

Indigenous Interests in the Murray River Wetlands: An Outsider's Perspective

P. Fisk has been asked to describe 'indigenous values and interests' in wetlands and I have chosen to look at the wetlands of the Murray River catchment as a case study for elaborating on this theme.

Introduction and Overview

There are three distinct components to indigenous interests in wetlands recognised in this paper:

- community values (these being aspects which are widely valued and often the subject of social impact studies)
- native title property and
- cultural heritage values.

Cultural heritage values encompasses two inter-related elements. The first is 'traditional culture' which relates to the social and cultural make-up of the Aboriginal society before European settlement. This becomes something distinctly different when recognised as part of contemporary culture; that is, aspects which have survived the influences of European occupation and settlement take on a different meaning and will be valued according to contemporary standards. The second element are Aboriginal historical values which are important in demonstrating the specific experience of Aboriginal people in the years that followed the invasion of Europeans of their land up until the present day.

This paper gives a brief outline of each of these components as they relate to the traditional owners of the Murray River catchment. It is necessarily only an overview but reference is made to the literature on these matters for those who wish to read the background information used to derive this summary.

In describing these aspects of indigenous values from the perspective of an outsider, an underlying theme emerges which should be emphasised. Assuming indigenous values are to be accommodated in deliberations about wetland management it is essential that we start from a basic understanding of where indigenous people come from and of how they may value wetlands. As outsiders we need to expand the normal framework of our value system to allow for the distinctly different perspective of indigenous people.

Thus the wetlands of the Murray River catchment are used to describe indigenous values and issues here and to derive some fundamental conclusions which may be applicable to indigenous interests in wetlands anywhere.

Community Values:

The Aboriginal people living in the Murray River catchment are part of the local rural community. Like others they will value recreational opportunities, scenic amenity, fisheries resources and the benefits of economic development. In these respects they are not different and any given group of Aboriginal people will include a similar diversity of views as found in the wider community of Cardwell or Tully. However, when compared with a non-indigenous community their marginal economic and social position suggests they will have a greater need for economic development and employment but this is balanced by a deeper appreciation for nature and its resources. They will have a greater percentage of their community who are active fishers and who regularly exploit natural resources in the surrounding lands and in this sense

share much with the recreational fishers. They have variously absorbed and adopted both the ideologies of the Green movement and the pragmatic production and economic development position of rural producers. That is, some will hold similar views as environmentalists and some will express a view similar to the farmers.

Many of these positions relate to quality of life issues, economics and the day-to-day activities of the community. For the indigenous people of the Murray catchment, wetlands management is as much a debate about social impacts as it is for anyone else living in this area.

The Legal Interests of Indigenous People

Similar to the history of the traditional owners themselves, the wetlands of the coastal plain were largely excluded from the activities of the European settlers until recent times. The wetlands of the Murray River presented physically constrained lands which commonly remained largely off private property when the settlers 'took up' the lands for agriculture and urban settlement. In this process, wetlands were often left in Crown tenures of one sort or another.

It is precisely in these lands and tenures that the common law rights of indigenous people has greatest potential for continuing existence and it is over these areas that Native Title applications will often be placed. In the Murray River catchment there are marine wetlands which occur on Unallocated State Lands (USL) and which are almost certain to contain Native Title property. Other wetlands occur on esplanade, reserve, National Park and Forestry tenures – all of which are potentially Native Title areas although the determination process will be less clear-cut than on the USL lands.

It is not intended to expand on what Native Title means in this context, suffice to say that once an application is accepted by the Tribunal the applicants have recognised legal standing to participate in many decisions concerning that land. Once a favourable determination is reached the Native Title holders have the same rights as any other property holders and must be allowed the same consideration and due process.

Cultural heritage legislation also provides legal mechanisms for indigenous people to influence decisions about relevant wetlands. Sites listed under the *Cultural Record (Landscapes Queensland and Queensland Estate) Act 1987* are protected and grave sites, in particular, have the strongest protection under this Act.

Cultural heritage research in the Murray River area has identified numerous sites of traditional cultural and historical value along the river and adjoining wetlands. These include archaeological material sites, 'story' sites and camps which have been continuously used since before European settlement. These camp sites were commonly used by generations of people who lived and died at these locations and the associated burial grounds can be legally protected from destruction. A recent survey of the Murray River and Kennedy area documented 47 sites which were deemed important enough to be protected under the Cultural Record Act (Crothers 1997).

The implications of this are clear – indigenous interests in the Murray River wetlands will often be legally protected and indigenous people will have every right to assert their authority in matters which may affect these interests. Whether or not you accept the moral argument in favour of indigenous land rights and whether or not they [indigenous people] attend a conference at Babinda is largely irrelevant to this aspect of their 'interest' in wetlands. Their 'interest' is a legal right and something which, if asserted, cannot be ignored.

Traditional Culture and Wetlands: Then and Now

The Murray catchment occupies one part of the broader Dyirbal language area (Dixon 1972) and encompasses much of the Girramaygan 'tribal' /clan territory. These people are part of the north-east Queensland 'rainforest people' – a distinct cultural grouping of Aborigines whose way of life and cultural activities set them apart from other Australian peoples. Distinguishing characteristics include high population densities, more sedentary existence, extensive use of poisonous plants for food, an extremely diverse material culture and a unique duelling contest to settle disputes (Horsfall and Fuary 1988).

In traditional culture, the entire landscape is known and owned. Ownership is set out in the oral traditions of the people where the mythical stories of 'Dreamtime' characters connect people with places and establish a complex and dynamic framework for regulating social and political relationships amongst the land owners. Many of these 'Dreamtime' stories are still known by the Elders and they continue the tradition of passing these on to the younger members of the family. For example, Pedley (1994) documented 39 sites along a 5.5 km stretch of the Murray River of which over 30 were significant because they embodied an aspect of a traditional story. These stories travel across whole landscapes, leaving specific sites or features which 'contain' certain aspects of the story. An example of the latter is a metre high rock which the Elders asked the Department of Main Roads to move out of the path of the highway just north of Cardwell. To their credit, they did and the locals can still reflect on this remnant of 'traditional culture'.

In this sense, all remnant forests have cultural value as integral to the cultural landscape that embodies cultural identity; that is, natural ecosystems are also 'traditional ecosystems'.

A fundamental cornerstone of this value is knowledge of the connection between groups or individual people and particular areas of land. Many of the traditional families in the Murray catchment still know where their specific 'country' lies and this includes many locations in the Murray River wetlands. The knowledge may not comprehensively link all families and all places as in former times but is nevertheless diverse and extensive. In this contemporary knowledge of traditional territory there are tribal boundaries, landscape stories of the different tribes, localities which certain families can 'speak for' and specific sites which are important to particular individuals for a variety of reasons.

As the outline of their history below will indicate, the Girramaygan people managed to resist the total destruction of their culture and way of life more successfully than most. There are still Elders who know the language and many of the sites and stories in the landscape. There are also younger people coming through who have picked up the task of carrying and transmitting their traditional culture into the future. Families continue the practice of naming family members after a sacred place or traditional story from within their 'country' (Pedley 1994). Story sites are recognised and places important to their history are part of the general community knowledge particularly in natural areas where people continue to fish, collect materials and use for one reason or another. The language is struggling but is currently subject to a tenacious revival.

In this contemporary cultural activity, the wetland remnants become an essential part of a general and ongoing attempt to maintain culture as a lived experience. It is the traditional knowledge that provides meaning to a place and it is the natural ecosystems and resources found there that provides the context for practicing and transmitting that knowledge. A cleared and modified area of land may be within traditional country but it has lost much of its cultural meaning.

Related to this day-to-day oral tradition and culture as a lived experience, there is a growing formal database of specific sites and stories and documented oral histories. In Girramaygan country, the Elders have an enviable record of recording their sites and stories with visiting researchers (see Bird 1991; Crothers 1997; Dixon 1972, 1976, 1981; Pedley 1994; Pentecost 1994).

For example, there is considerable material evidence of the traditional occupation and use still to be found today, such as tangible items like stone axe heads, shell middens, sacred trees and earth ovens which are often unearthed in the clearing and ploughing of fields in and around wetlands. Many ceremonial sites ('brun' sites), the semi-permanent camps and rock shelters (some with paintings) have been mapped and remain important to today's people (see for example Bird 1992; Crothers 1997; Pedley 1994; Pentecost 1994).

In a recent archaeological survey of parts of the Murray River and nearby Kennedy Valley a total of 50 sites of importance were identified and documented and these included sites of traditional cultural value (e.g. ceremonial grounds, camps, middens, rock shelters) and sites of importance to post-contact history (burials, historical camps, massacre sites) (Crothers 1997).

In the Murray River map of cultural values, there is a clear concentration of these along river banks and/or around wetlands. The reason for this is twofold: wetlands are among the last natural areas to be destroyed and these ecosystems are resource rich areas, providing an ongoing focus for contemporary use as hunting, gathering and camping areas.

As concentrated areas of cultural value in a context where the traditional people are actively asserting their interests to regain and develop what has been extensively lost, the few remaining wetlands are precious. As these last areas are continually reduced and lost the relative value of those that remain steadily increases.

The Historical Value of the Murray River Wetlands

To traditional cultural values must be added another layer of significance and meaning based on historical value. These will be sites and localities where crucial stages in the post-contact history of the traditional people were played out. In the region this may include urban areas or buildings but in the wetlands most historical values can be classed as one of three types: massacre sites, burial sites and camp/settlements. These values are discussed briefly and in tracing out where they fit into the local history another perspective comes into focus which illuminates the crucial role of wetlands in the survival of Girramaygan people and culture.

Following the establishment of Cardwell in 1865, farmers and graziers moved into the area and 'took up' the best available lands. In the earliest days this was a process violently 'dispersing' all Aboriginal people who occupied the lands in a war of dispossession and exclusive occupation. In the years between 1865 and approximately 1872, the written history of the new settlers records the resistance of the Aboriginal people and violence of the settlers and Native Police (Jones 1961; Loos 1982). The written history becomes largely silent on these matters after the 1870s (see for example, Jones 1961) as the colonial authorities publicly prohibited the violent dispossession and illegal retribution of attacks on property. However, more thorough research (Loos 1982), and the oral history of their descendants (L. Crothers pers. comm.; P. Pentecost pers. comm.) clearly indicates that the violence did not stop until much later, and probably continued sporadically until the early 1900s.

Massacre sites mark the locations of war time losses. They are memorials and reminders of the tumultuous events which began the historical processes of dispossession and marginalisation. There are over a dozen massacre sites documented along the Murray River (Crothers 1997; Pedley 1994).

Thus by the turn of the century almost all of the best lands were occupied in the Murray River area and the Girramaygan people were living on the fringes of the new settlements where they suffered the aftermath of war. The entire Aboriginal population had become refugees and subject to diseases, famine and depression that normally follow war. The Dyirbal speaking people suffered heavily and it is estimated that by the early 1900s the local population of traditional owners was reduced to less than 20% of the pre-contact population (Dixon 1972).

In the decades which followed, the indigenous history of the Murray River area mirrors the experience of many other Aboriginal people in Queensland. Two major influences can be identified as common to many. The first is exclusion and marginalisation – the traditional people were pushed off to the sideline of social and economic activity where they became 'invisible'. They were not recognised as Australian citizens and were not given any power to participate in public life. Except where they were used as cheap labour in the rural industries, the traditional people effectively dropped out of sight and became cloaked in official and public silence. For example, historical accounts such as Jones (1961) barely mention Aboriginal people from the early 1900s on – they were no longer a problem for the European settlement of the Cardwell area and apparently could be totally ignored. This 'invisibility' continues to be a major factor up to the present day.

The second major influence was the development of government policy and actions which instituted comprehensive and destructive controls over almost all facets of life for the traditional people. In 1897 the Queensland government passed *The Aboriginal Protection and Restriction on the Sale of Opium Act* which instituted many forms of regulatory controls and allowed government to forcibly remove adults and children from their home and family. This Act was not repealed until 1939 when it was replaced by other legislation which continued the process of control and cultural assimilation. A major component of this control was the development of the Missions. For many of the Murray River people this meant transportation first to the Hull River Mission, then Palm Island and/or Yarrabah.

At Wongaling Beach there is a monument on the site of the Hull River Mission which perhaps best represents the historical position of the traditional owners by what it does not say. In an area where thousands of Dyirbal speaking people lost their lives to violence and disease, and at a site where hundreds were incarcerated and large numbers killed in the 1918 cyclone, is a memorial to the two European missionaries who (also) died in this cyclone.

The original dispossession initiated a course of events which repeated the injustice over the years up until very recent times. Aboriginal people were not even recognised as Australian citizens until the referendum in 1967. In 1963 the Girramaygan people still did not legally own any of their traditional country (Koch 1996) and adults and children were still forcibly removed from families until the early 1970s. It was only in the mid-1970s that a concerted effort was made to change discriminatory policy and provide the necessary funds and autonomy required to address the results of this history.

This historical outline is a history of victims but the mountain rainforests and wetlands are associated with another history which runs concurrently. This other history is the story of resistance and strength; the history of a people who in spite of overwhelming odds managed to stay on their traditional lands and keep their traditional culture alive. People who, contrary to popular perceptions, never 'disappeared' but remained on the traditional land and continued their relationship with the land.

Following the overt violence, the Girramaygan were allowed, and/or were forced, to 'come in' to work on farms as cheap labour in the new agricultural, timber and mining industries. During these decades the Girramaygan people lived on the traditional lands in camps (many of which were pre-European camp sites) and workers' settlements located on nearby Crown lands and

'down the creek' at the edge of towns and on farms. It is these camps sites and associated burial grounds that are now recognised for their historical and cultural heritage values. In the Murray River catchment many of these are within or alongside wetlands where destructive agricultural land uses had not penetrated.

In this history of survival it is the rugged terrain and characteristics of the natural environment that provide a crucial ingredient. The swamps and wetlands of the coastal plain and the mountain rainforests provided refuge for the Aboriginal people which prolonged their armed resistance (Loos 1982) and provided the shelter, food and materials needed to maintain themselves in camps on the edge of white settlements and farms. Dixon (1981) saw the rugged terrain of the country as a crucial factor in their continued existence on the traditional lands, attributing this to a situation where 'most of the forest had not been cleared'. This fact should be emphasised in understanding the historical value of contemporary wetlands.

Thus the 'camp sites' recorded in the recent surveys (Crothers 1997; Pedly 1994) which are scattered along creeks and swamps of the coast are more than just former camps – they are also former refuge sites, loaded with a much deeper meaning which tells the story of survival. It is here that the language and traditional stories were kept alive and it is here that generations managed to live and die on their traditional country. Importantly these camps also tell the story of Aboriginal people's participation in the economy and settlement of European people.

This history is perhaps best illustrated by the Dyribnan family who came out of their rainforest camp in the 1940s and whose older members could not even speak English. This also serves to illustrate that in the Murray-Tully area we are not talking about something which is dead and gone when reference is made to traditional and historical cultural values.

Conclusions

(a) Indigenous people will often be a major interest group in wetlands

As the example of the Murray River demonstrates, indigenous people may have significant cultural heritage, environmental, land use and legal interests at stake in these ecosystems. Given the particular elements of their relationship to wetlands it is inappropriate to categorise the traditional owners as simply 'interests' or even 'stakeholders' – they are much more than this. However, the inclusion of indigenous people in wetland management must begin from a position far removed and behind that of other recognised interests who attended the Babinda conference. To begin this process of inclusion it would be useful to start with an acceptance of the basic position presented by indigenous people at a recent media event. At this event they asked for recognition and respect – they want recognition of their rich and ongoing traditional culture, recognition of their historical experience and how it relates to their contemporary position and they want recognition of their property rights. With recognition should come respect.

(b) There is a concurrence of views between indigenous people and other interest groups

Aboriginal people are part of the same rural community as everyone else. They will want to protect wetlands as it is the ecology and species of these areas which 'contain' the social and community attributes they value. They will commonly use these areas for fishing, hunting and foraging for their traditional foods and materials and will want to continue these practices. Aboriginal people like most others in the rural communities, are also interested in economic development and employment. Their views will reflect the diversity found in the collection of people who attended the Babinda conference but their particular cultural perspective will determine how they weigh up the relative balance of priorities in any given situation. They are the same but different.

(c) The special interests of indigenous people

Aboriginal people's specific relationship to a given wetland will result in a distinctly individual assessment of value. Specific cultural sites will have their own weighing when assessed in relation to threat; different story places have a relative value within tradition systems of knowledge and in contemporary times some areas will be negotiable while others will be seen as highly important and deserving strict protection. Value will also vary with the level of knowledge about certain areas, the importance of certain individuals in the community and the historical meaning associated with a site.

This inherent variability is similar to how we value cultural heritage and like us, cultural value is a dynamic and often negotiated thing which comes from both documented attributes and how the particular area is experienced. Cultural and community value for all of us comes, in part, from how that quality plays a role in the life of the individuals or groups. The particular indigenous spin to this is in the specifics of what a site/area represents or contains and in the requirement for indigenous people themselves to have the power to decide what is of value.

(d) Indigenous interests will often be a legal interest

As discussed above, wetlands will often be areas where native title continues to exist. This places a particular importance and weight to indigenous interests when assessing how management and ownership questions are to be resolved. Native title is legally defensible property under Australian law; native title holders in this situation are not just another stakeholder amongst the collection of public interest groups associated with these lands.

(e) There is an important distinction between formal and informal knowledge

The landscape of the Murray catchment was all traditional land and presents an all encompassing context for cultural meaning. However, when translating this broad based value system into the specifics of a particular wetland it becomes a statement that all natural areas have some cultural value. As noted above, cultural heritage value is also not just 'things' but is something which is lived/experienced and subject to continuous development and definition. Management decisions, however, are made in the corporate world which demands precision and formality. The uneasy relationship between these two systems of knowledge is a recurrent influence running through many public debates on environmental, cultural heritage and social impacts.

The transformation of knowledge that occurs when an Elder's words are recorded as certain stories and sites, leads to a distinctly different understanding of cultural value. A set of dots in a GIS database abstracts this knowledge further from its source and should not be given excessive weight when deciding management issues. The formal and informal systems are associated, but different, systems of knowledge and we should allow for both to play a role.

(f) Equitable participation by indigenous people in wetland management should start with a fundamental shift in perspective by outsiders

Assuming indigenous people wish to participate in wetland management issues and have the means to do so, progressing their role in this issue is going to take time as the traditional people have to come from a very different and tumultuous history. We will have to give them the space to find their own, probably very different position on wetlands. For outsiders, this requires patience and an element of trust and a sympathetic understanding of where indigenous people are coming from.

For example, I was recently startled to hear from a 35 year old friend, stories of his early childhood when he lived in one of the camps down by the river. He talked of the old man who sang dirty songs in language and occasionally sang and chanted all night to keep the malevolent spirits away. A traditional cremation of one of their people remains clear in his memory because the burning corpse, strapped up in the foetal position, suddenly moved and thrust a burning leg out perpendicular from the fire. This is a very different childhood to that of us outsiders and the personal experience of indigenous people will frame how they become involved in management issues such as the protection and use of wetlands.

I recommend an honest examination of the local history of occupation and land use for those who wish to understand. It is easily accessible to us who rely on the written word and more importantly, it is also our history.

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