mansell too raised concerns about the new breed, that is "the black public servant who used power over people's lives and who were not accountable to Aboriginal people," reminding them they, "wouldn't have jobs, but for the poor position of Aborigines."⁵

One of the most impressive aspects in these papers was the degree of accountability back to Aboriginal people. Aborigines, who were given the privilege of representing their people, particularly at national meetings, or who went on study tours, were expected to provide feedback to the people at large. Most did, especially in the early years when assertion and self determination required not only a properly informed community, but opportunities to provide input into deliberations. This was particularly so around issues such as education, health and heritage.

The other challenge facing the Centre was the issue of unity. What Mollison's work had demonstrated was that there were a large number of self identifying Aborigines with little sense of Aboriginal history, culture and community. The TAC set about addressing these issues through its columns, meetings and field activities. Many, for instance, had not known discrimination, but Mansell reminded them, "when blacks are discriminated against it affects all blacks due to the family structure", and, "what do we call today's Aborigines who don't care about their brothers and their sisters problems just as long as they are o.k." ⁶ Emerging Aborigines were reminded no matter how comfortable they may have felt before, identifying meant participation in the struggle, and the stigma that would result from that.

The Centre was able to accommodate dissent; as one 'disgusted blackfellow' wrote "who is Michael Mansell that he can sit in judgement on his fellow man. He is nothing but a craven coward." ⁷ However, tolerance to dissent was permitted only if it was conducted within the community. Outside criticism,

particularly of a kind that could be used by those who opposed the struggle, was seen as treacherous. As Mansell reminded one Aborigine, who had gone public by denying the existence of Aborigines, "we won't accept the opinions of people whose skin is dark but whose insides are white to the core." ⁸ However, according to Langford, the organisation never disowns any of its people, and always provides a way back.

Notes

1. *Aboriginal Information Newsletter*, October, 1975.
2. See, for example, the list of women contributors to Aboriginal education in Matson-Green's *Pallawah women*, op., cit.
3. There are a number of personal admonishments throughout the papers. As they were never meant to be seen by outsiders, the writer has respected the privacy of those concerned.
4. *Pugganna News*, No 4, March 1980.
5. *Pugganna news*, No 9, March 1981.
6. *Black Action*, No 5.
7. *Black Action*, No 10.
8. *Pugganna News*, No 5.