CHAPTER 6

THE ABORIGINAL CULTURAL CONTEXT

To understand how the local Aboriginal people connected to the Argyle lease area have engaged with Argyle one needs some context regarding their particular cultural values and beliefs. Such a context is crucial for understanding how local Aboriginal people have made sense of their relationships with the mine and Miners, and how they have incorporated their knowledge of the ways of the world into processes of engagement and negotiation in the cross cultural context of an operating diamond mine. The following discussion outlines, in general terms, the body of anthropological literature that addresses the cultural complexity of the Kimberley with particular attention to the key cultural practices of the Miriwoong, Gija and Malngin. This chapter will 'set the stage,' so to speak, for the following chapter which addresses the important role that the traditional regional exchange and governance system – the wirnan – plays in the lives of the Miriwoong, Gija and Malngin, as well as the way in which they have turned to the wirnan, and to particular ceremonies, in order to engage with Argyle.

Anthropological Work in the Kimberley

Early Work

The northwest corner of Australia has attracted the attention of Australian and European missionaries and anthropologists since the late 1920s. These early observers described the social organisation and land tenure systems of Aboriginal people, their religion, their art forms, and various aspects of their daily lives in Aboriginal communities that had formed around Missions, pastoral stations and government ration stations. Their contributions are relevant in establishing a non-indigenous understanding of the complexities of Aboriginal society and cultural adaptations that continue to characterise East Kimberley Aboriginal community life today. They recorded their observations and opinions in the form of letters, field diaries, genealogies, hand drawn maps and

taped recordings of songs, language and stories. Some were amateur ethnographers whose primary role was that of a missionary, such as the Reverend Love who was based for many years at the mission station of Kunmunya (Love nd, 1935, 1936) and Father Hernandez who worked as a missionary at Kalumburu (Hernandez 1941a, 1941b, 1961).

The so-called 'father' of Australian anthropology, A.P. Elkin, worked in the Kimberley during the late 1920s (Elkin 1932, 1933a, 1933b) and his student Phyllis Kaberry followed in the mid 1930s. Other formally trained anthropologists such as Andreas Lommel (1949,1994, 1997 (1952)) and Helmut Petri (1950/51, 1954/58, 1970, 1980), both of whom participated in the Frobenius Expedition in 1938, provide valuable descriptions and analysis of Kimberley Aboriginal cultural practices.[119]

The different Aboriginal languages of the Kimberley have also been the subject of research. The linguist Capell worked throughout the northern Kimberley region recording various aspects of a number of Aboriginal languages including the "Djerag" (Jerrag), said to be 'close' to the Gija language by Aboriginal people and a term used for the family of languages that include Miriwoong, Gija, Gajerrong and Goolawarreng (also Capell and Elkin 1937; Kaberry 1937a: 92; Kofod 2003; Lee 1998:42; McGregor 1988). Capell's work includes descriptions of Aboriginal peoples' religious and political lives (1939, 1971).

The research findings of Lommel in particular and to a lesser degree Petri are relevant in the generic arena of the Dreaming and associated ritual and ceremonial practices, most particularly the 'dreaming' of indigenous 'joonba.' 'Joonba' and dreaming are discussed in more detail in Chapter 7.

Phyllis Kaberry's East Kimberley Research

Of all the early anthropologists, it was Elkin's student Phyllis Kaberry who has had the most lasting influence on how East Kimberley Aboriginal

[119] Much of Petri's work is published in German and I have relied on the unpublished translations by C. Fennell and Kirsten Mori.

cultures are viewed. Elkin's published material reflects his broad-based interests in social organisation and religion rather than locally focussed research whereas Kaberry's data provides greater attention to the cultural lives of Aborigines some of whom were the parents and grandparents of the Aboriginal people who are the focus of this thesis. Kaberry's first field research was conducted in 1934 at the community of the Forrest River Mission, later called Oombulgurri, in the Forrest River Aboriginal Reserve. During her extensive research in the East Kimberley in 1934 and later in 1936 she compiled comprehensive field materials including extensive field notes (1934-36 a) and detailed genealogies of the Aboriginal residents with whom she worked (1934, 1934-36b, 1935c, 1935d, 1935e) and subsequently published a number of articles (1935a, 1935b, 1936, 1937a, 1937b, 1938) and a book (1939). Kaberry was far from an armchair anthropologist. She walked with Aborigines from the mission or pastoral station where she was based into their country for extended periods of time, an exercise that would have been arduous. She lived with Aboriginal people in their station camps (Kaberry 1938:269) and travelled with them during their summer periods of 'walk about' when they were released from station work (Cheater 1993).

Although Kaberry did not conduct field research at Lissadell Station, her primary data in the form of field diaries and genealogies are comprehensive and detailed and include references to some of the forebears of the current Aboriginal people with connections to the Argyle lease area as well as to the original Argyle Station, Greenvale Station, (later Bow River Station) and Cow Creek Station (later to become Doon Doon Station) (Kaberry 1934-36a, 1934-36b, 1935b, 1935c, 1935d). Some Aboriginal people I have interviewed knew "Mrs Kaberry" and recalled her working with them and with their 'old people' (see also Williams 1988). As part of her work, Kaberry explored Aboriginal social organisation, the role of women in Aboriginal society (Kaberry 1939), death and mourning practices (1935b), conception beliefs (1936), the subsection system (1937b) and totemic affiliations (1938). Kaberry's published and unpublished materials continue to be relevant,

authoritative and relied upon sources in terms of the contemporary understanding of East Kimberley Aboriginal culture. Further exploration of indigenous society in the East Kimberley region did not occur until many years later and was stimulated more by external and political factors such as resource development and native title applications than by academic interest.

Post World War II

With the establishment of graduate programmes in anthropology in Australia and North America during the post-war period, the pace of research accelerated in the northwest of Australia, although the East Kimberley received scant attention in the wake of Kaberry's work. It is difficult to know why this was the case. I can only speculate that the dominance of the pastoral industry with its resistance to any interference from outsiders and the absence of any mission station in the area (other than the Forrest River and the Kalumburu Missions) combined to make Aboriginal people and Aboriginal communities of the East Kimberley less accessible to researchers at this time.[120] When Norman Tindale and Joseph Birdsell visited the Kimberley region in the early 1950's as part of their ambitious project to map Aboriginal Australia (Tindale 1974) they prepared extensive genealogical materials relevant to such areas as Mitchell Plateau, the Forrest River Aboriginal Reserve, Halls Creek, and other regions. They also prepared field notes and collected crayon drawings and maps of their informants' country (Birdsell 1954a, 1954b, 1954c; Tindale 1954).

However, Tindale and Birdsell do not appear to have spent any time in the pastoral lands of the Gija, Miriwoong or Malngin Aboriginal people. They did spend time with Aboriginal people whose traditional country and waters, including the ocean, was within the Forrest River and Kalumburu Aboriginal Reserves and resident at the Forrest River Mission [now

[120] For example, Catherine and Ronald Berndt conducted field research in 1944-46 on pastoral properties just over the border in the Northern Territory. They found the research conditions difficult and their original report, recommendations and findings were only published forty years later (Berndt R.M and C.H. 1987:x, xii, xiv).

Oombulgurri] and Wyndham (Birdsell 1954c). There is no evidence that they recorded any genealogical or country and mapping information from any of the Aboriginal people with connections to the immediate or nearby areas of the Argyle lease area. Nor did they collect information that was particularly relevant to the area where the town of Kununurra is now located. Tindale did, nonetheless, indicate on his 'Tribal Map' that the "Miriwung" were located in the general area with the "Kitja" further to the south (Tindale 1974).[121]

During the 1960s, Ian Crawford conducted research in the north Kimberley for his Doctoral thesis (Crawford 1969). He was to later work for the Western Australian Museum producing the book *The Art of the Wanjina* as a record of the extensive rock art galleries and associated traditions of the northwest Kimberley people (Crawford 1968). He also published a book on plant use with reference to Aboriginal land use in and around the Kalumburu community (Crawford 1982). Crawford was the Head of Division of Human Studies (1969 - 1991) of the Western Australian Museum at the time diamond exploration commenced in the Kimberley. In 1981 Crawford (with others) undertook a field survey of sites in the Mitchell Plateau region as a consequence of the proposed CRAE bauxite exploration and mining programme (Crawford et al. 1982). He later published an account of contact history of the northwest coastal region of the Kimberley in close collaboration with Aboriginal people from the Kalumburu Aboriginal community (Crawford 2001).

In 1974/5 Hilton Deakin undertook anthropological field research for a Doctoral thesis (1978) whilst at the Kalumburu mission. His research resulted in one of the most detailed and significant contributions to the study of the wirnan. This material will be discussed in detail in Chapter 7.

During the 1970s Valda Blundell, a Canadian anthropologist, conducted field research for her doctoral thesis at old Mowanjum community on the

[121] Tindale identified the "Kitja" as being synonymous with "Lungga" and a range of alternatives (1974:245), and relying primarily on other researchers, he identified the "Miriwung" as a word used by people from the east whereas he noted that Aboriginal people from the west called the same people "Moreng" (Tindale 1974:248).

outskirts of Derby and in Worrorra and Ngarinyin countries to the north (Blundell 1975). Blundell's work includes an exploration of the value of symbolic representations in the contemporary lives of Aboriginal people as well as Aboriginal social and territorial organization, resource utilization, indigenous art and governance structures (see Blundell 2003). In her Australian fieldwork context the art has been that within the Wanjina tradition (1974, 1982, 2003). This exploration includes the interconnectedness of indigenous systems of reciprocity and exchange (wirnan) and the restorative aspects of engaging with the metaphysical and symbolic worlds (Blundell 1980, 1982, 2003). Blundell also collaborated with the British anthropologist Robert Layton regarding West Kimberley cultural practices (Blundell and Layton 1978). Layton also undertook research during the mid 1970s regarding Wanjina art galleries along the northwest Kimberley coast as part of the National Site Survey Programme being run by the Western Australian Museum (Layton 1976). More recently, Blundell has worked with the Worrorra man Donny Woolagoodja and other Worrorra, Ngarinyin and Wunambal people to produce a book about their art, culture and history (Blundell and Woolagoodja 2005).

Kim Akerman was trained in anthropology at the University of Western Australian under Professor Ronald Berndt and Dr Catherine Berndt. As a young graduate he worked with the State Health Department in Derby. He attended the inaugural meeting of the Kimberley Land Council in 1978 and became the first anthropologist to work for the Kimberley Land Council sponsored by the then Australian Institute of Aboriginal Studies. Along with Peter Randolf from the Western Australian Museum, Akerman undertook the first heritage survey in relation to the then proposed Argyle mine (Western Australian Museum 1979[122]; Akerman 1979, 1980b) and was subsequently involved in the debates and disputes concerning damage to sites of significance and the making of the Good

[122] The report of this fieldwork was presented by the Western Australian Museum (1979) without either Akerman or Randolph's names appearing on the report. However, it is common knowledge that these two men conducted the survey and prepared written reports; indeed this report is sometimes referred to as the Akerman and Randolph report (for example Christensen 1990b: 30).

Neighbour Agreement. Akerman has published on a number of Kimberley cultural practices and traditions of immediate relevance to this thesis including the wirnan (1980a, 1980c).

The anthropologists Kingsley Palmer and Nancy Williams worked with the Australian Institute of Aboriginal Studies in 1980. Aboriginal people from Warmun community sought the assistance of the AIAS in their quest to have their connections to the Argyle lease areas recorded and the impact of the mine on their cultural lives addressed (Palmer and Williams 1980 (later published in modified form in 1990)). In May of 1980 Palmer and Williams were contracted to the Western Australian Museum to undertake a more detailed ethnographic study of the Argyle lease area than had been achieved in the initial surveys by Randolph and Akerman (Palmer and Williams 1980:3). Palmer and Williams' 1980 report provided a more detailed ethnography of the Argyle lease area; however, it was limited due to the short period of field work undertaken and constrains that resulted from the political nature of the exercise of protecting sites of significance to Aboriginal people in the face of proposed mining (Palmer and Williams 1980:4-5). As the authors noted, "[t]his report must therefore be taken as provisional" and further that "it is essential that an in-depth study be done of the region" (1980:5). This was not to be undertaken until early in 2002 as part of the negotiation process between Argyle, the local Aboriginal people and the Kimberley Land Council (Argyle Diamond Mine and Kimberley Land Council (MoU 2001); KLC Newsletter February 2002).

Although other anthropologists have conducted specific research in the general area of the Argyle mine for other resource development proposals (for example Turner and Green 1987) no further detailed anthropological research or analysis was undertaken for this area until the early 1990s with the preparation of the native title applications, commonly known as the *Balanggarra Combined (WAD6027/98)* and *Balanggarra #3 (WAD6004/00)* and the Miriuwung/Gajerong *(Ward and Ors No WAG 6001 of 1995)* claims. Unfortunately the majority of this

research material is confidential and therefore not publicly available, although as a researcher involved in preparation of documents and the giving of expert evidence in these proceedings I am familiar with this material, which has both confirmed and in a general sense expanded my understanding of the land tenure and social organisation of the region.

Key Cultural Practices of the Gija, Miriwoong and Malngin

Results of the above research along with my own observations throughout my working life in the Kimberley provide the starting point for considering the local Aboriginal cultural practice at Argyle and how these practices and belief systems influence Aboriginal relationships with and responses to the Argyle Miners. For example, these results indicate that the Gija, Miriwoong and Malngin peoples, although identifiable as distinct groups in some contexts, share a number of key cultural practices. Although Malngin as a language is not considered to be 'close' to Gija and Miriwoong as languages (which are 'close' to one another), as noted above, nonetheless many senior men and women connected to the lease area are competent to more than one of these languages (Palmer and Williams 1980:17). Genealogical evidence also indicates that, for many generations, people who identify primarily with one of these three languages have married one another (Kaberry 1934-1936a, 1934-1936b, 1935b, 1935c, 1935d). Other materials indicate that these people engage in ceremonial activities together as did their forebears (Kaberry 1938, 1939; Lee J 1998). As well, they share elements of kinship and land tenure systems and details regarding their shared belief in the creative era or Dreaming (Kaberry 1936, 1939; Palmer and Williams 1980).

However, although they share key cultural features, there are also ways in which their cultural traditions differ. Although such cultural differences are important factors in native title claims and some aspects of the lives of Aboriginal people, they are not the primary focus of this thesis. Nonetheless, there are times throughout this thesis when cultural

differences among the local Aboriginal people are noted in relation to particular primary data and specific rituals and ceremonies. In these cases my focus is primarily on Gija traditions as my previous research and my principal informants for this thesis have been senior Gija men and women (Doohan 1982).

Among the shared beliefs and traditions that are of particular relevance to this thesis are those that express and maintain local Aboriginal people's connections to their countries, their kin, and the Dreaming. These beliefs and traditions include a shared cosmology, viz. the Dreaming, the so-called 'skin system,' certain ritual performances, adherence to aspects of gender differentiation in ceremony and everyday discourse as well as particular decision making protocols and a range of everyday reciprocal obligations and responsibilities to country and kin. As is the case for all East Kimberley Aboriginal people, their social, economic and cultural lives are embedded in the overall indigenous system of governance and social reproduction, most particularly the wirnan, which is described in the next chapter.

Kinship and the Skin System

As is also the case for all of Australia's Aboriginal people, kinship is fundamental to the social, economic and ceremonial practices of the Gija, Miriwoong and Malngin. It is a powerful and pervasive aspect of people's lives in that it provides a kind of "map", or " blue print" (Berndt and Berndt 1964:90) of an individual's connections to others and to country.[123] Bullock and Stallybras explain that kinship is a:

> … term which covers named relationships between individuals – social relationships which may or may not have a biological basis. In its broadest sense kinship includes relations of consanguinity (based on blood or descent ties) and affinity (based on MARRIAGE). Kinship is based on a set of rules, and in establishing relationships between people it may prescribe behavioural NORMS. Kinship is both part of IDEOLOGY (a means of thinking or classifying) and of PRAXIS (a means for organising eg economy) It mediates between the INFRASTRUCTURE and the SUPERSTRUCTURE (1977:453).

[123] Gaining an understanding of the kinship system of the people with whom one is working is considered a

Moreover, there are different ways of articulating kinship in different societies and therefore the local Aboriginal people of the East Kimberley have their own ways of expressing and responding to their kin. The Gija, Miriwoong, Malngin say that they have a "skin."[124] The 'skin' that they are referring to is not that which holds the body together, but rather a social category in that certain individuals together form a 'skin group.' Anthropologists call these 'skin groups' subsections. These skin groups, or subsections, indicate generational divisions between mother and child and father and child. That is, a parent and child cannot be in the same skin group, nor can husbands and wives, and further ones husband or wife cannot belong to the same 'company' or what anthropologists call a moiety.[125] In the East Kimberley there are two companies and the skins that belong to each company are indicated in Figure 4 below as are the skin group names that are gender specific. When males are being referred to the skin group name always begins with J (or Dj) and when females are referred to with an N (see Figure 4 below for Gija skin terms).

Gija Skin Names
(in moiety / company divisions)

Naangari/Jaangari	Nampin/Jampin
Nyawurru/Juwuru	Nyawana/Jawanji
Nyaajarri/Jawalyi	Nagarra/Jagarra
Nangala/Jangala	Naminyji/Jungurra

Figure 4: Gija Skin Terms (female [N] and male [J])

Membership in a particular skin group entails prescriptive behaviour towards members of other skin groups including behaviour associated

crucial aspect of being a social anthropologist (Schusky 1965:1).

[124] Aboriginal people of the Tanami Desert region of the East Kimberley say if "you got skin ... you got country" (Peter and Lofts 1997:22). Just across the border in the Tanami regions of the Northern Territory, the Warlpiri say that country also has skins (Meggitt 1962:62-64).

[125] For anthropologists a moiety is a socially significant two-part division of society. In Aboriginal Australia these divisions play roles and have different emphasises in terms of marriage, ritual and kinship obligations. In this case, an individual must choose a marriage partner from outside their 'company.'

with an extensive range of social, economic and ritual relationships. Aboriginal people explain that 'the rules for skins' tell them how to behave toward their kin.[126] For anthropologists the system can be used as a kind of shorthand summary of kin classifications by grouping the twenty or more kin terms in each system of classification into eight groups with a distinction to indicate whether males or females are being referred to.

Not all Aboriginal groups in the Kimberley share the subsection system. There are Aboriginal people who belong to communities with country in the north and north west Kimberley, for example in the Kalumburu Aboriginal Reserve (KAR) and the Forrest River Aboriginal Reserve (FRAR) and the western pastoral lands, who say that they "have 'skins'" but they do not have the equivalent of a section or subsection system. In these cultures Aboriginal people are divided into two 'skins,' which correspond to what anthropologists describe as the moiety system of social organization (see, for example, Blundell and Woolagoodja 2005: 30-31; Redmond 2001). There are also other forms of social organization in the Kimberley (see for example Elkin 1932; Kaberry 1937b; Lucich 1968).

Some of the main features of the shared subsection system among the Gija, Miriwoong and Malngin are that members of the same subsection are considered to be siblings and the children of women are distinguished from those of their brothers. The subsection system summarises preferred marriage arrangements (see Figure 5), and although the ideal system is not always strictly followed, practices are guided by these principles. For instance, not every marriage conforms to the system and in the case of contemporary Gija social life there is an emphasis on "following the skin of the mother" with an assumption that her 'marriage' was correct according to the skin system (Daiwul Gidja 1999:25; see also Elkin in Kaberry 1939:xxiv, Kaberry 1939:115-125; Ross 1987:47).

[126] There are some linguistic variations for subsection identities among these groups.

MOTHER	CHILDREN	FATHER
Nampin	Nyawana/Jawanji	Jaangari
Naminyji	Nampin/Jampin	Jangala
Nagarra	Naminyji/Jungurra	Jawalyi
Naangari	Nangala/Jangala	Jampin
Nyawurru	Naangari/Jaangari	Jawanji
Nyaajarri	Nyawurru/Juwuru	Jagarra
Nangala	Nyaajarri/Jawalyi	Jungurra
Nyawana	Nagarra/Jagarra	Juwurru

Figure 5: Ideal Marriage Partners and Offspring (Gija)

One's skin is determined at birth and cannot be changed during a person's lifetime. But here as well there can be exceptions. For example, I am aware of situations where, for the sake of social cohesion such as to 'right' a 'wrong' marriage, people have taken on another skin, so long as it is not too far out of the bounds of social tolerance. I am also aware of situations where an individual has "two skins" – one from the mother and the other from the father - and this has important implications for ritual activities as well as marriage and relationships to country.

Skins are also associated with particular Dreaming beings, that is, with sacred beings in animal, and/or some plant form or in the form of natural phenomena such as planetary bodies. These beings populate the ancient but ever present creative era referred to as the Dreaming, and therefore they are present and active today.[127] Each 'skin group' has associated Dreamings that demonstrate an affinity or particular set of relationships (what anthropologists sometimes call a 'totem') between living individuals and the esoteric world of the Dreaming. For instance, for some Gija, who are of the Juwurru skin, their Dreaming is the Crocodile (although not all Juwurru are necessarily Crocodile), for some Nyaajarri

the Bush Turkey, and for some Jangala they are Goanna and Nangari skin or the Eagle Dreaming. Aboriginal people generally have more than one 'name' and more than one Dreaming affiliation (Kaberry 1935a: 418).

As noted above, the skin system also indicates the acceptable forms of behaviour within each skin group and between members of different skin groups. For instance all Jangala are considered to be brothers. Brothers have very open and free relationships with each other and are of equal status; they are "mates" (Daiwul Gidja 1999:24). Other Jangala can be one's grandfather or grandson, which is also a very familiar and easy relationship. This is similarly the case for women of the same skin group. On the other hand brothers and sisters are limited in their interactions with one another and after the onset of puberty (around twelve years of age) they must never speak to each other directly or speak the name of their sibling of opposite gender (Daiwul Gidja 1999:24). Relationships between parents and children (applying to all those of that skin relationship) require respect for the parent on the part of the child, although a child's relationship with his or her grandparents - for example ones mother's mother (or daughter's son or daughter) or mother's brother (or daughter's son or daughter) called kangkayi and glossed as "granny" is one of generosity and is more relaxed (Daiwul Gidja 1999:24) and has been described as "joking swearing" (Kofod pers comm 2006). The relationship between those of the kin category of mother's brother, glossed as 'uncle,' are particularly relevant in terms of ritual instruction and discipline. The relationship with ones 'aunty' or father's sister is somewhat more staid and formal. The behaviour between a man and his father-in-law is one where the father and son-in-law "can demand anything" of each other "at any time" (Daiwul Gidja 1999:24). Prescribed relationships between skin group members are not only theoretical. Instead they continue to be relevant in the contemporary lives of Aboriginal people and they influence the way that some Aboriginal people have related to each other in terms of wirnan obligations and the expression of those obligations through the Good Neighbour Agreement.

[127] Not all creatures or natural phenomena have skins.

For instance, Bob Nyalcas noted to Dixon that he and John Toby were "*kangkayi"* (Dixon 1990a: 74, italics in original) to each other which partially explains Nyalcas' apparently casual response to Toby's suggestion that he make an agreement with CRA (Dixon 1990a: 74). Also at the time of the making of the Good Neighbour Agreement, Tim Timms was father-in-law to John Toby and this partially explains why Timms accompanied Toby to Perth and was a witness to the Good Neighbour Agreement.

It is also interesting to note that Gija Aboriginal men and women allocated the Juwurru skin to Brendan Hammond, the previous Argyle Mine Manager and later Managing Director of Argyle, when he participated in a cross-cultural programme established by some of the local Aboriginal people. This is the same skin as one of the senior Aboriginal men with close descent and personal connections to the Argyle lease area suggesting that it was given to Hammond so that a particular kind of relationship could exist.

Descent and other Country Connections

As described in Chapter 4, for the local Aboriginal people, country is a complex construction and a fundamental component of an individual's identity in that it is the basis for a person's sense of belonging to place and people. Country is not merely an aspect of physical geography or landscape; it is as all embracing as the Dreaming from which 'country' is believed to have arisen.[128]

Deborah Bird Rose suggests that for Aboriginal people 'country' "is a living entity" (1996b: 7) as well as "multi-dimensional" (1996b: 8) and that it includes relationships and obligations of care and reciprocity between people, landscapes, and resident beings (Dreamings or 'old people') all of which ultimately combine to form a "nourishing terrain" (1996b). Rose explains that "the relationship between people and country is reflexive" (2000:108; see also 1999: 177) and "synonymous with life"

(1996b: 10). This is a reflexivity that stands outside ordinary non-Aboriginal discourse and embeds people, place and Dreamings in landscapes and social relationships in a unique and complex way (1999: 177-179).

Langton has explored these unique relationships and contends that research and attempts to describe Aboriginal relations to country have "often obstructed understanding the multifaceted negotiation of Aboriginal land tenure relations" (Langton 2005:17, 161-172; see also Rose 1996c, 2000: 86-88).

As noted in Chapter 1, Aboriginal people have connections to, and therefore rights and interests in, country including that which is now part of the Argyle mining lease area. These rights and responsibilities include duties to care for others within the landscape and social domain, duties to negotiate with, and beyond, the realm of spiritual danger within the landscape, duties to instruct and educate future generations, and duties to ensure effective governance of traditional country. Governance, in this context, includes observance of appropriate behaviours in terms of who has the right to know and speak about certain places, make certain kinds of decisions and relate particular stories or performances. Importantly the expression of these kinds of rights and responsibilities occurs through the performance of ceremonies such as 'joonba,' kurara and manthe, which are discussed in more detail in the following chapter.

In the context of everyday discourse, an individual's connections to country are primarily spoken of in terms of descent. The ideal set of connections to country are when one is found and born in one's father's and father's father's country. However, demographic realities and the vagaries of daily life mean that other descent based connections, and connections derived from more serendipitous events such as ones place of 'finding,' birth and life history are also relevant in determining who are 'traditional owners' of country (see for example Kaberry 1939:49-50;

[128] I include waters in the use of country in this context.

Palmer and Williams 1980:18-24; Rose 2000:106-122). In the case of the Argyle lease area, all of the traditional owners have some form of socially recognised connection to the Argyle area but they are not necessarily the same connections.[129]

Descent is traced from one's paternal and maternal ancestors including connections to the country of one's father (F), father's father (FF), mother (M), mother's father (MF), father's mother (FM), and mother's mother (MM). These kin-based country connections are not just biologically determined. People can claim connections from their biological and/or social fathers and from their classificatory mothers, fathers and grandparents so long as these connections are recognised within the greater community.

'Finding' is an English word that Aboriginal people use in an effort to best describe the process whereby they, as a pre-existing spirit resident in the landscape, reveal themselves to their parent(s), in either fish, animal or vegetable form, prior to entering the mother and taking human form prior to their birth (see for example Elkin 1933a: 472; 1938:40; Kaberry 1936). This shift from the pre-existing form in the landscape to an enlivened foetus of a pregnant woman is revealed in a dream to the father or another close relative and is evidenced by birthmarks or other signifying or peculiar features on the newborn (see for example Kaberry 1936:395 and Lommel 1997:17). 'Finding' children in this or similar ways is common among Aboriginal people throughout the Kimberley (see for example Blundell and Woolagoodja 2005:28-29, 241, 243-45; Elkin 1933a: 444-451, 460-461; Redmond 2001:152-157). Finding is an acknowledgment of the connection between an individual, the Dreaming, and the country. The individual is *of* that place and *is* that being now in human form. For each Aboriginal person, being 'found' as a child spirit, or jariny, creates an inviolate connection to place that is imbued with spirits by the Dreaming. People speak of themselves as being "that Fish" or "that Goanna" from the place where they were found. Another connection

[129] Birth on country has become less common in recent years with many Aboriginal babies being born in local

is derived from that individual being the wibilirri (reincarnation) of a recently deceased individual, in which case the newborn inherits the country connections of their former being as well as those of their own mother and father and so on (see also Elkin 1933a: 439). Again, when a child is born, the body is searched for any indicative signs of a previous incarnation. Some Aboriginal women say that marks are sometimes made on the body of a dying person so that they can be easily identified if they return in another human form.

Other connections are based on the place of death and burial of ancestral kin and the seniority and gender of those with a deep knowledge and understanding of the Dreaming, the country and associated ritual practices.

These socially recognized means by which an individual can be connected to and rightfully 'claim' country continue to inform local Aboriginal people in their ongoing management of the country including their rights and responsibilities to the landscape and the resident Dreaming beings including the Argyle diamond mine at AK1, and mining lease area.

The ideal set of country connections for individuals is one that results from their being found and born in the country of ones' father and father's father. However demographic realities and the vagaries of daily life mean that individuals have a range of connections with varying degrees of intensity and contemporary expressions. Thus, not all Aboriginal people have the same set of connections to the Argyle lease area and none of them have them all.

To summarise, all of these cultural elements of connectedness combine with one another (and with other factors) to shape and define the identity of local Aboriginal people in the East Kimberley. They are the foundations for people knowing who they are and how they are part of, or related to, the cultural geography of their homeland. They form the conceptual base

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hospitals.

from which Aboriginal people assert and maintain their distinctiveness and subjectivity.

As well, Aboriginal people's subjectivity is a crucial aspect of their alterity as well as their practice of daily life in their country and at the Argyle mine site. For example, Aboriginal people's ability to talk to the Barramundi (by way of performance, song, body paint) and the Barramundi's ability to talk to some of the local Aboriginal people (as embodied smoke and the presence of 'more' diamonds) clearly demonstrate that the Barramundi, at Argyle, is not some external phenomenon that has to be placated.[130] Rather the Barramundi is a fellow traveller in life. She is embedded in the landscape and embodied in smoke and diamonds. Although the Barramundi exists in a different 'space' from that of Aborigines and Miners at Argyle, she engages with them in the contemporary context of an operating diamond mine, their country. More will be said about this in Chapter 9.

Gender

As noted above, skins indicate both generational and gender differences. As a differentiating category, gender is a crucial element in East Kimberley Aboriginal community life as it is in other Aboriginal cultures (Bell 1983; Berndt C.H. 1950, 1965, 1970, 1981; Brock 1989a; Dussart 1988, 2000; Gale 1970, 1983, 2005; Goodall 1971; Hamilton 1980, 1981, 1987a; Kaberry 1939; Langton 1985,1997; Munn 1973; Povinelli 1991; Rose 2000:49-52). Hamilton considers that the separation of male and female domains in Aboriginal society allows for a "fundamental form of sociality which renders each sex powerful to itself" (Hamilton 1981:69).

For Aboriginal people in the East Kimberley a relatively high degree of gender separation exists within both the ritual and public arenas.

[130] The Gija women paint symbolic Barramundi scales on their bodies when they perform certain ceremonies such as the welcome manthe and the increase kurara ceremonies. Goody Barret, as a senior traditional owner of the mine site, also paints the Barramundi scales on canvas - *Lirnkirrel* Argyle mine (Sherman Gallery 2005)

Expressions of gendered-ness extend to ritual and religious knowledge, performance, places and landscapes. As well, there are gendered differences with regard to the proper form of engagement in public matters such as community meetings, public speaking and decision-making. Indigenous and non-indigenous people in the East Kimberley commonly use non-indigenous terms such as 'women's business' and 'men's business' to mark such gendered domains and "spheres of influence" (Brock 1989b:xxi). Men's and women's business (together and separately) have significant places in contemporary Aboriginal community life and contemporary life outside the indigenous domain.[131] At the level of ritual knowledge and induction these domains indicate the ordered, graded series of ceremonies that qualify women and men as knowledgeable, powerful people entitled to particular privileges and responsible for specific stories, sacra and bodies of knowledge. Although this thesis does not explore the secret sacred aspects of "business" (women's or men's) in the discussions that follow I do acknowledge these domains exist when it is appropriate.

It is not possible to provide a detailed discussion of the complex relationship between men's and women's ritual lives in this thesis. However, I want to suggest that in general terms women's business is directed toward restoring social and community harmony and overall balance as well as individual general good health. That is, it is directed toward the maintenance of social order within the society (Bell 1983; Berndt 1950, 1965, 1974, 1982; Dussart 1988:4-31; Hamilton 1981, 1987; Kaberry 1939; Munn 1973:213; Rose 1996a, 2000; Stewart 1999). Kaberry concluded that women's ceremonies provide an ameliorative effect on the community and its individuals (Kaberry 1939:269). Catherine Berndt argued that newly evolved women's ritual activities have a direct and lasting impact on maintaining social relations.

[131] Rose raises the critical issue of how men's and women's business is valued outside the indigenous domain and how that valuing impacts on relationships between men and women within the indigenous domain (Rose 1996a). Questions of gender – its role and treatment in the context of agreement making -- have not been addressed directly in this thesis but the very strong presence of Aboriginal women and women's Law at Argyle have been acknowledged. Further analysis of 'gender' in the complex 'deep colonising' processes embedded in agreement making would provide a more appropriate forum and research question to explore

She also emphasized this critical aspect of the role of post-contact women's secular and ritual life (Berndt 1950:9, also see Berndt and Berndt 1987:278-279). Others have noted that women played a pivotal role in mediating relationships in the early post contact context of frontier developments (Berndt C.H. 1950:14; Jebb 2002:93-100, 122-132; Sullivan 1989:96-101). This is a pattern that has continued in the context of contemporary community and broader political life (Dussart 2000; Gale 1970, 1983, 2005; White et al 1985). Dussart found that in the context of contemporary Warlpiri community life, Aboriginal women are taking up more and more ritual responsibility due to the increasing social dislocation that exists generally, and in particular the impact of increasing levels of alcohol consumption and abuse by men which is rendering their participation in ritual life unreliable (Dussart 2000:221).

Men's business is generally considered to be more directly aimed at establishing authority and preserving the preordained order between the human and nonhuman worlds although this can not happen in social isolation (Berndt and Berndt 1964:218-222). Secret men's business is also an essential element of the ceremonies that initiate boys into adulthood (Mountford 1976).

As knowledgeable men and women become increasingly senior and revered the gender divide becomes less and less clear. Old Law men and old Law women often know the 'business' of the other. 'Gender' becomes less relevant as they share esoteric ritual and sacred knowledge although this is not something that is done in the public domain, and for the most part it is an unspoken reality. I have been told of situations where an old man would be talking about "men's business" to a male researcher and his (old) wife would contribute (from the side so to speak) when he faltered or sought assistance (Bornman and Vachon pers comm). I have certainly had similar experiences where women have been telling their secret stories within hearing of their (old) husbands who would similarly contribute to the discussion. When I asked how this was possible the

such questions.

answer was “when you get too old you know too much Law” (see also Bell 1983:36-37; Dussart 1988:39-42).

Landscapes, and particular features within them, can be categorised as having ‘gender’ (Rose 1996b: 36-38; Meggitt 1962:52-53). There are particular places within the landscape that are referred to as ‘women’s sites’ and others that are called ‘men’s sites.’ There are places that can only be visited by the associated gender and there are places where men or women have to be ritually protected prior to their entering the space / place (for example see Palmer and Williams 1990:24). There are songs, stories and performances associated with these places that can only be told, heard or seen by one gender, or in the presence or absence of each other.

The Argyle diamond mine is located on a site that is commonly referred to as a ‘women’s site.’ According to the late Queenie MacKenzie, a senior Gija/Malngin Law woman and famous artist, women have had the responsibility to care for and look after this site:

> Right back from the Ngarrangkarni [Dreaming] all those old women looked after that place and kept it safe (quoted in Ryan 2001:139).

With the coming of the Argyle miners Queenie noted that it was first time that women had been unable to “look after” the site:

> Now it is our turn and we failed. It makes me strange and sad inside (quoted in Ryan 2001:139).

As we shall see in Chapter 8, The Good Neighbour regime did not address the importance of gender as a significant factor in formulating the Good Neighbour Agreement and women felt that Argyle did not take them seriously. This was to be a continuing concern of the Aboriginal women connected to the lease area (see file note 25/7/83 Warmun Archive: ARGYLE File L July 1983 to Oct 1983; Ryan 2001:139).[132]

[132] In late May 2003, Argyle offered, by way of a letter to the members of the Aboriginal traditional owners steering committee for the Argyle Participation Agreement negotiation processes, ‘unencumbered funds’ and an apology to the Aboriginal men and Aboriginal women for the past impacts caused to their sites of significance by the Argyle mining operations (Hammond 2003). The Kimberley Land Council considered the letter a controversial and unsolicited intervention in the negotiations. I do not make any judgement on this action but provide the detail to indicate Argyle’s response to the long-standing concerns of the women. It had

Decision Making

Who can or cannot 'speak' and make decisions in regards to ritual, story, performance and country is generally framed in terms of seniority, gender and descent-based connections to country. People who have the greatest authority 'to speak' about their country are those who have a decent-based connection to that country – that is one of their ancestors also belonged to that country. If, however, the context demands a particular kind of authority such as that requiring ritual and esoteric knowledge, or authority based on gender, then there might be individuals who have more right to speak and to be heard than those who 'belong to' that country (see also Williams 1985; Myers 1980, 1986a; Tarran 1997:83-86). That is, other senior men or women who lack a decent-based connection to the country about which a decision is being made might be called upon to assist those with a descent-based connection in order to make an appropriate decision.[133] This is particularly so in the case of age and gender specific sites, stories and bodies of knowledge. It may also be the case in situations where there are no senior men and women alive who do 'belong' to the country or have particular responsibilities for particular sites within certain country. In these contexts closely related groups, or individuals, might take on the country-based responsibilities (see for example Blundell 1980, Redmond 2001:140-141 and Sutton 1996:11).

The context of making decisions is not just contextualised by relationships to the country and the Dreamings. The context of time and place for making such decisions is also critical. For instance, the darkness of the night-time is a traditional time when Aboriginal people air grievances and assert their authority, their opinions and their positions without fear of open challenge or of transgressing established positions within the community. Night-time provides an opportunity to introduce or

been more than twenty years since the issues of gender acknowledgement had been raised.

[133] The revelation of important places, stories and philosophical beliefs as a means of protecting them from damage or denigration did not prevent the mining of the Barramundi site at Argyle, and nor has it been shown to be an effective protection in other instances eg Hindmarsh Island (see Bell 1998)

establish a new position or proposition that might not be possible in a public arena during the day. This observation is based on my own fieldwork at Warmun community and in other Aboriginal communities where I have observed the process of night-time debate, accusations of improper behaviour and political machinations. One particular example clarified this cultural practice for me. I had been attempting to interview a senior Aboriginal woman about certain other older Aboriginal people and she had not responded. Yet I was convinced that she had the knowledge that I sought. I had always talked with her during the daylight hours. Once, and by chance, I spoke with her at night. As I began trying to find yet another angle, another way to ask the same old question, a number of other men and women hooted with delight and reminded the old woman that “now you have to talk to her, it is dark.” What followed was a wonderful discussion with many participants who would not normally (or during the day anyway) contribute as a single voice. The darkness permitted this communication between community members. I was glad and learnt much that night. This cultural practice is, unfortunately, one that is at odds with contemporary community life when Aborigines are expected to engage in numerous ‘meetings’ that affect their future and daily lives. None are conducted at night and in spatial contexts that are consistent with best cultural practice in these community settings.

As already mentioned, Frank Hughes noted in his interview that John Toby would call around to his tent at night. He also noted that he had found this a bit disconcerting (Hughes interview 18 July 2001). However, it was an entirely proper, consistent and appropriate way to conduct business for an Aboriginal person given the sensitivity and ‘newness’ of the situation being discussed and tested.

Among the local Aboriginal people there is a commitment to make decisions by the process of a negotiated consensus. This often means that a final decision will take a long time to emerge from extended debate and discussion. To come to a decision often requires the presence

of certain individuals before the final decision can be articulated. There are times when people have to visit country and communicate with their 'old people' to ensure certainty that the decision is a good one. That is, they will want to ensure that the decision will not generate tensions and disruption within the Aboriginal community or the metaphysical world. For example when Aboriginal people were deciding whether or not to take the joonba Fire Fire Burning Bright on tour it was considered necessary to seek the permission not only all the performers but also the "Rainbow" who resided in the country. As Peggy Patrick explained:

> I bin ask him [the Blue Tongue][134] in language "you let me take that joonba la Perth. They want him really badly la Perth. Let him go alonga me" ... that the way we ask'em country to give us that life – feeling.... "You can have'em" he bin say like that... If that tariyarra [the particular blue tongue lizard in rainbow form] didn't come then that would mean he didn't want to give it to me [permission to take to Perth] (interview 27 February 2002).

The Dreaming

As the discussion thus far clearly indicates, the Dreaming is a crucial construction among Aboriginal people. According to Arthur and Morphy the European term "Dreamtime" was introduced into general discourse by Baldwin Spencer who coined the term following interpretation of Arrente words relating to dreaming and time (Arthur and Morphy 2005:19) The Aboriginal concept of the Dreaming has been the subject of intense interest among researchers and theorists since the last century (see for instance Berndt 1970, 1972; Lommel 1997; Munn 1973; Myers 1982:187-9, 1986a: 47-70; Petri 1954; Stanner 1963, 1965, 1987, 1998; and Tonkinson 1974, 1978). A comprehensive treatment of the Dreaming and associated ritual and ceremonial life of Aboriginal people in the East Kimberley is beyond the scope of this thesis. However, in exploring certain ritual and performative aspects of the Dreaming, as seen and experienced at Argyle in particular, I will emphasize the textural richness of what Bourdieu describes as the 'cultural capital' of Aboriginal

[134] This is one of the personal Dreamings of Peggy Patrick, and according to Kofod, in Miriwoong there is no separate word for a rainbow only the word for a specific type of blue tongue lizard that lifts her tail to become the rainbow (pers comm August 2006).

people in their engagement with their known world through the frame of (the) ‘Dreaming,’ in particular manthe, kurara and ‘joonba’ (see Chapter 7).

One of the more succinct descriptions of the Dreaming comes from Stanner who worked in the Daly River region neighbouring the East Kimberley in the 1930s. He writes:

> Clearly the Dreaming is many things in one. Among them a kind of narrative of things that once happened; a kind of charter of things that still happen; and a kind of logos or principle of order transcending everything significant for aboriginal [sic] man (Stanner 1987:225).

Suffice it to say that much of what has been written by other researchers for other parts of the Kimberley and indeed other parts of Australia has general, if not specific, relevance to this study. In particular as Stanner rightly suggested, the Dreaming is neither about the past nor the present, but rather the "everywhen" (Stanner 1987:225) of Aboriginal peoples’ lives. The continuity and all pervasiveness of the Dreaming was similarly recognised by Rose in her research with Aboriginal men and women at Yarralin in the Northern Territory when she noted that “Dreamings carry on forever” (Rose 2000:57).

The Ngarranggarni

Despite the attention on the part of eminent researchers and their eloquent presentations of their thoughts and understandings of the Dreaming, it appears that an appreciation of the meaning and practice of the Dreaming continues to elude most observers and their capacity to write about it “suffers badly by translation” (Stanner 1987:226). It is therefore with the certain knowledge of these limitations that I offer the following description of ‘the Ngarranggarni,’ which is the local Miriwoong and Gija word that is generally translated into the East Kimberley Kriol ‘the Dreaming’ by Aboriginal people (see also Kaberry 1939). East Kimberley Aboriginal people also use the Kriol term ‘Aboriginal Law,’ when they are talking about aspects of the Ngarranggarni and ways of behaving, sometimes they seem to be used interchangeably although this appears to be for the benefit of non-Aboriginal listeners rather than

indicating a singularity of concept and practice.

Like other Aboriginal people across Australia, those in the East Kimberley speak of the Ngarranggarni as an overarching framework for social order and engagement with the natural and supernatural worlds within which patterns of governance, responsibilities, moral order, accountability and entitlements are framed. The Ngarranggarni is at one and the same time an esoteric body of sacred knowledge as well as mundane in that it is located within the past, present and future continuum of peoples' everyday life and they continue to engage with it. That is, the Dreaming is a complex system of knowledge, practice and understanding with many component parts that continues into the contemporary time frame and events of contemporary time. As Tonkinson noted "the great creative powers continue to exist and are concerned and interested in human life" (1978:113). Rose suggests that the Law is one part of it, the "Law is about relationships" (2000:44) and moral order (Rose 1984) further that:

> Law is a serious life and death business for individuals and the world; it tells how the world hangs together (Rose 2000:56).

Gija men and women say that they 'follow the Law' and that there are 'rules' about behaviour and being in the world. There are rules about many things including how to 'welcome' (manthe) strangers to the country, how to make more resources, and how to talk to and care for country and those beings that belong in it (kurara).

Although there are a number of different Dreaming sites and tracks that are located within the Argyle lease area or traverse the lease area (Palmer and Williams 1980:47-65, Maps 1 and 2; 1990:21-24), only the site of the Barramundi is discussed in any detail in this thesis. Devil Devil Spring, a site that has particular significance to Aboriginal men, has been affected by the Argyle mine and continues to be an important 'site' of engagement between Argyle and Aboriginal men in particular. However, Devil Devil will not be discussed here for several reasons, most importantly because there are secret sacred aspects to this site, but also because the site is predominantly a site within the domain of men's

business and because the physical impact of mining has not been of the same order of magnitude as is the case for the Barramundi site. Nonetheless, it is important to state here that Devil Devil Spring, as a significant site impacted by Argyle's mining activities, has attracted significant comment and concern from local Aboriginal people over the past twenty-five years and continues to do so (Argyle Diamond Mine Participation Agreement: Management Plan Agreement 2004: Management Plan 8; see also Christensen 1990b: 30; Dillon 1990a: 45, 48, fn 42 on pg 54; Dixon and Dillon 1990a: 181).

Thus, as can be seen here, Aboriginal people of the East Kimberley and in particular those Aboriginal people with connections to the Argyle lease area have rich cultural lives. Their lives are characterised by richly constructed, deeply embedded, complex relationships to people, to country and to the Dreaming. These relationships find multiple forms of articulation and action that are generally directed to ensuring continuity, harmony and well-being within the community and with all that that is within the country (see also Blundell 1982 and Rose 1984). However, as we shall see in the following chapter, there are additional cultural practices which are crucial elements of Aboriginal people's daily lives and have been particularly significant in the ways that local Aboriginal people have engaged with the Argyle Miners. These practices are located in the Dreaming and find particular expression in the wirnan, viewed here as an overarching foundational practice of local and regional indigenous governance which has currency throughout the East Kimberley and West Kimberley regions; the 'welcoming' and cleansing ceremonies glossed as manthe; the 'speaking to country' or 'increase' ceremony kurara; and the generic dance performance 'joonba.' These critical cultural practices are discussed in more detail in the following chapter.

CHAPTER 7
WIRNAN, KURARA, MANTHE AND 'JOONBA'

As can be seen from the previous chapter East Kimberley Aboriginal people have rich and varied lives that are derived from long standing cultural traditions. The following discussion takes four of these cultural practices and explores them in greater detail in order to indicate ways in which Aboriginal people draw on their traditions to make sense of, and engage with, the contemporary world. This is not to suggest that local Aboriginal people are locked into an unchanging past. In fact to the contrary, this chapter demonstrates that local Aboriginal traditions provide an entry point for local Aboriginal people to contemporise their positionality viz a viz the Argyle mine.

None of the material in the following discussion draws on information or knowledge that is considered secret and sacred by local Aboriginal people although there are secret-sacred aspects to much of the material that is being discussed. Reference to restricted materials is neither necessary nor appropriate for the analysis provided in this thesis. Indeed, the ethical protocols governing the research made this explicit, and in researching and writing this thesis I have taken the cultural and intellectual property rights of the Gija, Malngin, Miriwoong and Worla peoples, and other participants in the work, as a critical consideration.

The Wirnan[135]

Introductory Remarks

The wirnan is a subtle, ever present and all pervasive aspect of the lives of Aboriginal people across the Kimberley. It can be thought of as a grammar or a template that is an essential and lived part of people's

[135] The word is spelt in a number of different ways in the literature and non-published material. Different language speakers in the Kimberley pronounce the word wirnan with slightly different accents and emphasis. This particular transcription of wirnan comes from the Gija group and the people with whom I mostly

everyday lives although it is not generally articulated or spoken of in these terms by Aboriginal people. As I will elaborate in this chapter, the wirnan expresses itself in a range of ways, each of which reinforces the other. For example, the wirnan is manifest spatially in that areas of land and water are conceptualised by Aboriginal people as places "along the wirnan." A myriad of behaviours is informed by the wirnan, including those whereby knowledge and goods are exchanged within and between local and regional groups.

Aboriginal people in the Kimberley will say that they are "in the wirnan" or provide an explanation of some event or phenomenon by saying "it's the wirnan" or it's "because we follow the wirnan." Rarely do they say what the wirnan is. In this way, one comes to realise that the wirnan is like the gossamer of a complex web of meaning and behaving that provides a framework that informs multiple aspects of Aboriginal people's lives within both the realms of the sacred and the mundane. Importantly, the wirnan is very much a part of the way that Aboriginal people maintain their relationships to each other, their country, and the Dreamings that are embedded in the country.

The wirnan comes from the Dreaming and is therefore beyond science or magic. Because it is connected to country and because people are connected to country, it is the expression of the relationships among people, between people and country, and between people, the country and the Dreaming. These relationships, then, were ordained during the ancient but every present creative period of the Dreaming. Such relationships are often articulated as 'the Law.' They inform everyday social, economic and ritual life, and because the wirnan is one aspect of the Law, it provides a significant component of the template of life.

Moreover, there is an underlying ethical imperative to the wirnan sometimes described as "50/50" (see also Brittain quoted in Dixon 1990a: 86) or "level" implying equality of portion or standing in the

worked

exchanges of the wirnan and the relationships around those exchanges. In other contexts this 'ethic' is articulated in terms of "making free," or "to make free" or acting with "free will." What seems clear from comments by Aboriginal people is that acting without coercion or force to establish 'equal' relationships is critical in the formation of relationships among people that are located 'in the wirnan' (Argyle being another kind of people) where people are seeking to gain access, or be granted permission, to source resources of the land. Rose suggests that "free will" relates to an individual's independence (Rose 2000:173) and "to go free" is related to the process of disengaging from unbalanced and asymmetrical relationships of control and domination that can exist between people or be bound in tradition (Rose 2000:173-174).

These salient aspects of the wirnan are of particular assistance to the 'outsider' in identifying one of the indigenous interpretative frameworks that Aboriginal people bring to their engagements with Argyle. Consideration of the wirnan in this way provides the possibility of re-contextualising, re-locating, and re-reading the relationships between Aborigines and Miners at Argyle.

That is to say, the wirnan provides the foundational cultural basis for the ways that Aboriginal people have been engaging with Argyle. It offers a valuable window on how they have interpreted their own experiences regarding the mine and how they have explained such experiences to me and to other outsiders including their statements to Dixon almost twenty years ago (see Dixon 1990a: 66-94). In fact, Dixon's material supports my own research which indicates that 'Argyle' is part of the wirnan whether Argyle knows it or not (Doohan 2003). The Argyle lease area includes the Barramundi Dreaming and increase site and a number of named locations that are associated with the Snake Dreaming (Dixon 1990a: 84; Palmer and Williams 1990:22-23). These regional tracks have a number of localised sites of particular activity along the overall track of the beings journey. These particular sites along the track are cared for by different Aboriginal men and women who are obliged by the wirnan to

ensure that they are cared for in appropriate ways. These sites can have secret-sacred associations and fall within the domains both of women and men's business. They can be dangerous places. Or there might be the potential for danger to emanate from them if protocols are not followed. Thus, for local Aboriginal people, Argyle is bound up in ritual 'business' through its presence in an enlivened cultural landscape. Therefore humans are required to meet cultural protocols regarding the utilization of resources -- the diamonds and water. These protocols are seen by Aboriginal people to apply to the entire mine's staff. Local Aboriginal people understand their relationships with Argyle as ones that are embedded in exchange – an agreement for resource extraction, and that such exchanges follow the wirnan, with all of the associated 'rules' of engagement and closure.

Anthropological Interpretations and Descriptions of the Wirnan

As a complex aspect of Kimberley Aboriginal societies, the wirnan has not commanded the same degree of detailed academic interest as indigenous kinship systems and religious beliefs. However, based on the research that does exist, including my own, it is clear that the wirnan is a common cultural practice among Kimberley Aborigines and that the geographical extent of the economic and ritual trade systems that are among the expressions of wirnan extend well beyond the Kimberley region (see Akerman 1980c: 247, Map 20.1 page 248; Kolig 1981, 1984; Kaberry 1939:167; Nyalcas quoted in Dixon 1990a: 84;).[136]

Writing about the East Kimberley, Kaberry was the first anthropologist to report on wirnan, which she transcribed as *wunan* (1939:166-174). She noted that wirnan is a trading system in which Aboriginal men and

[136] It would seem that linguistic ignorance did not prevent the passage of traditions between Aboriginal groups. For instance Lommel (1997) notes a number of wirnan exchanges that involved the learning of new ceremonies without those who were 'purchasing' the ceremony understanding the songs. In my own experience at Warmun community in 1982 there were two ceremonies that were performed and sung by local Aboriginal people who informed me that they did not know the meaning of individual words but that they considered the overall ceremony including its songs and choreography to be "really good." These ceremonies were part of the wirnan exchange that included Aboriginal people from the Northern Territory

women have relationships with each other as "trade partners" (1939:294). She considered that the wirnan trade system is "an extension" of the "Merbok" system that has been described by Stanner for the Daly River region of the Northern Territory (Kaberry 1939:166; also see Stanner 1933/4). Her work also demonstrates that wirnan is not limited to the domain of economics but also includes aspects of community and individual health and well-being and that wirnan serves to cement social and ritual relationships between kin including over long distances (1939: 132, 167-174, 206, 248 and 257). Kaberry's work indicates how wirnan is an integral element of Aboriginal peoples' secular and ritual lives, and how there have been severe sanctions for those who have not met the expectations of a wirnan exchange or have been dishonest in their wirnan dealings (1939:169 -171). She indicates how there have been positive outcomes for those who have been honest, generous and expedient in their wirnan exchanges. Kaberry's work shows that the wirnan is complex and that the domains of men's and women's business, kinship and marriage are all significant factors in the overall management of ritual as well as contemporary daily life.

While Kaberry's work indicates the complexity of the wirnan, a more thorough analysis was provided some forty years later by Hilton Deakin in his Doctoral thesis (1978). Deakin worked primarily at Kalumburu, to the northwest of the current Argyle lease area, during 1974/75, only a few years prior to the signing of the Good Neighbour Agreement in 1980. He wanted to understand wirnan, which he transcribed as 'unan,' in the context of change and continuity of Aboriginal traditions for a contemporary community.[137] Deakin foregrounded a view of wirnan as an exchange system that encompasses material goods, including religious sacra, ritual and practical knowledge, and which operates across the region and links individuals and kin groups in a complex set of ongoing

station communities of Mistake Creek and Wave Hill located further to the east.

[137] Deakin uses the "Kwini pronunciation" for the term 'unan' and acknowledges that for the "Kulari" (or Wunambal) the word would be pronounced wunan. He did not give a Gija equivalent. When using Deakin's text I will use his orthography. Deakin also noted that, in keeping with the self-reference 'Aborigines,' used by people at Kalumburu, he uses the lower case 'aboriginal' throughout his text and 'Aborigines' when used in the same context as his informants (Deakin 1978:8 and 129)

reciprocities. He discussed the way in which wirnan operates as part of people's everyday lives as they engage in a complex series of exchanges, writing that wirnan:

> … wends its way through groups committed to intense traditional life, government and church settlements, small communities on the edge of towns, and people attached to cattle stations. As it goes, it draws in to itself an extensive array of exchange material, ranging from clearly enunciated traditional ideals, values and customs, through the range of adopted ones, to the everyday goods and chattels found in the local supermarket.
>
> As it operates, the Unan both reinforces the kinship within and beyond the community, and is based on that system. It solidifies bonds between individuals and groups. Using opportunities that present-day communication facilities offer, people push the Unan further and further a field. This ever-spreading network extends the social world and people who make up any link in the system.
>
> The most important material that characterises Unan exchange is ritual. The Unan allows for the passage, and in recent times an increasingly rapid passage at that, of the norms and values that are embedded in ritual. By means of its movement it permits and also encourages the admission of new ideas, and it provides for the broadcast, in traditional shapes, through the communities that participate in the exchange. One small community may tackle problems associated with contact in a majority white town, and can pass on to other groups the ways in which it has learned to cope with these problems. This is a vitally important cultural mechanism in the process of adaptation by aboriginal people to the challenges that white people impose on them (1978:159-160).

Moreover, Deakin noted how the wirnan reproduces an ethic of egalitarianism in terms of material wealth:

> And, finally, Unan still forces the distribution of goods and services of individuals and groups, so that accumulation of anything beyond prestige and ritual expansion is controlled…
>
> An egalitarian principle that forces the spread of wealth to be shared by all adults in the system still prevails. Things are to be given away. Wealth is for all. Nothing is meant to remain in any one bank account, pocket, suitcase or to any individuals' advantage for any length of time. Goods and services circulate around the community. ...
>
> It is not the things themselves that constitute the fundamental feature of Unan. It is not the journeys from group to group. It is the constant flow, the movement. Everyone receives to give away. The energy of the Unan exchange provides a permanent vehicle through which its participants shape and mould the cultural responses to the forces which move them away from their traditional ways (Deakin 1978:159-161, emphasis added).

Deakin acknowledged that the wirnan partnership can exist between

individuals but that it can also be established between groups. He further noted that "[a] connection can be made by a simple exchange of gifts; further Unan material can be expected to flow between the groups sometime in future" (Deakin 1978:135).

Deakin also noted that:

> A more formal level of exchange takes place when a member of a group negotiates on behalf of the group, with a member or members of another group. The relationship between them will most likely be based on precise kinship principles (Deakin 1978:128).

He continued the discussion with the example of how a man seeks out potential wives and therefore mothers-in-law for his son and how he gives (generalised) gifts to possible 'wife giving groups' and in this way commences formal and life-long relationships between individuals and groups (Deakin 1978:135). Deakin also noted that when exchanges of this generalised form occur "they always have, or are intended to have, long-term benefits for the partners in the exchange" (Deakin 1978:129).

He further concluded that Aboriginal people engaged in the process of wirnan are not so much "'thing-oriented'" as "exchange-oriented" (Deakin 1978:141). And that Aboriginal people "do not tolerate easily any tendency to negative reciprocity that such behaviour indicates. The flow of Unan is more important than the things of Unan" (Deakin 1978:141). As such, the wirnan is a great leveller of people.

Deakin's discussion of wirnan confirms the intermeshed nature of the elements of the social fabric of Kimberley Aboriginal groups. His study illustrates that wirnan has value and application in the contemporary indigenous world and provides a means by which Aboriginal people come to terms with much social and economic change to traditional ways. These elements of wirnan are of particular relevance to the Argyle context and will be explored in more detail in Chapters 8 and 9.

Akerman described the Kimberley wirnan as a trading relationship. His focus has been on the objects (both everyday and ceremonial) that are

traded along specific pathways throughout the Kimberley and into the Northern Territory (see Akerman 1980c). Love magic items are also exchanged (Akerman 1980c: 250). He noted that those Aboriginal people who engage in the trade do so as *"wunan*-partners" (1980c: 246). Akerman's map: "Contemporary trade routes in the Kimberley's and their major items of exchange" (1980c: 248) shows the geographic extent of the wirnan system. However Akerman does not appear to explore the associated rights, responsibilities and obligations that accompany the process of trade and exchange that occur along the wirnan roads or trade routes. Nor did he discuss the way in which the wirnan system offers an overarching expression of matters of governance within the larger Aboriginal domain of the Kimberley.

Like Deakin, Akerman wrote about adaptations of wirnan in contemporary contexts:

> Originally trade routes lay in a fine mesh over the land, representing a network of interaction which traditionally linked many differently-oriented cultural and language groups. Goods moved initially within the range of recognised kin and then to defined partners living in adjacent territories, and then further afield, travelling clockwise or anti-clockwise, according to convention. With the centralisation of people in settlements, the mesh has widened, and goods that once moved slowly over large stretches of country now pass rapidly and in bulk from one place to the next (Akerman 1980c: 250).

Following on the work of these earlier anthropologists, Kolig has described how existing wirnan tracks have expanded to include roads and highways with the introduction of the motor car and how ceremonial and wirnan objects travel even greater distances by Aboriginal people accessing aeroplanes as a means of transport (Kolig 1984:391-416).

Blundell's earlier research in the 1970's and her more recent work with Donny Woolagoodja and other senior Aboriginal people demonstrate that wirnan is a constant and persistent force in multiple aspects of the lives of the Worrorra, Ngarinyin and Wunambal Aboriginal people whose traditional country is in the north west and central Kimberley region (Blundell 1980, 1982; Blundell and Woolagoodja 2005). For example, Blundell and Woolagoodja describe wirnan as an enduring practice that

continues, “to direct an array of social practices including sharing of resources” (2005:102).

Elsewhere, Blundell has written that:

> Social and territorial organisation can be further understood with reference to an Aboriginal, emic model called the *wunan*... A second aspect of the *wunan* is the idea that clans are interrelated by exchange and that there is an order to such exchanges ... A third aspect of the *wunan* is the idea that clans are associated with certain plants and animals species, so that the ordering of humans is extended to nature (1982:6-7, italics in orginal).

Blundell recalls Aboriginal people telling her “our people cannot live without the *wunan* because it holds every man in his place” (1982:7). In this way Blundell suggest that the wirnan “is like a map” (1982:7) and that when there are conflicts among people or when an individual has transgressed the Law, the wirnan can “cut the trouble” (Blundell 1980:112).

In some contexts the relationships that are bound by the wirnan can be severed by a dissatisfied partner if they choose to do so and socially acknowledged sanctions could apply. Both Deakin (1978:141) and Kaberry (1939:169-171) describe situations where individuals were punished when their wirnan actions were deemed dishonest, inappropriate, or untimely. Aboriginal people have suggested that disciplinary actions are taken against those who “break the rules”: “you can get kicked out for good if you make a mistake, if you didn’t do the right things, there is no second chance” (pers comm Janet Oobagooma 2003). In the past this could have meant that the offender was killed.

Deakin considered that the removal of a man (or woman) from the wirnan was a severe punishment and “rather rare” and he found only three instances of it in his research (Deakin 1978:141). A situation where this could occur would be one where, for example, a man:

> … who was sent to another community to negotiate exchange, returns and announces amounts of goods or money as somewhat less than actually changed hands. He then distributes the material according to the rules, but keeps more than he is entitled to for himself (Deakin 1978:141).

Deakin also noted that:

> When enough evidence is gathered to prove guilt, the man is openly accused and faced with the evidence. He is castigated all round, and then excluded from all Unan until his elders decide that his punishment has been sufficient (Deakin 1978:141).

Geographical Extent of The Wirnan

As I have indicated above, the wirnan extends across the Kimberley region and beyond. The Kimberley wirnan 'trade routes' extend from the north-western parts of the Northern Territory, including places such as Port Keats (Wadeye), into the Kimberley region. To the west, wirnan extends along the coastal regions of the northwest Kimberley including Oombulgurri and Kalumburu as well as the islands off the north west coast. To the south, wirnan extends into areas that have become the pastoral areas of the southern and central Kimberley as well as into the desert well south of Broome. Wirnan extends east into the Tanami desert communities and the eastern pastoral areas and further northeast back through the East Kimberley including the geographical area covered in this thesis (see Akerman 1980c: 248; Kolig 1984; Tindale 1974:82-84). Aboriginal people connected to the Argyle mine site and other Kimberley Aborigines generally describe portions of this overall wirnan trade network in terms of who their own wirnan partners are and where they are socially and geographically located "in the wirnan."

For some of the Aboriginal people connected to Argyle there is more than one wirnan line in which they are obliged to participate. One is said to commence from Derby, and includes the eastern pastoral areas of Mount House, Tableland, Bedford Down, Violet Valley, Mabel Downs, Texas Downs - it extends into the Northern Territory to pastoral areas there including Mistake Creek, Waterloo, Auvergne and to the Aboriginal community of Port Keats. There appears to be another part of the 'line' that also takes in Mabel Downs, Texas Downs, Dunham River, and Lissadell through to Aboriginal people living at Wyndham and then across to Ivanhoe and Carlton Stations and into the Northern Territory through "the bottom side to Legune" (Nyalcas quoted in Dixon 1990a: 84) (Map 6

Wirnan Route 1).

For Louis Karadada, a senior Wunumbal man in the west Kimberley, the wirnan route that he is part of extends from Port Keats through Carlton Station and the reserve area of Kununurra to the town of Wyndham and over to the Aboriginal community of Oombulgurri and on to the Aboriginal community at Kalumburu and from there, "Kinganna and then to Cape Voltaire and from there to Bigge Island and down into Gural country [just north of the lower reaches of the Prince Regent River], and then over to the Worrorra country of Wunbunguwaaya [northwest of St. George Basin] and on to Kunmunya, from here to Munja and then to Derby" (pers comm October 2002) (Map 6 Wirnan Route 2).

Due to the changed nature of contemporary residential and employment patterns some of the station and coastal communities named above are no longer inhabited. However, the integrity of the exchanges along the wirnan line, and associated relationships, are still adhered to by individuals wherever they happen to be residing (for example, at Warmun or Kununurra or at Mowanjum, in Derby, or elsewhere). That is, the 'geographic' reality of movement along the wirnan is taken into consideration no matter where the wirnan participants actually live.

The particular wirnan line that an individual might 'be in' can differ depending on the context of the exchange and whether or not one is giving or receiving. For instance obligations might be generated between individuals based in ritual exchanges that are in a wirnan line that differs, in terms of partners and geographic distribution, from that of an economic exchange. These differences are not significant geographical diversions but rather subtle re-orientations that are generated by specific contextual realities (see also Redmond 2001:178-202). In general terms there is no jumping the queue so to speak and there is an expectation and commitment to 'follow the line.' As Peggy Patrick stated to Dixon - "We just follow that *wirnan*" (Patrick in Dixon 1986b, italics in original).

INSERT MAP 6

Map 6: Wirnan Routes 1 & 2

In summary, then, as a trade route the wirnan is not limited to what, in contemporary capitalist societies, is labelled as 'economics.' It embodies a range of social relations expressed geographically and as such it is like a map that includes information about those relationships within economic, social, political and ritual arenas. These relationships involve exchanges of items, including everyday items such as bamboo for spear making, cloth, and spinifex resin, along with ritual items such as sacred objects, performances, and knowledge. Wirnan relationships also express themselves in marriage arrangements, the preparation and care of young initiates, and the taking on of responsibilities for close kin and country. Thus, the wirnan is a rich tapestry of social and ritual relations that join together large numbers of people over vast areas of land incorporating the sacred and the mundane domains of Aboriginal people's lives. Wirnan finds unique expression in individual personalities and in particular relationships between people. These individual expressions do not, however, override or obviate the inherent and socially binding obligations between people and groups of people along the wirnan. As such, the wirnan underpins the overall social order, economic logic and religious systems that come together as indigenous governance. At the same time wirnan is very much part of peoples' everyday lived lives and as such can be very mundane and ordinary. As Blundell suggests, viewed most generally, the wirnan is a kind of 'cognitive map' that informs a huge range of behaviours and practices (see Blundell 1980:112 and 1982:7).

Cultural Capital At Argyle - Kurara, Manthe and 'Joonba'

Introductory Remarks

It is now possible to turn to a general discussion of some of the ceremonial performances that are central to the culture of the Aboriginal people connected to Argyle. Of the many types of ceremonial performances that make up the cultural capital of East Kimberley Aborigines there are three that are of particular relevance to this thesis. These are kurara, manthe and the various East Kimberley performances

glossed in East Kimberley Kriol as 'joonba,' which involve a distinctive joonba style (Figure 6 below). As we shall see in Chapter 9, all three of these ceremonies have been performed in the context of the operating mine at Argyle. The performances of these ceremonies, as will be shown below, involve aesthetically evocative elements including singing, dancing and the display of vibrant forms of body painting along with the use of potent symbolic emblems or choreographic props called wurranggu by Gija speakers (Plate 12).

(Photographs above courtesy Argyle)

Plate 12: Different Wurranggu

(the above portions of photographs show some of the Wurrangu that Aboriginal people use in their performances, these particular ones are made using timber frames that have different coloured wool wrapped around the frames. These are seen as personal belongings of individual performers)

Aboriginal people's most culturally salient beliefs and experiences are embodied in these performances where they are displayed, validated and reproduced both for performers and (ideally) for audiences. As Clifford Geertz has written more generally for aesthetic forms, such performances "materialize" a particular way of experiencing the world (1976:1478) and, indeed, they "connect to a sensibility they join in creating" (1976:1480). In other words, ceremonial performances by Aboriginal

people connected to Argyle are both a reflection of their complex view of the world and at the same time a privileged way of constituting this view (cf. Blundell 2000). As Geertz continues, meanings about the world become embodied in such aesthetic forms in ways that differ from the encoding of messages in linguistic signification. As he argues, we can identify a cross-culturally valid category called 'art' because:

> … certain activities everywhere seem specifically designed to demonstrate, that ideas are visible, audible, and – one needs to make a word up here – tactible, that they can be cast in forms where the sense, and through the senses, the emotions, can reflectively address them (Geertz 1976:1499).

Moreover, as Blundell has indicated, the connection between the production of aesthetic forms and society is "necessarily 'a practical activity, a mode of production'" as, for example, when Aboriginal people produce, and view, and talk about art (Blundell 2003:177, note 8 quoting Fabian and Szombati-Fabian 1980:258-259).

Following Turner (1969, 1974) and Houseman (2004, forthcoming), kurara, manthe and 'joonba' can also be thought of as ceremonies that involve ritualistic actions directed to re-establishing order, initiating changed social relationships or at least influencing them. Ceremonial performances include prescribed actions and the deployment of specific symbolic forms, that is, they are ways of being that differ from those that take place in the context of people's more mundane everydayness. I am therefore, suggesting that kurara, manthe and 'joonba' can be understood:

> … as the enactment of special relationships … between the human participants but also, … with other, non-human entities … they are not logical or metaphorical connections between abstract terms or categories, but personal experiences sustained by intentionally and emotionally-laden events… experientially grounded, highly integrative and, … difficult to define in terms other than its own enactment (Houseman 2004:76).

Importantly, these performances have the effect of generating change:

> Ritual action, if it is efficacious, thus irreversibly effects ordinary intercourse in perceptible ways: before and after are not the same. From this point of view, ritualization is serious business, its efficacy quite different from the gratification that results from playing (or observing) a game or from observing (or participating in) a spectacle (Houseman 2004:76).

In the East Kimberley kurara, manthe and the various performative styles of 'joonba' derive from the Dreaming and as such their enactments reflect and reveal particular sets of relationships between people, places and spiritual beings. These relationships are embodied in the songs, music, and dances that make up the performances and importantly re-enactments of the Dreaming itself. They do not tell stories but rather in the words of Houseman, " they enact particular realities. They do not so much say things ... as *do* them" (Houseman in press, italics in original).

As symbolic demonstrations of engagement between people and between people and 'things,' people, things and places, kurara, manthe and 'joonba' are important expressions of reciprocity and ways both of sustaining the continuity of a culture as well as the on-going communication between parallel worlds.[138] In the context of changed circumstances, kurara, manthe and 'joonba' remain integral parts of the contemporary lives of local Aboriginal people. They are performed for a range of reasons and purposes including initiating young men and women into adulthood, revitalising the environment and replenishing species, and instructing young people and strangers in the laws and customs and contemporary history of the local region. Their performance also maintains relationships of reciprocity and exchange. They can be directed toward healing sick people and ensuring social cohesion and the reduction of community discord. They are conducted as a part of funerary rites and to divine culprits where sorcery is suspected. In some situations 'joonba' can also be to "play about" and "have fun."

Some performances are location-specific and others can take place "anywhere." Some are locally focused and come directly "from the Dreaming" and some have entered the local area as items of exchange "along the wirnan." Some that have come via trade through the wirnan have come from a long way. Among them are those that are in languages that the local community members do not understand and yet they are

[138] I include sacra and certain bodies of knowledge in this generic category

held in high regard. They are understood as complete bodies of performance rather than interpreted as cycles or chapters of a song line (see also Lommel 1997:68-70, 73). They are considered to be very powerful and sometimes dangerous because they have travelled from unknown country. The content and meaning of the songs and dances associated with these performances are taught to a wirnan partner as part of an exchange and they can be passed on to younger generations or traded further along the wirnan.[139]

Kolig suggests that:

> The religious potency of objects and intellectual contents were traditionally believed to increase proportionally across distances. Things common or banal at their place of origin might well become cherished treasures elsewhere (1981:111).

Other forms of these ceremonies have come into being by the process of 'dreaming,' which is a revelatory experience that an individual has whilst sleeping or during a reverie (see Pentony 1961). For instance, in the late 1930s, during his fieldwork with Worrorra and Wunambal Aboriginal people, Lommel recorded in great detail the processes of 'dreaming' a joonba (referred to as a "corroboree" by Lommel (1997:49-116)). One of these joonba was to be traded along the wirnan line to some of the Aboriginal people whose traditional country now includes the Argyle mine site. Kaberry also records that some of the Kimberley Aboriginal women's secret ceremonies "originated in dreams" which were "attributed to the spirits of the dead" (1939:257). The Daiwul 'joonba,' more correctly of the moonga moonga style, discussed in more detail below, emerged from a similar process.

As noted above, the word 'joonba' is used, in the general Kriol sense, to describe the various singing and dancing performance styles that have come into being by the process of dreaming, and more particularly

[139] Ian Crawford (pers comm 28 June 2005, Perth) once recorded the singing and music of a joonba with Aboriginal people in Kalumburu. He had been told that the joonba had "come from a long way south." When in Port Hedland some time later he played the tape to a senior man who said that he "remembered" that joonba from his childhood. The joonba had travelled some thousand kilometres many years before to eventually end up at Kalumburu. During this journey the joonba had essentially retained its original form and

joonba is a term that refers to a style in its own right. There are a least five distinct styles of ceremonial singing and dancing. The moonga moonga style can have men and women singing, or only women, but not only men singing, and only the women dance. Moonga moonga is also performed in women's only ceremonial contexts.[140] The lirrka and wangka style always have the didgeridoo and clap sticks as the accompanying music and only the men sing with men and women dancing (Kofod in Coyle 2003:36), (Plate 13).

Plate 13: Men singing with Didgeridoo
Photograph Courtesy Argyle July 2003

The features that distinguish between lirrka and wangka are the particular kind of body design and paint that each style uses. As well, the lirrka is considered to be "very lively." It is lively in the sense that the men's choreography is considered somewhat enticing and the performances often invoke a greater degree of audience response to individual performer's style. In the joonba style the performance is lead

content according to Crawford's informant.

[140] In some parts of the Kimberley the moonga moonga style is only performed in the context of women's

by a man who initiates the first verse of singing (called a 'leg' in Kriol) and then the women continue the singing and sometimes men and women sing together (Kofod in Coyle (2003:36-37)). Joonba is said to be "slower" than the other forms of performance and the music produced by clap sticks and women clapping their hands in a percussive rhythmic manner (Plate 14).

Plate 14: Men and Women Singing Together

Another is the barlga form, which is also slower than the lirrka but not quite as slow as the joonba style in terms of the choreography of the dance. Barlga performances use clap sticks for music making and are further distinguished from joonba by the particular kind of songs sung and the kinds of choreographic props used in the performative dance. For instance, the barlga Gurirr Gurirr, dreamt by the late Rover Thomas, has a magnificent collection of painted props as an integral part of the

secret ceremonies.

performance. All of these ceremonies are a public form of performance. They occur at sunset and into the evening.

Name of Performance	Distinguishing Features
'Joonba'	Generic Kriol use of the word to indicate a public performance of one of five different styles of ceremonial performance
Joonba	Slower dancing, man starts singing, wooden 'clapping sticks,' always has props of some kind eg wurranggu
Moonga Moonga	Men and women singing but only women dance, there are secret women's elements to the cycle
Lirrga	'Lively' dance, didgeridoo and clap sticks, only men singing
Wangga	Always the didgeridoo and clap sticks, only men singing
Barlga	Dance style similar to joonba but slightly different tune, men and women singing, always has props of some kind but different than used in joonba

Figure 6: Summary of East Kimberley Public Performative Styles[141]

Because the performances of kurara, manthe and the various 'joonba' are all connected to the overarching Dreaming, they are always seen as serious, if not always solemn, events. The performances of these ceremonies at Argyle generally follow the cultural protocols of the Gija. The details of these central ceremonial performances are provided below. In Chapter 9 I will consider how they have been deployed within the contemporary context of negotiations with Argyle.

Kurara - "To Make More" or "Talking to Land"

The performance of kurara involves the ritual expression of particular kinds of relationships between people, between people and places, and between people, places and the metaphysical world. It is about relationship affirmation by enactment and it initiates a process of

[141] Kofod has informed me that there are three particular song and dance styles that have come into Kununurra and the East Kimberley "as part of the *wirnan* from the Port Keats direction" including the Lirrga and Wangga forms (email 17 September 2006). See also Marrett 2006.

communication between human beings and the localised Dreaming entities. Kurara is also said to mitigate potential disasters, manage natural resource supplies, have medicinal purposes and effect cosmological and environmental change. The ritualised affirmation of relationships embodied in kurara is an element of the overall wirnan system with an emphasis on reciprocity and exchange particularly between people and natural resources.

Kurara, then, is a multi-faceted ceremonial practice, and is said by Aboriginal people to be “very strong law.” Kurara involves strengthening one’s spiritual ability in order to engage both with the contemporary material world and the metaphysical world. In the case of Aboriginal people connected to Argyle, Aboriginal women say that during preparation for ceremonial performances of kurara “we kurara we-self to make we strong” so as to “make we strong for country and Dreaming” (group discussion 19 February 2004). The performance of kurara is no light affair, not a casual undertaking but a demanding, potentially dangerous and focussed exercise.

The proper performance of kurara can ensure that social relationships between people are amicable and culturally appropriate, that people are safe from inherent dangers within the country, and that there is sufficient food and other resources to sustain life. Without the ‘power’ of kurara the resident Dreaming(s) and spirits of deceased ‘old people’ could not only wreak havoc within the domain of humans but also deny resources to them. To ensure social harmony and access to resources a negotiated balance between the world of humans and non-humans is required. Kurara is one means to achieve this coupled with informed interpretation of the metaphysical manifestations that occur during its performance.

Indeed, performance is proof in itself of successful engagement between the two domains. Only Aboriginal people who belong to the country and/or have the requisite ritual knowledge are qualified to initiate, direct and interpret these kind of performative relationships. They are the

people who ‘know’ and can ‘read’ the signs that indicate the meaning and efficacy of the communication.

Some performances can be ‘more powerful’ than others and the extent to which they have been successful can be measured in a number of ways. More will be said about this in Chapter 9.

Of the many aspects that are ‘kurara,’ only those that are directed to ‘increase’ and communication with the Dreaming through performance will be dealt with here. Kurara is said to be a ceremony that can ‘make more.’ As such it is a form of what anthropologists have described as an increase ceremony. Such increase ceremonies are common throughout Aboriginal Australia (Berndt and Berndt 1964:227-231). Catherine Berndt has reported on ceremonies at increase sites, the places where increase ceremonies are performed for particular species, within the Balgo region. Mountford has recorded that for Desert Aboriginal people there are “increase centres” and associated ritual performances “for maintaining or increasing certain foods and other necessities” (1976:53-4). Working with Martu Aboriginal people with traditional country in the Great Sandy and Gibson Deserts, Tonkinson has noted that there is a relationship between an individual and certain species of plants and animals that requires a form of communication to enable the “continued growth and fertility of flora and fauna which emanate from specific sites, known as, ‘increase centres’” (Tonkinson 1974:75). For the Kimberley Elkin wrote of “increase rites” (1933b: 284-296) and “the belief in pre-existence of the spirits of all forms of life and objects which are of value to man and society” including child spirits (1933b: 284). Kaberry also reported on increase ceremonies in the Kimberley region (1938:277) and the existence of pre-existent beings (1938:278-279). In the cases she described women played a central role (1936:398). Deakin described an increase ceremony that he witnessed just west of Kalumburu community in the early 1970s (Deakin 1974:222-223). Blundell has argued that for Aborigines in the northwest Kimberley the all embracing reciprocity of the wirnan system and the symbolic representation of the Wanjina rock art

sites come together to ensure the continuity of people's daily lives including enactments that go to "the replenishment of certain species in the natural world" (Blundell 1982:14).

Meggitt, writing about similar practices among the Walpiri, noted that

> the term 'increase,' although commonly used in the literature in relation to such rituals, is not strictly accurate. The participants are simply concerned to maintain the supplies of natural species at the usual level, to support the normal order of nature (Meggitt 1962:221).

It would appear, then, that although commonly called 'increase ceremonies,' the ceremonially expressed relationships between people and the natural world are not just directed to securing a never-ending supply of resources. They also demonstrate connections and relationships of reciprocity between humans and spirits that are believed necessary to ensure the continuity of the natural world. These ceremonies are not just performed for 'beneficial' species but for less desirable or attractive species such as flies, mosquito and lice (Kaberry 1935a: 433; 1939:205).[142]

So, too, Strehlow's account of Central Australian ceremonies of the early 1900s highlights the inter-relationship between those who perform the increase ceremony and the general well being of the country and the community:

> It cannot be stressed too strongly that the ceremonial chief of a totemic centre was regarded, both inside his own area and by members of outside local groups, as the person responsible for ensuring, with the collaboration of the other fully initiated elders of his totemic clan, the effective performance of those ceremonial acts on which the economic well-being both of his own fellow clans men and of outsiders was believed to depend (Strehlow 1971:110-111).

More recently, Rose has classified 'increase ceremonies' as falling within a general category of "Rituals of Well-being" and quotes from Latz:

> People are not aiming to initiate uncontrolled increase. What they are aiming for is to maintain the levels of resources within the country (in

[142] I have been taken to several such locations in Central Australia where these sites are generally considered dangerous places because to touch them, even accidentally, would create plague proportions of these species. Kaberry noted that the Aboriginal people with whom she worked did not exploit this potential "for the discomfiture of their enemies" (1935a: 433).

> Rose 1996a: 53 quoting Latz 1982:108-9).

Rose extends this idea further in suggesting that:

> We might consider these rituals as maintenance rituals. Because human beings live by obtaining and consuming resources, the obligation seems to be on humans also to regenerate these resources (1996a: 53).

In their published paper about Aboriginal land tenure and social organisation Palmer and Williams state that Miriwoong and Gija people have "rituals to maintain supplies of species" (1990:11). In their unpublished report they provide a more nuanced analysis (1980:56-58) stating that there is "(A) specific verb, gurara," that "denotes 'talking to land'" (1980:42 emphasis in the original). Further that this ritual action relates to "requesting...that the land give up a resource sought" (1980:42). Palmer and Williams were told about, but did not locate, a specific site where only local Aboriginal women were allowed to perform the increase rituals for the increase of Barramundi. Men were excluded from this site (1980:44).

Kaberry reported in 1939 that increase sites can be dangerous places:

> If strangers approach the *wulwiny* (increase site) without due ritual precautions, they are likely to sicken or contract some permanent deformity. For the same reason any food they obtained in the vicinity must be given to the headman (1939:203-4 italics in original).

Kurara also involves an ambiguity. In one sense it is a ceremony seeking to have pre-existing resources revealed and in another sense it aims to continually produce – that is increase - the existing supply. However, if one accepts the 'everywhen' (following Stanner 1987:225) of the Dreaming then they are one and the same thing - a finite and pre-existing infinite supply - located in the Dreaming and therefore not bound by limits of linear time or tangible quantity.

When people 'kurara' what does it look like? The performance can be simply throwing stones into the air and shouting out a request or instruction – "show'em self more", or for example rubbing ones' sweat from the armpit onto a specific rock and calling out to the old people, "give we more fish", as the late Queenie MacKenzie did in 1982 (Doohan

1982: Plate 5, pg48). Or it can be embedded in other manthe and 'joonba' ceremonies that intend to achieve specific, increase outcomes.

In summary then, kurara is a ceremonial practice about having a particular kind of communication with the natural and the metaphysical worlds which are focussed on this Aboriginal concept of 'more.'

Manthe

Like kurara, performances of manthe involve ritualistic aspects, and like kurara, those with the rights, and indeed the obligations, to do so, can only perform manthe. Manthe is a ceremony of relationship and allowing and always involves others unlike kurara that can be directed to oneself. There are, then, those who 'give manthe,' and those who 'receive manthe.'

According to Kofod, who has worked as a linguist in the East Kimberley for thirty years, manthe "is a coverb" and "is used in any context where a ceremony makes future actions allowable, not only going to country where you are a stranger" (email 10 Oct 2005). Kofod gave the following examples:

> If you ask them if they tasted 'porcupine' they might say 'they never manthe me for that one yet.'. [143]
>
> If someone has been observing dietary restrictions after a death there is a little ceremony sometimes as part of the smoking where the restricted food is placed in the person's mouth. The coverb manthe would be used in describing this ceremony as well (Kofod email 10 Oct 2005).

The giving and receiving of manthe binds people in a reciprocal relationship, requiring them to exchange material items and to behave in certain ways. As such it is also an aspect of the overall wirnan system.

The purpose of manthe is to manage and contain disorder, potential chaos and social dissonance that can visit Aboriginal communities. Two

[143] "You have to kiss the echidna's anus before you can eat the meat" (Kofod email 10 Oct 2005).

typical examples are when there is a death in the community and when 'strangers' (those who do not belong) enter country uninvited, such as Miners. Both of these situations are inherently dangerous and if un-managed and unmediated they can cause chaos for Aboriginal people in terms of their community life and country based obligations to their kin and the Dreaming. Among the Gija, Malngin, and Miriwoong there are some differences in the way that the manthe ceremonies are conducted but they are all conceptually consistent. The following discussion is primarily based on Gija practices.

According to Aboriginal people, manthe is a form of "protection", that is, it is aimed at protecting people from a range of potentially dangerous and malevolent spirits that reside in the landscape, these being the recently deceased, "the bodies of the old people", or beings "from the Dreamtime" who can cause trouble to those in the realm of the living. According to local Aboriginal people these spirits reside within the country generally or at specific locations (Mona Ramsay pers comm 19 February 2004).

Manthe is also an embodiment of Aboriginal laws and customs, and as such, manthe is an autonomous expression of people's connections to, and ownership of, country and all that this implies. The 'power' of manthe is embedded in the landscape, and it is embodied in the performance, painted designs, songs, 'living water' and smoke.

But what does manthe look like, who performs it, when and where?

Depending on the context, manthe as a ceremonial performance employs the use of certain material items such as green leaves from particular tree species to create smoke (from the smouldering leaves), water (from a local spring source often called 'living water' because the water source is said to be imbued with the living essence of a Dreaming being, usually a Rainbow Snake), human sweat, white ochre (mauwundum), red head bands, painted designs, dance, song and musical instruments. These items enhance the mediation and efficacy of manthe by enabling greater

access to the non-material realm and hence for achieving particular outcomes normally outside the reach of human agents.

Manthe - A Funerary Rite (or 'Smoking Ceremony')

In the case of a death, there are practices and observances that certain individuals have to perform and observe in the course of the overall funerary rite which can take over twelve months to complete. Many of the traditional practices, such as waiting for the flesh to disintegrate from the bones of a deceased person and passing the wrapped and ochred bones to distant kin, have been altered in the post contact context (see for example Kaberry 1935b). However other aspects have been retained and incorporated into contemporary funerary practices. The cultural beliefs about death such as causality and blame, the difficulties associated with enticing the spirit of the deceased to depart, and the need for a mediated engagement between the realms of the living and the dead persist.

The practice of 'smoking' is one practice that has been retained in a modified form. Aboriginal people continue to protect their family members from the spirits of the recently deceased with a smoking ceremony conducted by close kin held near the house of the deceased person. The deceased person's belongings are either burnt or they are passed through smoke that arises from smouldering leaves, and then widely distributed to other distant kin. Surviving family members are enveloped in the smoke to ensure that they are ritually protected from the deceased's spirit. These procedures ensure that the spirit is "chased away" by the smoke along with the accompanying singing or other incantations. Often surviving family members abandon the house and the community for up to a year as part of this cleansing and purifying process. If, however, one does not want the spirit of the recently deceased to depart but rather to "come back quick" as a new-born child, wibilirri, then one does not smoke the house to encourage the return of the individual by re-birth of the deceased's spirit. As noted earlier, this re-entry of the spirit to the community is not an unusual phenomenon. As

I noted earlier in this thesis, Aboriginal people say that they sometimes "mark the dead body" so that when a child is born they can examine the newborn to discover the identifying mark of the deceased and this confirms their re-birth.

Manthe - the Host / Guest Relationship

Manthe is also said to be a "welcoming ceremony" by Gija people who say that it "comes from the Ngarranggarni and the old people" (Mona Ramsay pers comm 19 February 2004). According to a number of Gija people, the practice of welcoming family groups or individuals into one's camp is common within the contemporary Warmun community. It is considered both polite and appropriate for people to approach another camp in a cautious and humble manner and wait for an invitation to enter the camp.

> Someone would go from the camp and say, "What do you want?" "Do you want to come to visit our camp?" and they would be welcomed into the camp then, and there would be no hard feelings (Ethel McLennon pers comm 26 Sept 2004).

Another context is the welcoming of a 'stranger' who may be close kin and well known to people in the host group but someone who has never been introduced to the country that they are seeking to visit (see also Blundell and Woolagoodja 2005:136, 256). As one senior Gija woman explained:

> Old people use to tell us you can't go to that person's country and get anything. That is another person's land. You can't go and pick up this stuff, no, not even for bush tucker. Right, they got to *manthe* you first. Then you can take 'em (the late Shirley Bray interview 27 Feb 2002).

Another senior Gija woman reported:

> They welcome you again, that country, and they give [to] you then. They gotta give it, that thing [manthe], with their own will. Well, that is the country blah alabat [that belongs to those people]. If we want to eat'em [bush tucker], well, they give us. They have welcomed we (Peggy Patrick, interview 27 Feb 2002).

In a situation where there is a 'living water' at the site being visited those performing manthe anoint the head, feet and hands of the visitor with that water as a way to introduce the visitor to the local country and

resident Dreaming beings (see Plate 15 below; see also Doohan 1982:46-47). The Gija woman Shirley Purdie explained it in the following way when introducing people to the country during a visit to country by an exploration company. “This is so they can know you” (10 April 2002).

Plate 15: Water Manthe

If there are no nearby ‘living waters,’ the visitors are invited to walk through a wall of smoke generated from a small smouldering fire of green leaves sourced from nearby trees. The guest is greeted by the hosts and brushed with warmed leaves over their head and body.

Whether or not there is living water, at the same time that the visitor is being welcomed those giving manthe are communicating with the resident ‘old people’ and Dreaming spirits by singing certain songs or through direct conversation with them. Sometimes the manthe consists only of conversation that declares the host’s credentials and intentions to the resident beings. “It is me, your grandson. I am bringing you Jane so you can know her”, and so on. At other times the sweat from the performers’ armpits is transferred to the guests shoulders and down their

body as a means of disguising their (unfamiliar) ‘smell’ and introducing them as a more familiar presence in the landscape.

‘Joonba’ - “Dreaming” the Dreaming and Dealing with Disorder

As noted above ‘joonba’ is a generic term for certain kinds of performances that are generally public in nature. The revelatory performance styles summarised above are enactments or performances of events and knowledge that is revealed to an Aboriginal individual. They are discrete bundles of knowledge that have been ‘given,’ in the form of a dream, to senior Aboriginal men and women while sleeping and in the ‘dream state’ (see also Berndt C.H. 1950:27; Blundell and Woolagoodja 2005:106 and 214; Dussart 1988:219-221; Lommel 1997:33, 60-61, 72-73; 1994:282; Munn 1973:36-38; Myers 1986a: 51-52; Tonkinson 1974:85-86).

This process of ‘dreaming’ songs, stories and performance is an integral aspect of senior Aboriginal men and women’s lives as dreaming is part of the continuing relationships that exist between Aborigines, their ancestors, their country and the spirits and beings that inhabit the other realms of space and time. These are realms that human beings can only access when in the dream state and if they are receptive to, and capable of, recognising the experience and the associated responsibilities. Having had this dream the recipient can co-opt and ‘train’ other men and women to reproduce the ‘joonba’ (see also Dussart 1988:217-248; Tonkinson 1974:84-86). Some times these dreams are gender restricted and sometimes not, sometimes there are gendered sequences and/or embedded meanings in publicly performed ‘joonba.’

On this question of ‘dreaming’ Stanner had the following to say:

> Why the black fellow thinks of 'dreaming' as the nearest equivalent in English is a puzzle. It may be because it used by *the act* of dreaming, as reality and simple, that the aboriginal [sic] mind makes contact - thinks it makes contact - with whatever mystery views that connects The Dreaming and the Here - and - Now (Stanner 1987:226, italics in

> original).

Dreaming is a very important aspect of Aboriginal peoples lives, not only to find ‘joonba’ but also for finding children:

> a person cannot be born until his father has found him as a soul germ ... in a dream process, and again in a dream process handed it over to his wife (Lommel 1997:33).

Wunambal Aboriginal men told Lommel that the lack of children being born in the mission stations was because of the constant presence of Europeans who had disrupted their lives with work and new institutions (1997:35, 38). It was because of these changed circumstances that they were unable to achieve the necessary “light sleep” and focussed attention to allow them to find child spirits (1997:35). Lommel reports that the Aborigines with whom he worked stated that:

> they “cannot find the proper dreams” any more which are necessary for fertility, and they explained that they are either have to do too much heavy work at the missions and stations and sleep too deeply to dream properly, or that they “think too much about white men” in their dreams (1949:163).

Catherine Berndt notes how dreams and ceremonies based on dreaming deal “with the culture contact situation” (1950:26- 27) and adds “they serve as an outlet for some of the unpleasant emotions engendered among the aborigines (sic), individually and as a group, by their contact with the settlers” (1950:68-69).

Myers notes that “the mystery of dreams parallels that of The Dreaming” (1986a: 52) and as individual experiences they can be potent and negotiable aspects of contemporary Pintupi life (1986a: 51-52, see also Pentony 1961). Clearly dreaming is important. The ‘old people’ or spirits that are from the Dreaming and embedded in the local landscape reveal bundles of knowledge to the recipient when they are in the dream state. They reveal to the recipient a truth about a known event.

Thus ‘joonba’ are contemporary expressions of certain ‘real’ events or interpretations of known events that have both historical and pre-existing realities embedded within the narrative (singing) and manifest in the

performative actions of the dancers. This telling is not in the ordinary sense of a complete story but a revelation that then has to be crafted into a comprehensible package. That is, the receiving individual, on awakening, has to either compose and choreograph the events of the revelation into music, song and dance or seek assistance to do so from those who are considered experts in dream interpretation, composition and choreography. This process takes time, along with considerable discussion between the dreamer, the expert and the singers and dancers of the community.

Redmond, working with Ngarinyin Aboriginal people in the central West Kimberley, made the following observation following his fieldwork in the late 1990s:

> That such a process of bringing unconscious ideational material into consciousness is active in the composer's work is clear from exegeses which are given by composers[144]. Even though the dances and songs are said to be received in a complete form, "stained" upon the mind of the composer, the actual organisation of the material, the teaching of the choreography and new verses to the performers, the creation of the sequences of verses and the strategic use of song words to enhance the flow of the song and to sustain polysemy, are all things which the composer works on over time (2001:364-365, footnote in original).

Once the dream has become a particular performance it is then named and revealed or introduced, by way of enactment, to and for the larger group (see also Dussart 1988; Lommel 1997). When the dancers dance and the singers sing they 'become' at one level the Dreamtime beings, that is, a transubstantiation takes place and communication across the realms of existence occurs. For example, when Peggy Patrick and others are singing they are speaking directly to the Barramundi. The Barramundi is manifest in the smoke that is produced by a green leaf fire prepared and maintained by the men. The communication is conducted by the women and is assisted by their choreographed dancing.

As these examples indicate, the various forms of 'joonba' are expressions

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[144] "An old man told the experiences of the calling in the following manner. The power of Ungud enters the body of the medicine man through the navel. He dives into the water where on the bottom an Ungud-snake gives him two eggs to take and which will grow inside him" (quoted in Redmond 2001:364 from Lommel 1996:41).

of relationships that Aboriginal people have with the Dreaming and with the country. These performances are a contemporary realisation of a body of knowledge embedded in the Dreaming and embodied in the country. As such dreaming 'joonba' enables Aboriginal people to accommodate the new into the old. It allows Aboriginal people to integrate the novel, the new and disorder into an orderly framework. In this way, these performances give acknowledgement to human agency in the interpretation and production of ceremonial enactments without diminishing the inherent efficacy of the (unchanging) Dreaming. All of the different expressions of engagement between the human and non-human realms in performance of 'given' knowledge provides the means by which the contemporary Dreaming/country conditions can be told. These performances of the various 'joonba' provide a clear indication that Aboriginal modernity finds expression in deeply rooted traditions and enables cultural continuity without denying the eternal nature of the Dreaming and the Law. For example, the contemporary Gija Daiwul 'joonba,' which is technically of the moonga moonga form, is grounded in the Dreamtime story of the Barramundi and her pursuers but incorporates and integrates the contemporary reality of extractive mining of the diamonds in the same location. The choreography reflects the Gija interpretation, and symbolic representation, of the contemporary layer of industrial meaning that now co-exists with that of the Barramundi in the (mining) landscape.

The Fire Fire Burning Bright joonba is of the style that uses only voices and clapping sticks (Kofod in Coyle 2003:36) and reveals the full 'story' of a massacre of Aboriginal people in the East Kimberley. The joonba tells a tragic story of killing but also of a great journey of the spirits of those kin as they travelled to their spirit home and those that they encountered along the way. How Daiwul and Fire Fire Burning Bright have come into being are discussed in greater detail below.

The Two 'Joonba': Daiwul and Fire Fire Burning Bright (Marnem, Marnem Dililib Benuwarrenji)

Daiwul

The Daiwul moonga moonga came into existence some years ago. Aboriginal people explain that it was "given" to a senior Aboriginal law woman (now deceased) in a dream. The Ngarranggarni Women who were chasing the Barramundi in the Dreaming contacted her. The women (sometimes also glossed as moonga moonga) who were/are chasing the Barramundi "gave it to her" so that she could show the story of what has happened to the country. They gave her a moonga moonga style 'joonba,' a story, the songs, the designs for the bodies of the dancers and choreography for the dancers (Patrick and others interview 27 February 2002).[145] However, that woman did not consider herself to be "a good singer" and so she sought assistance from someone who was considered capable and appropriate to interpret and choreograph the dream, and thus "bring it out" for others to see and experience. As it was explained to me:

> If someone dream it they bring it to a singer, and the singer brings it out ... straighten it and put it in the country (interview Patrick 27 February 2002).

The Daiwul 'joonba' is made up of a number of 'legs,' some of which concern the physical transformation of the landscape - Barramundi Gap- into the open pit diamond mine with interpretative choreography of extractive and drilling machinery and the use of particular props.[146] Daiwul is performed by women, they are the singers and the dancers. Men make the smoking fire and attend the fire throughout. Daiwul is considered women's business, but not of a secret kind. The Gija men and women perform various 'legs' of Daiwul at the mine site and they perform

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[145] Other researchers have recorded the relationships between Aboriginal women and the Dreaming Women, the Moonga moonga, whilst in the dream state (for example Dussart 1988:238)

[146] I have not undertaken a complete study of the Daiwul moonga moonga and so I am unable to provide information on just how many 'legs' it has, but I have witnessed the performance and observed at least five different 'legs' for it performed in three different contexts at the mine.

those legs that they consider to be appropriate for the particular event that they are participating in. More is said about these performances in Chapter 9.

Fire Fire Burning Bright - Marnem, Marnem Dililib Benuwarrenji

During his fieldwork in 1938, Lommel worked closely with the famous Worrorra composer "Allan the Poet" (1949, 1997:77). Lommel recorded, in great detail, the verses of the performance and provided a translation (1997:77-85). There is some consistency in interpretation of some of the 'legs' of this 'corroboree' and that of Fire Fire Burning Bright. There is some indication that this corroboree of Allan's, or perhaps some of the 'legs' of it, were later traded in the wirnan to some of the older kin of the local Aboriginal people connected to Argyle. According to two senior men, it "came back to us" (Rammey Ramsey and Freddie Timms pers comm December 2005). They said this because it was the spirits of their massacred kin who encountered the composer when Allan's soul travelled to Wyndham (see Lommel 1997:79).[147] This particular wirnan transaction occurred "in the war time [World War II]" (Rammey Ramsey pers comm December 2005). My informants did not know of Allan the Poet and indeed Kofod has had indications that another man, "Wirrinyjangoo" who was living at Kimberley Downs, had encountered these spirits of the dead near Mt King (email Kofod 17 September 2006).[148] Nonetheless, and according to the men that I spoke with there could have been a number of transactions "along the wirnan from Pantijan and Tablelands" before it

[147] Lommel had recorded "stanza 8" with the following translation: "Allan was standing near Wyndham - wilangor - a large number of spirits of the dead arrived from far off and came slowly towards him" (1997:79).

[148] Kofod recorded the following information which she forwarded to me when reviewing this chapter: "TTs [Tim Timms] version (also recorded with Dottie Watbi [see also Dottie in Ryan 2001:63-68]) of how the song came into being is that after the bodies were burned the shadow (for which he used the word jarriny the same as the word used for the spirit of a person that goes back to its own waterhole to await rebirth in a new mother) of the murdered people went up the side of the mountain (Mt King)… and rested in a little cave. They looked back at their bodies burning in the fire and started to create the song. They travelled west… and gave the song to a clever man at Kimberley Downs called Wirrinyjangoo. It was also described as Wirrinyjangoo finding the song. I had heard this expression before but this time what became apparent is that it is considered that the songs are out there in the spirit world being performed by the spirits and are there to be found. The process of composition is described as finding the song or as being given the song in a dream by the dead. It had to be brought back to Bedford Downs because that is where the spirits who gave this particular song came from (email Kofod 17 September 2006).

came to them at Bedford Downs Station during which other 'legs' and interpretations of the performances would have occurred. They did know, however, that the man who had had the dream and created the joonba was "an old Worrorra bloke" (see also Lommel 1949:281).

The joonba was performed for some months at Bedford Downs Station to ensure that there was a complete transference of the songs and dances. However, it was not performed again for many, many years.

> We never showed white people because we were afraid they would kill us if they knew what the song was about (Peggy Patrick quoted in The Age, 7 October 2002 pg 9).

The joonba takes the 'legs' of the spirits in Wyndham and elaborates their experiences and includes verses of the original joonba as well. The elaboration appears to be derived from a dream that Tim Timms had, which provided greater insights and particular detail to portions of the original joonba.[149] Members of Timms' family had been victims of this massacre.

Although initially performed in the early 1940s the joonba was not performed again until some fifty years later. Initially the story was "bought out" (disclosed) into the wider Australian public domain in the form of paintings by Tim Timms in 2000 (Oliver 2003:7-8). The paintings originated in dreams of the massacres that were in the original joonba from Allan the Poet. There was an initial reluctance on the part of Timms and his brother-in-law, Paddy Bedford, to reveal the meaning of these paintings, the stories of massacres and the joonba. According to Tony Oliver, the artistic director of Jirrawun Arts:

> It took courage and time for the first paintings to be realised. Many of the stories had never been revealed to non-indigenous Australians (Oliver 2002:7).

The performance primarily concerned a massacre of Aboriginal people in the 1920s. Aboriginal men, the close kin of some of the local Aboriginal

[149] Tim Timms died unexpectedly in December 2000 before I was aware of the connections between the joonba of Allan the poet and Fire Fire Burning Bright and so I was unable to confirm with him some of the details of the joonba and his part in the wirnan exchange.

people connected to the mine site, had been gaoled in Wyndham for cattle theft. On their release they were sent back to the station where they had come from and where they had allegedly stolen and eaten the beast. These men were wearing "a ticket" around their necks as they travelled home.[150] The Aboriginal men thought these tickets were letters of pardon and they wore them each day. The storyline tells of how these men encountered various people along the way including spirits of their ancestors and a travelling Chinese man. The spirits told them not to go back to the station and the Chinese man offered them food and also advised them not to return to the station. He advised them that their tickets were death notices and to stay away. They did not believe him and returned to the station. On returning to the station they were set to work by the station owner. Part of their work was to gather a large amount of wood. They had thought that this was for the station house. Having completed the task the men were fed a stew by the station owner. One of them became suspicious of this stew; he recalled the warning of the spirits and he ran away and survived. The others ate the stew and died a terrible death. Their bodies were burnt on the piles of wood they had collected earlier in the day.

The spirits of those men then embarked on a long journey throughout the north and west Kimberley seeking their way home. They were coming to terms with their death. They were unsettled and unable to return home. These spirits had adventures on the way meeting different people and engaging with them including soldiers who had returned from war and others who had caught some fish (see also Lommel 1997:79).

Fire Fire Burning Bright is a performance of an extremely disturbing historical event. Peggy Patrick commented that:

> People who were still working on the stations were scared they might all be shot themselves if white people saw the *joonba* or realised what is was about (quoted in Oliver 2002:7, italics in original).

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[150] It is unclear exactly what these 'tickets' really were but it seems that Aboriginal people came to believe them to be signs, to the station owners, that those Aboriginal people wearing them could be murdered. Peggy Patrick's father was one of those sent to jail but he did not return to the station with a 'ticket' and therefore

After careful consideration and much community and family debate it was decided to perform the joonba once again. The joonba first re-emerged in the late 1990s when Tim Timms decided that the story of how his family had been murdered had to be told in an effort to educate non-indigenous Australians and create a better context for indigenous and non-indigenous reconciliation. According to Peggy Patrick Fire Fire Burning Bright was performed "so black and white can be friend when we look at true thing together" (quoted by Kofod in Coyle 2003:37).

The first public performance was at the Argyle police station as part of a reconciliation event sponsored by Argyle in 2000. The Commissioner of Police (Western Australia) was present (Oliver 2003:9).[151] Some months later it was performed again at the annual Telstra Art Award opening (Oliver 2003:9) where the performers commenced a collaborative relationship with an artistic director Andrish Saint-Clare. The performance was further developed and choreographed and became called 'Fire Fire Burning Bright.' With increasing confidence, determination and assistance from a professional production team the joonba was prepared for further public presentation. The world premiere was in Perth at the Perth International Arts Festival in 2002 and a year later Fire Fire Burning Bright opened the Melbourne International Festival to a full house. [152] Segments of Fire Fire Burning Bright and the Daiwul 'joonba' have been performed at two major ceremonial occasions at the Argyle mine. Why these 'joonba' are performed on these occasions is discussed in detail in Chapter 9.

Thus, as outlined in the preceding two chapters, the contemporary lives of Aboriginal people connected to the Argyle mine site continue to be located in a rich cultural context that includes ceremonial performances and includes practices and relationships that derive from the wirnan. The

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escaped being massacred.

[151] . This was following an unfortunate encounter between two police officers from the Argyle Police Station and local Aboriginal people in Warmun community.

[152] The Perth World Premiere Season was at The Quarry Amphitheatre, Floreat Park (6 - 10 February 2002). In Melbourne the performances were at the State Theatre Victorian Arts Centre (17 – 20 October 2002).

summaries offered in this and the preceding chapter are intended to provide insights into the local Aboriginal worldview and to explain what these cultural practices look like in action. They aim to demonstrate richly constructed relationships among Aboriginal people that are embodied and embedded in the complex of ceremonial performance, the Dreaming and country. These relationships are directed to ensuring reciprocal exchanges between people, place and beings, and at ensuring the continuity of resources, harmony and community well being.

The following chapters, Chapters 8 and 9, explore the historical and cultural contexts in which relationship between the Argyle Miners and local Aboriginal people have been enacted. These chapters aim to situate the significance of the ways that both parties have engaged with each other and established a range of relationships from within and across different cultural frames – both formal and informal, known and unknown.

CHAPTER 8
ENACTING THE GOOD NEIGHBOUR APPROACH

The preceding chapters have provided an overview of Aboriginal beliefs and practices in order to establish a basis for understanding what Aboriginal people thought the Good Neighbour would look like in action. I now take up this issue as well as the question of how personnel at Argyle understood the agreement. As Dillon has suggested:

> Like an Aboriginal painting, Argyle can be seen to involve various layers of meaning -- with the position, knowledge, and background of the interpreter determining which of those layers will be accessible and able to be 'read' (1991:151).

As my research for this thesis unfolded, it became clear that the Aboriginal view of what the Good Neighbour would entail differed from that of the Argyle personnel working in the Argyle Community Relations Department at the mine site. These individuals were, of course, the Argyle employees who were on the mine and charged with the task of being the Good Neighbour. As we shall see, the early days of the Good Neighbour that followed the making of the Good Neighbour Agreement were confusing, intense and complex for all of those trying to make sense of the agreement. In an informal telephone conversation with Neil Butcher, the man who had been involved in Argyle's Good Neighbour relations for seventeen years, undertaken during my consultancy for Argyle he described those days as "like being in a swamp, there were alligators snapping at your arse from all sides" (7 March 2001). The expectation that the Good Neighbour was the vessel or the mechanism to achieve a reconciled engagement between the various parties with interests in Argyle was ambitious, but as we shall see, it may well have met more expectations than could have been anticipated twenty years ago. This chapter is directed toward enhancing the reader's ability to understand how the enactment and performance of the Good Neighbour has evolved and changed over time.

In order to better understand events and alternative interpretations of

the Good Neighbour this chapter provides a brief description of the component parts of the Good Neighbour and how they came into being. Following this I provide a summary of some of the actions, events, behaviours and resulting relationships that occurred between Argyle Community Relations staff and local Aboriginal people. This summary is provided in order to indicate how the Good Neighbour approach operated on the ground after 1980 and what kinds of engagements were generated or stimulated by the Good Neighbour approach. The discussion will also consider some of the modifications to the Good Neighbour Agreement, Policy and Programme that came about as a consequence of daily engagements between Argyle and local Aboriginal people. In so doing this chapter begins with an examination of the "assumptions and operations of the Mining Company's Good Neighbour Program" (Dixon and Dillon 1990b: 3). This examination draws on my critical reading of the Argyle Community Relations archives and on Aboriginal accounts in order to provide an alternative reading of the corporate narratives.

Introductory Remarks - The Good Neighbour in Context

The Good Neighbour approach had a unique expression at Argyle although, as demonstrated in Chapter 5, the idea of the 'Good Neighbour' was one that had considerable currency within CRA. The Good Neighbour is, however, awkward to define precisely. Indeed, no definition of what a Good Neighbour is, does, or how one sustains Good Neighbourliness exists as a separate written formal document or even in informal proposals. Moreover, based on my discussions with past and present Argyle employees, there appears to be no consistent belief within Argyle as to just what it means for them to be a 'Good Neighbour.'

Instead, it appears from the Argyle Community Relations archives, from interviews with key corporate players, from published materials, and from discussions with Aboriginal people and others, that the Good Neighbour approach has been variously understood as being

encapsulated in all, or a combination of, the following: the 1980 Agreement - variously termed the Glen Hill Agreement, the Argyle Agreement or the Good Neighbour Agreement; the Good Neighbour Programme; the more general Argyle Social Impact Group programmes (in which both the State and CRA/Argyle were rather less than enthusiastic participants, discussed below); and everyday Argyle Community Relations activities.

It is not surprising, then, that the enactment of the Good Neighbour is also somewhat difficult to define and describe. The Argyle archives indicate that over time the actions of Argyle, as the Good Neighbour, have found different forms and that through time its enactments were confused, inconsistent and contradictory. It became increasingly clear during the consultancy work I conducted for Argyle that to garner a more intelligent reading of the Good Neighbour, its component parts and its unique expression at Argyle, there needed to be a summary definition and description of the Good Neighbour. The following discussion is therefore my construction of the Good Neighbour as found at Argyle. By constructing an understanding of the Good Neighbour it has become possible to explore the ambiguous and diverse nature of the Good Neighbour in the complex tapestry of what was happening in the context of Argyle's attempts to be one. It has also been necessary to understand what the Good Neighbour has been before being able to comment intelligently on how the Good Neighbour has been operating at Argyle and what kinds of relationships have been created - intentionally or unintentionally - over the past twenty years. What has emerged from exploring the Good Neighbour, in print and in action, is a better view of Argyle's cultural framing of the relationships that have been enacted between themselves and their Neighbours, the local Aboriginal people in local Aboriginal communities.

There are no documents that are consistently referred to in the literature or labelled within the Argyle files as the Good Neighbour Agreement, the Good Neighbour Policy or the Good Neighbour Programme, nor are there

any Good Neighbour guidelines. Nonetheless, it became evident during my research that, in the early 1980s, there were at least three objectives that Argyle, as the Good Neighbour, held. These were: (a) removing the local Aboriginal objection to the mine's development with an offer of financial assistance and the securing of a signed agreement with key Aboriginal people (the Good Neighbour Agreement); (b) establishing a policy framework for Argyle's relationships with Aboriginal people and communities (the Good Neighbour Policy); and (c) securing the compliance of other neighbouring Aboriginal communities and Aboriginal people by extending an offer of financial assistance to those who were not benefiting from the initial agreement (the Good Neighbour Programme).

Below is a summary of the content of each of these three aspects of the overall Good Neighbour approach at Argyle:

- **The Good Neighbour Agreement** (1980 and formally incorporated into the Argyle Participation Agreement in December 2005)[153] refers to the document that was signed by two representatives of CRA Exploration and four Aboriginal people along with one Aboriginal witness on 26 July 1980. It has also been variously referred to as the Argyle Agreement, the Glen Hill Agreement, and the first stage of the Good Neighbour Programme (AJV nd:np).

- **The Good Neighbour Policy** (1981 - 1995) refers to the specific document headed "ADM GOOD NEIGHBOUR POLICY" that outlines a set of goals and objectives of Argyle's general operational approach to Community Relations. The document is not dated.

- **The Good Neighbour Programme** (1981 and formally incorporated into the Argyle Participation Agreement in 2005) refers to the two

[153] In December 2005 John Toby formally agreed to the incorporation of previous 'Good Neighbour' arrangements into the Argyle Participation Agreement (2004) by signing the agreement. By signing the Argyle Participation Agreement Toby finalised the requirement for the Good Neighbour Agreement to become superseded by the terms and conditions of the Argyle Participation Agreement (Argyle Diamonds and KLC 2004:7)

> letters that were offers of financial assistance to Warmun and Woolah Aboriginal communities in 1981. The letters of offer were unilateral offers couched in negative terms and provided no scope for negotiations (O'Leary 1981a, 1981b, also in Appendix 2). The designation 'Good Neighbour Programme' has, from time to time, been used as an umbrella term for the Good Neighbour Agreement, the Good Neighbour Policy and the two letters of offer.[154]

While the above distinctions are useful for teasing out the way the Good Neighbour can be defined on paper these are not distinctions that were inscribed in documents sitting forgotten in the warehouse where the archives were awaiting disposal. That is, these component parts of the Argyle Good Neighbour did not exist as separate, written, formal documents or even as informal proposals labelled as the Good Neighbour Agreement, the Good Neighbour Policy, and the Good Neighbour Programme.[155] However, as I demonstrated in Chapter 5, the Good Neighbour approach was pursued by a small number of key CRA senior management and decision-makers whose attention focussed not on formulating a coherent approach to cross-cultural understanding but on securing the fruition of a diamond mine and helping local Aboriginal people achieve a modicum of economic independence and community development. The Good Neighbour was seen to be outside the arena of politics, especially land rights politics, although the question of land rights was part of the public discourse in Australia at the time. For instance, Sir Charles Court used the words 'good neighbour' when describing to CRA the kind of behaviour that he expected between Miners and Aborigines (quoted in Dillon 1984:73). However, as noted in Chapter 5, in the eyes of Court and others Argyle's expression of the Good Neighbour transgressed the unarticulated boundaries of neighbourliness (Dillon 1984:73).

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[154] During the negotiation processes culminating in the Argyle Participation Agreement these terms became increasingly relevant in trying to retain clarity of discussion with the local Aboriginal people, the Kimberley Land Council workers, advisors and experts as well as the Argyle negotiating team.

[155] The Good Neighbour has now been articulated in these terms in general discourse and in the Argyle Participation Agreement (2004)

Formal Articulation of the Good Neighbour at Argyle

The formulation of the Good Neighbour Policy/Programme came after the making of the Good Neighbour Agreement. I found the earliest reference to any kind of policy formation for Argyle Community Relations in an archive box in the form of a memo (Argyle Community Relations Archive Box 1 463/2 #3 Kimberley Aboriginals). In this memo, dated 12 June 1981, George Gauci (as Mine Manager) wrote to Neil Butcher (Manager Community Relations) that, among other things, "Butcher is to prepare the goals and objectives for community relations section" for later in-house discussion. The memo also stated that Milton Newman (the recently appointed Community Relations officer) was to spend "at least three days a week" at Glen Hill and to commence liaison with the Woolah community – with the further comment that "we need to determine how best we can assist the community to becoming self sufficient." Gauci also instructed Butcher to "finalise discussions on the immediate needs of Turkey Creek, Doon Doon Station and Nine Mile" adding that "[t]hese should be listed with priorities by June 18, 1981" (Argyle Community Relations Archive Box 1 463/2 #3 Kimberley Aboriginals).

According to Gauci, the 'policy' framework for developing Argyle's relationships with Aboriginal people and communities was the result of an intense brainstorming and consultation process that he and other members of senior management undertook prior to finalising the policy platform or Mission Statement for the overall development of the mine (Gauci interview 3 September 2001). Gauci was not specific as to when this event took place other than stating it had occurred after he arrived in Kununurra, which was early in 1980, and around the same time that Toby began discussions with Frank Hughes (Gauci interview 3 September 2001). Gauci noted that, as a green-field operation, that is a new mine, Argyle presented opportunities to implement a new, innovative and challenging practices. In particular he emphasised a new conceptual

approach of a multi-skilled work force, with Aborigines and women in the work force, and the development of relations with Aboriginal communities in general (Gauci interview 3 September 2001). One of the results of this brainstorming exercise appears to have become formalised into what was recorded as the "Mission Statement." The intent of this document appears to have been the basis for the Good Neighbour Policy that in turn formed the basis of Argyle's Community Relations actions for the following fifteen years.

According to Christensen, an anthropologist, who conducted research at Warmun in the early 1980s, Argyle had produced an internal document in November 1980 outlining what he refers to throughout his published article as the Good Neighbour Policy (1990a: 99). I have not seen the document that Christensen refers to and he does not provide a copy or outline of the Good Neighbour Policy that he references in his article. Christensen also wrote that there was constant ambiguity around the Good Neighbour Policy and Programme due to the lack of precise definition and inconsistent use of the terms. As he noted:

> Despite, or perhaps because of, frequent references made to it, the so-called Good Neighbour Policy remains unclear in intent and purport (1990a: 99).

According to Dillon, Argyle created what he refers to as the Good Neighbour Programme as a political manoeuvre to legitimate the company's actions in making the Good Neighbour Agreement and to counter the increasing criticisms and concerns both from Aboriginal people and members of the wider public (Dillon 1990b: 133). It would appear from the Argyle Community Relations archival files that this was indeed the case; the Good Neighbour Agreement was signed before Gauci requested Butcher to prepare an overall policy approach for engagement with local Aboriginal people and communities. It also appears that Dillon was not aware of the existence of the document on which Argyle Community Relations based their relationships with Aboriginal people – that is the 'Mission Statement' or Good Neighbour Policy.

Dillon (1990b: 133) references the Ashton Joint Venture Project Briefing

Paper 1981 as the basis for his comments concerning the Good Neighbour Programme. I have not located this particular document but I did source the Ashton Joint Venture Aboriginal Relations Briefing Paper (nd) that is very likely the same document. From these documents it would appear that Argyle's public position was that the Good Neighbour Agreement was a component of the overall Argyle Good Neighbour Programme which Warmun and Woolah Aboriginal Communities were invited to join (AJV nd:np). There is no mention of a Good Neighbour Policy in that document. Again, the chronology of events indicates that the Good Neighbour Policy came into existence *after* the Good Neighbour Agreement was made. It is also important to recall that the Good Neighbour Agreement was made *before* there was an Argyle mine, *before* the Argyle Community Relations department came into existence, and one year *before* Warmun and Woolah Aboriginal communities were invited to participate in the Good Neighbour Programme. Whatever the real content of, or reason for, the Good Neighbour Policy and/or Programme it is clear that they emerged out of multi-sited and contested engagements between Argyle, the local Aboriginal people, and their advisors and supporters.

I have attempted to keep the discussion of these documents and the associated practices and changes that occurred through time separate in order to convey a clear understanding of each of them. I do acknowledge, however, that over time the Good Neighbour Agreement, Policy and Programme have effectively bled into each other in various ways and to varying degrees. The tensions and criticism of Argyle regarding their operation under a Good Neighbour Policy or a Good Neighbour Programme, what constituted policy, what constituted operations, and how they related to each other, resulted from mistrust on the part of Aboriginal people and their advisors, confusion on the part of Aboriginal people and Argyle personnel, and an absence of consistency between stated objectives and practice on the part of Argyle personnel. These are issues that I address below.

The Good Neighbour Policy (1980 - 95)

The Good Neighbour Policy came into existence some time in June 1981, almost a year after the Good Neighbour Agreement was signed. The policy document, or Mission Statement, articulated two key goals of Argyle's Good Neighbour framework and a number of associated "objectives" that provide greater specificity. The goals were:

> (1) To achieve and maintain beneficial and harmonious relations with the Aboriginal people in our area of interest (ADM Good Neighbour Policy nd:1) and;
>
> (2) To ensure the adverse effects of our operations are minimised and the beneficial effects are maximised in relation to our aboriginal [sic] neighbours (ADM Good Neighbour Policy nd:2).

In summary the aims were as follows:

- Achieve beneficial and harmonious relationships with Aboriginal people
- Maintain regular open communication with Aboriginal Communities
- Promote indigenous self sufficiency
- Minimise social impact
- Maximise benefits
- Ensure external agencies meet their obligations including governments

It remains unclear if the policy was ever formally reviewed or revised before 2000. By 2000, staff of Community Relations was unaware of the existence of this document and unaware of the historical roots of Argyle Community Relations practices. By this time the Argyle Community Relations team were operating within the guidelines of the 1995 Rio Tinto policy directive established by Leon Davis and implemented by Paul Wand and later refined for Argyle's specific business unit context in the annual Argyle Sustainability Reports. In 2000 the articulation of the Argyle "Community Relations Policy" was based on ensuring that Argyle and Aboriginal people and "custodians" had effective communication and that they worked together (Argyle 2000:10; 25-28). Aboriginal people were considered to be one of several groups of "stakeholders." In a general introductory document prepared by Argyle in 2001, 'Being a Good

Neighbour' was articulated in terms of working with local stakeholders including local Aboriginal communities and the role of staff in the Community Relations section was "to ensure Argyle's existence brings benefits and opportunities to local people and to minimise any negative impacts through our operations" (2001:25). There was an emphasis on demonstrating respect and seeking permission to visit waterholes or other places of interest off the mine lease area along with an emphasis on providing information regarding Aboriginal employment (Argyle 2001:25-26) and Cross Cultural Awareness (Argyle 2001:26-27). The change in emphasis from the loosely structured Good Neighbour regime to a more clearly articulated human rights based policy framework with the intent of a formal agreement between the "Traditional Owners" and Argyle was formalised in 2002 in the following way:

> The rights based agreement we are aiming for goes beyond recognition of what may be considered to be limited native title rights under European law and will recognise the fuller range of rights and interests that are alive under traditional law. Examples of this fuller range of rights include consultation with Traditional Owners on land management issues, recognition of the active mining area as an important women's site and assistance to Traditional Owners in the maintenance of occupational health and safety at the mine (Argyle Diamonds 2002:43-44).[156]

The Good Neighbour Programme

The signing of the Good Neighbour Agreement was seen as "formally establishing the Good Neighbour Programme" by Argyle (Ashton Joint Venture nd:np). It is interesting to note that some 'in kind' benefits were already being delivered to local Aboriginal communities such as Doon Doon and Warmun as well as Guda Guda (a small Aboriginal community located on the "9 Mile Reserve" just outside the town of Wyndham) and Rugan (Crocodile Hole) in 1981. As already noted, the formal inclusion of Warmun and Woolah Aboriginal communities commenced with two short letters offering conditional financial assistance to the communities. The letters, written by Mick O'Leary as General Manager Ashton Joint Venture, 6 July 1981, were addressed to the chairmen of the Warmun

[156] In terms of 'sustainability' it is worthy to note the contrast between the tradition and practice of wirnan, the fifty-year continuity of the Fire Fire Burning Bright joonba and the less-than-twenty-year forgetfulness of the Argyle Community Relations corporate memory.

and Woolah Aboriginal Corporations (O'Leary 1981a, 1981b).

In summary these letters offered "to foster harmonious relations" along with the offer of a stipulated financial assistance package on the condition that Argyle "remains free to conduct its mining operations throughout its Argyle tenements" (O'Leary 1981a, 1981b). Woolah Aboriginal Corporation was offered "Capital works worth $40,000 each year" indexed to cover inflation (O'Leary 1981a). The council accepted the offer 18 July 1981 (Brockman 1981). Warmun Aboriginal Corporation was offered "Capital works worth $100,000 each year" also indexed to cover inflation (O'Leary 1981b) and the chairman accepted a month later 18 August 1981 (Nyalcas 1981). Nowhere was there any indication as to how these figures for financial assistance were determined (see also Christensen 1990a: 100).[157] This lack of a record was significant during the negotiations for the Argyle Participation Agreement when Aboriginal people sought answers to the question "how was the financial benefit for each community in the Good Neighbour Agreement and Good Neighbour Programme determined?" The offer of financial assistance was also conditional on having a budget for the expenditure of the funds that was agreed between Argyle and the relevant Aboriginal community council. A summary list of all previous payments to the three communities - Mandangala, Woolah and Warmun - has been included in the Argyle Participation Agreement at Schedule 4.

The Good Neighbour Programme has become incorporated into the Argyle Participation Agreement (Argyle Diamonds and KLC 2004) and two additional local Aboriginal communities are now receiving financial assistance for community purposes (Argyle Participation Agreement, Section 5:Support for Local Communities 2004:8-9). They are Juwulinypany (at Bow River Station) and Rugan (Crocodile Hole, located

[157] There was reference to the benefits being a 'gift' from the company to the Aborigines (see Christensen 1990a: 101; see also Lewis Hawkins and later Piper (2000) referring to 'gift money' in the context of the later payments made to the four Good Neighbour Agreement signatories (Argyle 2002-2003:Folder 1, F1). To explore 'the gift' in this context would be a valuable exercise and would, I am sure, reveal further insights into the construction and reception of the notion of the Good Neighbour but that enquiry would be beyond the scope of this thesis. For some anthropological discussion about the gift see Godbout 1998; Mauss 1970;

on Doon Doon Station) Aboriginal Communities (Map 3).

Wirnan and the Good Neighbour as Practice at Argyle

As discussed in Chapter 5, at Argyle the Good Neighbour is said by Carnegie, O'Leary, Hughes and Gauci to have evolved from the corporate history of the company and the practice of mining companies acting in a (good) neighbourly fashion when undertaking exploration and mining activities. For them, it was a demonstration that the benefits from mining could have a positive local impact and provide Aboriginal people with the opportunity to gain economic independence, greater control over their community life, and generally enhance their standard of living. Aspirations also recognised by advisors to Aboriginal people, for example

> All Aboriginal communities in the region express a desire for economic independence in the sense independence from 'hand outs' and independence from the need to operate in purely European economic terms (Dixon et al 1990: 118)

However, for the advisors to local Aboriginal people connected to the Argyle mine, the Good Neighbour, in all its forms, was regarded as a cheap, opportunistic political solution to the very complex and unresolved issue of indigenous rights and government policy formation in the arena of land rights, heritage protection, social impact and mineral resource development in Western Australia and Australia generally (see for example Christensen 1983, 1990a, 1990b; Coombs et al. 1989; Dillon 1984, 1990b, 1991; Dixon 1990b; Dixon and Dillon 1990c:169-172; Dixon et al. 1990; Howitt 1989).

It appears that Aboriginal people believed that the Good Neighbour would provide them with the opportunity to gain some benefit from the inevitable presence of the mine and the physical destruction of Barramundi Gap. They also saw it as initiating some kind of a relationship between themselves and Miners, albeit one that would be established within a tense situation where there were few choices for them and

Sahlins 1972. See also Bourdieu 1998:93-98.

limited options given their relatively isolated remote colonised regional setting. This local Aboriginal conceptualising of such a relationship appears to have been based on an indigenous understanding and the tradition of reciprocal exchange between partners, and exchange of goods and services for access to land and the land's resources, through the wirnan. That is, the making of the Good Neighbour was seen by them as indicative of Argyle both establishing and taking up their place in the wirnan, albeit in ways that were somewhat deficient and clearly poorly understood by Argyle personnel (Dixon 1990a: 66-94). As Dixon suggested in his analysis over ten years ago:

> It is ironic that, while the company's reputation appears to have been enhanced by a number of actions which were interpreted, within Aboriginal understandings, as signifying *belief* in Aboriginal land ownership, the arrangements it has made for compensation (or, in Aboriginal terms, the exchange of money and goods for access to their resources), consequent upon that 'belief,' have tended to undermine this reputation by failing to match fully Aboriginal expectations of equitable exchange (referred to in the interviews below as *winan*). It need hardly be said that the Company could substantially consolidate its position and remove John Toby from the considerable public criticism to which he has been subjected, by taking action to affect a greater syncretism between its compensation arrangements and the Aboriginal concept of *winan* or exchange (Dixon 1990a: 68; italics in original).

From Argyle's perspective, the agreement was to be the agreement to secure Aboriginal compliance for the company's operations for the life of the mine and to demonstrate 'good neighbourliness.' However, within weeks of signing the Good Neighbour Agreement local Aboriginal people were already beginning to renegotiate its terms.

How these apparently contradictory expectations of the Good Neighbour were to be met and what form of expression they would take became major points of contention between local Aboriginal people and Argyle. They spilled into the ideological debates and articulations that often dominated the relationships between the Aboriginal advisors and Argyle personnel.[158] In fact, the Argyle Community Relations archival material

[158] In reviewing the available sources it becomes clear that there was a range of views, sometimes competing and contradictory, held and enacted by the field of players and protagonists in and around the proposed mine site. Those views found their greatest divergence between the Argyle players and the advisors to some of the local Aboriginal people. The Argyle management team were convinced of their own good intentions and that white advisors to Aboriginal people were obstructionist and naive at best. Elderton, engaged as the book

indicates that within a matter of weeks of the signing of the Good Neighbour Agreement some of the local Aboriginal people, including the original Aboriginal signatories and some of the more vocal opponents to the Good Neighbour Agreement resident at Warmun began to have direct discussions with Hughes and Bell about expanding the Good Neighbour Agreement to include other Aboriginal communities. From Dixon's interviews it is clear that senior Aboriginal people, not only Toby, had determined that preventing the mine's progress was not possible (Dixon 1990a: 72-79) and had decided to seek other ways to 'make things come good' between themselves and Argyle (Dixon 1990a: 86). These efforts by local Aboriginal people to extend the benefits of the Good Neighbour Agreement were generated both internally, that is by Aboriginal people working within the Good Neighbour consultation processes, and externally by the Warmun Community Council, the Kimberley Land Council, and other lobby groups.

For example, a record of a meeting held at Glen Hill on 3 November 1980 demonstrates just how complex the interactions between Aboriginal people and Argyle had become. There were twenty-one Aboriginal people in attendance at the meeting including people from nearby Warmun and Woolah Aboriginal communities. The Argyle record of this meeting indicates quite clearly that Aboriginal people were in the process of securing benefits for their communities and themselves without the assistance of 'advisors.' Yet, at the same time, some of those same Aboriginal people were seeking assistance from external agencies to undertake social impact assessments, challenge the legality of the Good Neighbour Agreement, and secure a formal renegotiation of an

keeper at Guda Guda community at the time, described the period as one where there was a lot of tension between the parties and concluded that there was "an ideological war between the company people and the white advisors" (Elderton pers comm 2003). Further, she believed that even within such a divided and politicised context "the company behaved badly" (Elderton pers comm 2003). These tensions played out for a number of years in several arenas. The legacy of these tensions and views has not entirely disappeared. How they influenced the ultimate outcomes and the way that the negotiations were conducted remain unclear. That there were impacts on the negotiation processes and consequences for the Aboriginal people is undeniable (see for example Stephens 1981). These questions are intrinsically embedded in the relationships that exist between Aborigines and Miners. They are questions that would extend this thesis into another 'cultural' domain and politic that requires a different consideration and analysis of the interplay between the multiple players engaged in 'inter cultural negotiations' and will be addressed in 'the Good, the Bad and the Ugly: process in Aboriginal and Miner relations ' (Doohan and Howitt in preparation).

agreement with CRA (for a summary of these attempts see Dixon and Dillon 1990a: 177, 178).

I have reproduced below the record of this meeting in some detail as it provides an informative vignette of the kinds of engagements that were happening at this time between Aboriginal people and Argyle. These were engagements that were not part of the general discourse around the Good Neighbour except in terms of secrecy and bad behaviour on the part of the company representatives. The following record was created by Bell who, along with Hughes, continued to be involved with Aboriginal relations for some months after the signing of the Good Neighbour Agreement. These men were entrusted with maintaining regular communications with the Aboriginal people of Glen Hill community, as agreed in the Good Neighbour Agreement, until the Community Relations division of Argyle's operation was formally created and operational (1980). The thrust of the meeting's content indicates very clearly that the idea of engaging within the limited terms of the Good Neighbour Agreement, as written, was not something that was constraining local Aboriginal people. The record also indicates that Argyle was already considering the demands for extending the benefits, for whatever reason, to other local Aboriginal people and local Aboriginal communities.

Bell's record of this meeting reads, in part, as follows:

> Following discussion of matters arising out of the Glen Hill Agreement, F. E. H. [Frank Hughes] spoke to the Warmun and Woolah Communities at some length on the subject of the AJV's relationship with its neighbours. He pointed out that it was the Company's wish to maintain good relations where possible. The people closest to the mine were the Mandangala Community and the Lissadell Station people and the Company believed that it had achieved a good relationship in both cases. It appreciated that the Warmun and Woolah Communities, though further away, might be affected by the mine and was prepared to look at ways of assisting both communities.
>
> Talking about the nature of help that the company might provide, F. E. H. said that the Company's belief was that it ought to be of lasting benefit to the community so that, in years to come, the children of those present would feel that they had gained lasting benefits from the mining operation. Therefore, he hoped the communities would give the matter careful thought before telling the Company in what form they required assistance.

The Company hoped to hear from the people directly rather than through advisers. For its part it did not bring lawyers to the meetings and preferred to get on and do the job rather than enter into written agreements. F. E. H. said that once a consensus had been reached on the nature of any assistance he thought that Mick O'Leary would come up and listen to what the people wanted.

He noted that in a number of instances there were Government projects underway at places like Turkey Creek. While he did not discount the possibility that the Company might join with the Government he thought that the slow pace of the Government would make such co-operation unlikely. (Here there were cries of approval from the listeners).

John Toby followed F. E. H. and pointed out to the people from Warmun and Woolah that C.R.A. had kept its promises to him. This contrasted with the Government and Community Aid Abroad, the organisation which had promised him three thousand dollars when he was in Melbourne. This amount never arrived whereas they only had to look around and see that CRA did what it said it would.

Pudd'n Brockman from the Woolah Community at Dunham River said that his community had discussed John's group having the use of the 'Billygoat Country,' i.e the southeast corner of Dunham where John had his dreaming. They were happy that he should do so but believed that they should have a Toyota in return for this.

Bob Nyalgas [sic], chairman of the Warmun and old Jacko from the Windmill Camp at Turkey Creek also requested Toyotas.

F. E. H. said that while it might be that a Toyota was what the respective groups needed most, it might be better if they gave the matter some more thought. How would they feel if he came over to Dunham River in about a week's time? After some talk it as decided that F. E. H. would visit Dunham River Homestead next Saturday.

John Toby then made the point that if CRA provided their Aboriginal neighbours with a number of Toyotas, they were bound to be criticised by the 'gardia' [sic] [Europeans - white advisors] critics.

Two requests that did come up were for a 'law' shed for Dunham River similar to the one provided at Turkey Creek and for improvements to the water bore at Dunham. The first was agreed to on the spot in the second will probably be discussed when F. E. H. goes to Dunham River on Saturday.

John Toby took the opportunity to contrast the lack of progress among Aboriginal settlements generally with that what was going on at Glen Hill. He made scornful references to Noonkanbah ... The meeting lasted about two hours and after it broke up John Toby asked privately whether CRA would assist him in paying $750 that he had been fined in the Wyndham Court for offences under the Traffic Act. F. E. H. said that subject to the approval of M. A. O'Leary it would be possible to arrange a loan on the understanding that John would not publicise the fact that CRA was helping him in this. He also asked if John was prepared to sign an IOU which he was (Document dated Nov 4th 1980, in Archive Box 8

Mandangala, File 17.4)

Argyle maintained its obligation for regular communication with Glen Hill community. A Community Relations staff member appears to have visited almost every week for many years. The Community Relations archives contain records of these meetings in the form of minutes and file notes. Argyle staff members always created these records and given this it is difficult to know what might have been omitted from these documents. However they do contain incidents of dissatisfaction and disputation between Aboriginal people and Argyle that occurred from time to time. They typically record requests for assistance, advice and information. The requests were not only from the Aboriginal people of Glen Hill community, there are requests from Aboriginal people resident in other communities such as Warmun, Woolah, Guda Guda and elsewhere. The file notes also record information about the political context of the time. The following examples attempt to provide an indicative sample.

For instance, the first community meeting of 5 January 1981 was dominated by issues related to fencing, housing, power and water supply (Argyle 2002-2003a Folder 5 - F14: Notes of meeting by Bell). The minutes also note that Toby believed that he was "still prevented from speaking to the Dunham River [Doon Doon community] people freely," that he was critical of Tom Stephens for advising people at Dunham River to insist on having a lawyer with them when they talked with him (Argyle 2002-2003a Folder 5 - F14: Notes of meeting by Bell: 2) and he was concerned about "white interference in Aboriginal affairs" (Argyle 2002-2003a Folder 5 - F14: Notes of meeting by Bell: 2).

At a meeting of Aboriginal people at Warmun community in May 1981 it was suggested by one of the local Aboriginal people that those Aboriginal people benefiting from the Good Neighbour Agreement "ask CRA" to assist in the upkeep and improvement of Dunham River Station (Argyle 2002-2003a Folder 2 - F5B: Notes of meeting 22/05/81 from Butcher to O'Leary pg 2; Notes of meeting 29/05/81 pg 3). By 2 June 1981 there was a suggestion that the Good Neighbour Agreement be amended

because “the Mandangala Community has committed themselves to assist Dingo Springs [a small Aboriginal community on the eastern edge of Lake Argyle] and now Dunham River as well” (Argyle 2002-2003a Folder 2 - F5C: File note from Newman to Gauci). Senior management were reluctant to consider any amendments to the Good Neighbour Agreement and none were made at this stage. Instead the company made financial provisions to accommodate the requests for assistance. On 12 June 1981 Peggy Patrick raised the issue of assistance to Guda Guda Aboriginal community based on her “being a signatory to the agreement” (Argyle 2002-2003a Folder 2 - F5C: File note from Newman to Gauci in 1981). The request was agreed to and consisted of drilling for a water bore to supply the Aboriginal people in the community with water and provide them with a water bore and tank (Argyle 2002-2003a Folder 2 - F5C Glen Hill 1981). The work was completed by December 1981 (Argyle 2002-2003a Folder 2 - F5C: 1981). Other requests were made to assist the Rugan and Guda Guda communities from time to time.

As noted above, at the same time that Argyle was being subjected to these constant requests for further financial assistance, there was an active public campaign aimed at discrediting the Good Neighbour Agreement and accusing Argyle of the lack of due process and the delivery of an inappropriate benefit package. There was also criticism of the State Government for a lack of policy formation and action around the potential impacts of the mine on the local Aboriginal people and their communities.

It remains unclear as to exactly why, in July 1981, O’Leary made the offer to extend financial assistance to Warmun and Woolah communities. There is no single or consistent account of what made Argyle personnel change their minds and extend the benefits to Warmun and Woolah Aboriginal communities. According to Argyle it was due to their belated recognition that there were other Aboriginal people living at Warmun and Woolah Aboriginal communities who should benefit from the mine’s presence (Gauci interview 3 September 2001; Ashton Joint Venture

nd:np). According to Aboriginal people the extension of benefits beyond the Glen Hill community was evidence of Toby and Argyle attempting to 'make good' the wirnan (Dixon 1990a: 85-88). Whatever the impetus, the general tone of the letters and the unilateral nature of the offer, including the caveat requiring the removal of all public objections to the mining operation, imply that the public campaign was creating a degree of discomfort for Argyle. In extending their offer and making this concession Argyle nonetheless maintained its opposition to negotiating a mediated and formal agreement with local Aboriginal people or local Aboriginal communities as a corporate entity (Dixon et al. 1990:120; Warmun Archives: Argyle File H Aug '82 to Nov '82: minutes of meeting at Crocodile Hole to discuss CRA: 7.8.82). For example at a meeting at Dunham River Station (later Doon Doon) in November 1981 "Butcher made the point that we had never talked about negotiations or formal agreements but on-going discussions and meaningful relationships" (Argyle 2002-2003a Folder 1 – F2B Community Relations – General: minutes of meeting at Dunham River Station 19 November 1981). Later, and following consistent attempts on the part of Warmun community and other Aboriginal people, the company's position was reinforced by Gauci who stated that the Ashton Joint Venture's Community Relations Officers were the conduit for on going discussions about the implementation of the existing Good Neighbourly relations and that "we do not need a formal agreement negotiated by lawyers – we need trust and a spirit of good will" (Warmun Archives: correspondence, 2 July 1982, from G Gauci Manager/Operations to Chairman Warmun Community, Mr Nyalcas). Others interpreted the extension of the Good Neighbour benefits as a cynical exercise and significant policy and political shift on the part of Argyle directed at further securing their right to mine and silencing the continuing and well founded Aboriginal opposition to the mine as well as local dissatisfaction with the Good Neighbour Agreement (Christensen 1990a: 99; Dillon 1990b: 133).

Whatever 'the reason' for extending the benefits package and instituting the Good Neighbour Programme it is clear that Aboriginal people – either

by their own actions or in encouraging others to act for them - were active agents in negotiating a shift from the single benefit package of the Good Neighbour Agreement to a package that was formalised for two additional communities and continued to generate less formal benefits as well. My reading of the Community Relations archives confirms this in local and regional terms. That is, Aboriginal people were expressing their dissatisfaction with their Good Neighbour but, at the same time, were actively seeking assistance as part of an ongoing process of exchange that the Miners were participating in and ensuring relatedness of some order, all of which characterise the wirnan.

For instance, despite their stated intent to ensure that external agencies met their obligations to the Aboriginal communities in the region Community Relations officers often found themselves in situations where Aboriginal people were in dire straights due to lack of essential service delivery and the failure of the relevant service agencies to act. Argyle often filled the breach. Some of the services that were delivered by Argyle Community Relations included cashing social welfare cheques, providing education facilities, subsidising health service delivery costs, maintaining community financial systems, opening and operating the community store, recording and storing community meeting records, and providing administrative advice and training as well as providing legal assistance and advice from time to time (see Argyle 2002-2003a Folders 1-5).

Indigenous Accounts of Argyle and The Wirnan

Importantly, there are accounts from Aboriginal people that convey ways in which they understood their relationships with Argyle personnel within the context of the wirnan. For example, the senior Aboriginal man Bob Nyalcas saw himself as ‘being in the wirnan’ as a consequence of the Good Neighbour Programme being offered to Warmun community. Speaking with Dixon in the mid 1980s, Nyalcas explained how he had been unable to meet his wirnan obligations with his Aboriginal wirnan partners indicating in the process that this was because the Good

Neighbour Agreement was not only inadequate but benefits flowing from it were being denied to him in an inappropriate way. That is, Argyle, by restricting the nature of the 'exchange' items and therefore Aboriginal people's ability to continue the flow of wirnan, was not adhering to the protocols of wirnan:

> We're trying to share things out. But we don't get enough money to give out all around Australia…The [Agreement] money is not big enough to share all around. I don't know how many places have been asking me [for money or goods]. Halls Creek -- I should help them with the motor car. The Imanji mob asked for help to get a Toyota. [Imanji community is located north of Derby on the Gibb River Road] I told them if I had big money then I'd share everything, but we're not getting enough money. If I ask the mine for *winan* for Halls Creek they should say, 'Yes, you can have it.' Then I could *winan* for the Halls Creek and maybe Imanji and Mount Barnett (Nyalcas quoted in Dixon 1990a: 87, italics in original).

Importantly, a number of senior Aboriginal men speculated that kartiya ['whitefellas'], and therefore the miners, "believe in *winan*" (Nyalcas quoted in Dixon 1990a: 84, italics in original), and if they didn't, they should.

For Joe Thomas, another senior Gija man and a close relation of Peggy Patrick and Tim Timms, wirnan was an integral aspect of the local community's relationship with Argyle. Thomas expressed this view in the following terms to Dixon in 1987:

> That money *kartiya* call royalties, we call *winan*. The royalty that they are giving now is like *winan* … Say that you came to my place … and you ask for something valuable from us - it might be good soil, it might be valuable stones or something like that … we'll *winan* that to you. We'll give you *winan* and you give us back something for using our land …" (quoted in Dixon 1990a: 83, italics in original).

Bob Nyalcas had determined that the wirnan associated with the Barramundi diamonds should follow other precious wirnan exchange items such as the pearl shell [jarkurli] from the northwest Kimberley that takes the following route:

> The *jakurli* - you know, 'pearlshell' came this way - from Derby, running right up to Mount House, Tableland, Bedford [Downs], Violet Valley, Mabel Downs, Texas Downs, Mistake Creek, Waterloo, Auvergne, Port Keats. The *jakurli* followed that route - *winan* along that route …The diamonds are supposed to come the same way … travel little bit by little bit, all the way along [the *winan* line] We went for *winan* business the same way again. Mabel Downs, Texas [Downs], from Dunham River,

> Lissadell through Wyndham, Ivanhoe or Carlton and goes back along the bottom side to Legune and around that way. That's *winan* for *Worla, Kija, Malngin, Ngarinyman, \Kajirrawung* (Nyalcas quoted in Dixon 1990a: 84, italics in original).

Interestingly, the statement here by Nyalcas provides a glimpse of what an Aboriginal mining and processing arrangement might look like and how social impacts and economic opportunity might be better handled if the Argyle diamonds and associated royalties and benefits were to 'follow the wirnan.' It also indicates the 'scale' at which the wirnan operated, including wirnan associated with contemporary industrial processes.

When the Miners did not respond appropriately to Aboriginal expectations regarding the wirnan there was an expectation that they should be told. For example Tim Timms considered that John Toby, his son in law at the time:

> ... should have told the [mining] *kartiya*, 'I've gotta make it good for them in *winan*. They helped me, and I've got to help them. And when I ask you for help, you've got to help me to help these people.' He should do it like that (Timms quoted in Dixon 1990a: 85, italics in original).

Tim Timms recognised that Argyle either did not really understand the wirnan because there was no "coming back" to the communities of wirnan or they were attempting to by pass their obligations to the local communities by sending the profits to somewhere else. He had the following to say:

> With the mine, it's only going one way. I don't know where it goes to. Melbourne is it? And finishes there (Timms quoted in Dixon 1990a: 84).

Peggy Patrick emphasised that the wirnan relationship that existed between "the miners" and Aboriginal people was not well enough understood by either party when she said:

> The *winan* means that if you want anything from the miners, they have to give it to us. We can't understand when they say no. They can't understand us either. *Kartiya winan* seems different to blackfella *winan*. Blackfella have to share with one another according to blackfella Law...*Kartiya* don't understand the blackfella *winan* (quoted in Dixon 1990a: 84, italics in original).

This was a realisation that remained with Patrick for many years and one that was to influence the way that she, and other senior Gija Aboriginal

men and women, engaged with Argyle for the following seventeen years and throughout the recent negotiation processes.

Miners are not alone in misunderstanding the wirnan and how it should operate. For instance, Louis Karadada, a senior Wunambal man, once explained to me that there are rules and certain kinds of etiquette associated with the wirnan that can be seriously compromised by uninformed parties, be they indigenous or not. He gave the following example:

> You can never follow'em, that *wunan*. You don't follow [retain control of] that wunan thing. We don't follow that [once it is given]. That's how we run Aboriginal Law. And kartiya got to understand. You know like ATSIC [Aboriginal and Torres Strait Island Commission] people they say they got wunan in Kununurra and when they send money or motorcar for Kalumburu then it already belongs to Kalumburu and not to Kununurra. But they [ATSIC] are always following. This should be for Kalumburu people already, not for Kununurra ATSIC people to come following behind (Karadata pers. comm October 2002).[159]

For Karadada the element of relinquishing control over the object of the wirnan, once given, was a critical component of a proper wirnan relationship.

As indicated above, 'the wirnan,' that is the benefits of the Good Neighbour Agreement and the Good Neighbour Programme provided by Argyle, were not unconditional, for example Argyle's demands for agreed budgets for allocated capital expenditure fell outside normal wirnan expectations and indigenous practice. That is, Argyle did not allow the appropriate 'flow' and did not relinquish control of the object of their wirnan with Aboriginal people. Ignorance of these rules became increasingly troubling for Aboriginal people and especially when it seemed that they were known, or should be known, and understood.

During an interview with a group of senior Gija women (21 August 2002) the topic of wirnan emerged in the context of Gija women's Law and the Argyle mine. The discussion focussed on how it was going to be possible

[159] The Wunan Regional Council was the ATSIC regional council that had served Kalumburu and other Kimberley communities. Due to changes in Federal Government policy, ATSIC no longer exists.

for the women to disentangle themselves from Argyle to make themselves, and Argyle, "free." The women were asserting that until Argyle "made up their mind" to give generously to the women and for the women to "make up our mind too" that they are happy with the wirnan offered by Argyle they would be forever "tangled up" and not "free."

The women were clear that part of the process of becoming free entailed choices to act and to rectify past mistakes. Of particular concern to them was that the wirnan would be freely given "they got to open their hearts and we'll open their hearts too." The women said that it was "wirnan Law" and that giving was "open Law ... supposed to be free for us." It was open and free in the sense that the arrangements were transparent and unencumbered. The women's concerns were not only for themselves but also for Argyle. They understood that Argyle was unable to be "free" whilst they were still locked into an unresolved (wirnan) relationship. The women felt that Argyle "might change their mind now they signed that paper" [the MoU with the KLC in September 2001]. The women's concerns to ensure appropriate and consistent wirnan between themselves and Argyle reflects what Deakin had found in his work some thirty years earlier where he noted that wirnan reflected, among other things, reciprocal exchange and an underlying ethic of equality in intent (Deakin 1978). These women considered that they would have to continue to "lirrkarn kerrem," to teach, the miners about the proper ways of being in the world and in the wirnan and they were not prepared to rely on the signing of paper to deliver the desired outcome. As one woman stated; "well, you've got to tell 'em."

It became clear that the women saw this as a process of liberation and release from poorly constructed relationships and inherent obligations. Once the women and Argyle were 'free' to continue to engage in the (proper/satisfactory) wirnan, "they have to pay us every year", then there would be resolution and safety for all.

> So I'm telling it can be free then for everyone ... Then nothing can happen to us. Everyone, white and black (Patrick 21 August 2002).

According to Dixon this lack of comprehension of wirnan, on the part of Argyle senior management, as a form of critical social engagement among the local Aboriginal people was a major impediment to the formation of better relationships between Argyle and Aboriginal people in the early years of the Good Neighbour approach at Argyle (Dixon 1990a: 68).[160] As we shall see in Chapter 9 this apparent misfit of expectations and actualities was not as great as Dixon has supposed, albeit outside the conscious actions or design of Argyle.

The Good Neighbour Comes Under Attack

However, while Aboriginal people were attempting to incorporate Argyle personnel into the wirnan, external observers and commentators claimed that Argyle was drifting into fulfilling quasi-government and service delivery roles by assisting Aboriginal people who would therefore become dependent on them (Donovan 1986:84; Dixon et al 1990:118-121; Social Impact Unit nd: 11-12). For outside observers, such a role was inappropriate for a mining company to undertake and more so when the company failed to undertake roles that it had been asked to do assume such as social impact assessment and monitoring (Dixon et al. 1990). For Aboriginal people their requests for assistance and the positive responses on the part of Argyle were a demonstration of a kind of relationship between themselves and Argyle, a demonstration of relations of reciprocity and care albeit ad hoc and somewhat unpredictable. The Community Relations archive files also indicate that the remoteness of the location and the privileged standing of a large wealthy mining

[160] Argyle's first Community Relations staff was familiar with the term 'wirnan' and may have had some understanding of the conceptual basis of the wirnan. In a file note from Newman to Butcher dated 31 March 1981 (Argyle 2002-2003: Folder 1 - F2B Community Relations – General) is a rough transcript of a tape with some notes about the content. The tape was addressed to Aboriginal people in Kununurra and Wyndham (pg2) including Tim Timms (pg3). These Aboriginal people were being encouraged to see Newman as somebody who was familiar with Aboriginal tradition and in particular wirnan (Newman had worked at Mowunjam Aboriginal community prior to working for Argyle Community Relations). It states that "(H)e's been with us for a long time now, helping on Wunan side and he understand Wunan, so when he go up there to work with you people we like you fellows to talk and that, and let us know what goes on up there, because too many white-man influencing black–feller and cut him off the tribal way. We do not want the tribal people to lose their idea of Wunan, because Wunan not been born yesterday or was given to us from the government, we had it before government" (pg 2).

operation that could act quickly and effectively in the short term, coupled with a sense of 'doing the right thing,' were also factors in directing the actions of Argyle Community Relations staff beyond the requirements of their Good Neighbour parameters. Thus, in spite of the good intentions of the Good Neighbour Policy, the Good Neighbour in action lacked clear consistent boundaries regarding Argyle's relationship with local Aboriginal people. This complex situation inevitably leads to accusations that Argyle was creating dependencies, acting paternalistically and behaving inappropriately. There were also concerns that the financial benefit packages of the Good Neighbour Agreement and Programme would compromise the ability of local Aboriginal communities to source recurrent, capital and development funds from other agencies thus threatening ongoing community development and moves to self determination and economic independence or increased accessing of their country (Altman 1987a; Donavon 1986:54, 58-60; Dixon et al. 1990: 118-121). However, despite the concerns of advisors and scholars, the Good Neighbour funding (and later ASIG funds, see below) did not replace other funding programmes. Instead, the Good Neighbour funds supplemented community income sources (Pritchard 2003; Social Impact Unit nd: 84). In fact the opposite occurred and "the Good Neighbour communities were privileged in their access to mining money" (Elderton 2003: 8). However Elderton further suggested that despite the privilege of extra funds "they did not appear to be any better off" (Elderton 2003:8).

Argyle was aware of the criticisms, comments and concerns that the Good Neighbour funds were displacing community-funding sources. From time to time senior staff such as O'Leary and Gauci sought advice and confirmation from their Community Relations staff that the Good Neighbour benefits were not compromising the ability of local Aboriginal communities to source other funds or obviating the financial obligations of the state to provide services to Aboriginal citizens. For example in a memo from Butcher to Bates (Mine Manger and General Manager Operations 1987 – 1994), Butcher expressed his concerns following

conversations with a local Aboriginal organisational representative that Doon Doon Station and Woolah Aboriginal community would be disadvantaged because they were receiving Good Neighbour funds (Argyle 2002-2003a Folder 2 – F4B: 8 February 1984, Archive Box 1 AD201 Aboriginal Matters). A week later O'Leary sought Gauci's clarification of these concerns (Argyle 2002-2003a Folder 2 – F4B:13 February 1984, Archive Box 6 (CR) Woolah Community File 457) which were then answered by Bates who suggested that there was no evidence of a direct correlation between funding decisions on the part of service agents and the community receiving Good Neighbour funds (Argyle 2002-2003a Folder 2 – F4B: 22 February 1984, Archive Box 6 (CR) Woolah Community File 457). Argyle personnel had access to the community budgets at the time.

In general terms Warmun community was not subject to the same amount of contact as the two other communities, Mandangala, and Woolah. The most intense engagement was, initially, with Mandangala during 1980 – 1981, the period of establishment of the community and of Argyle's demonstrating their intent to fulfil the terms of the Good Neighbour Agreement. Mandangala was financially dependent on the Good Neighbour Agreement for capital funds for many years. As a newly emerging community Mandangala was unable to source separate funds from government or other sources (see ADM 2002-2003a Folder3 F5C, various file notes; Pritchard 2003). Individual community members' incomes were supplemented by welfare payments for many years until the community was able to secure ATSIC and CDEP funding. Woolah Aboriginal community already had access to funding independent of the Good Neighbour Programme (Young 1987:40) although when services fell into disarray from time to time Argyle filled the breach (Argyle 2002-2003a Folder 2: F4; F4B) and Good Neighbour funds provided a "significant contribution" to Woolah and Mandangala Aboriginal Corporations' funding (Pritchard 2003:np). Warmun, however, was a much larger Aboriginal community. It had an established administrative and organisational presence and did not have to rely on Argyle to provide

basic community services. Warmun maintained a much more distant, less personalised, formal and 'politicised' relationship with Argyle, demonstrating a greater ambivalence in its approach to the Miners. As noted previously much of the public opposition to the diamond mine, and Argyle's Good Neighbour, approach came from Warmun Aboriginal Community and continued throughout the 1980s and into the 1990s. Indeed the relationship between Warmun and Argyle remained fragile.

Apart from the obvious non-conformity with policy and the slippage into provision of social and other services, there were other subtle exchanges and modifications constantly being 'negotiated' or managed between one or another of the communities and Argyle as well as between individuals from the communities and Argyle Community Relations. For instance, there were recurring themes of increasing intolerance toward particular kinds of engagement between local Aboriginal people and Argyle. One example is found in a number of file notes or memos commenting on Aboriginal people accessing the services of the mine for fuel and mechanical repairs. These notes record ever increasing degrees of agitation and concern on the part of Argyle staff about the escalating use of these 'neighbourly gestures' often to the point where a declaration, in an internal memo form, that no more fuel or repairs would be granted to any Aborigines at all. It is unclear how the message was delivered to the local Aboriginal people. The issue would then emerge some months later. These constant, local and minor modifications and insertions of Aboriginal needs and exchanges were, however, mostly unnoticed events by Argyle Community Relations staff who failed to see them as components of an ongoing relationship. The major and more readily recognisable changes brought about by the Argyle Social Impact Group, the extension of Good Neighbour funds and the Signatories Fund were to have more obvious and concrete impacts on Argyle and the Good Neighbour processes and outcomes. They are discussed below.

In summary, then, the formally sanctioned Good Neighbour benefit packages and the informal exchanges and personal commitment on the

part of Argyle Community Relations staff, along with the more obvious sourcing of services from Argyle, revealed in archival records indicate that Aboriginal people were constantly engaged in the process of renegotiating their relationships with Argyle. As noted by Deakin Aboriginal people engaged in the process of wirnan are not so much "'thing-oriented'" as "exchange-oriented" (Deakin 1978:141), which is why capital items were not a sufficient wirnan item. Thus, for Aboriginal people these engagements were not just limitless random acts but rather they were attempts to create appropriate exchanges that created, reflected and confirmed appropriate and sustainable relationships. They were testing the boundaries of relatedness – what worked and what did not. Argyle clearly was a partner of sorts, it / they had said so,[161] but the nature of the partnership was less clear, poorly articulated, obviously subject to renegotiation despite what was said and clearly not always predictable. Nonetheless, by its / their actions (however erratic), Argyle the Good Neighbour was, for Aboriginal people, in the wirnan whether Argyle knew it or not!

Argyle Social Impact Group (ASIG)[162]

While the particular focus of this thesis is squarely on the development of relations between Aborigines and Miners at Argyle, the local Aboriginal people were only one aspect of the negotiations that enabled the mine. As noted in Chapter 5 Argyle was faced with a legal challenge to its tenements; it was negotiating with trade unions; and had to meet a range of government regulatory requirements before the mine could be commissioned and operate. Argyle was negotiating with the Western Australian State Government during 1980 and these negotiations were finalised in 1981 with the proclamation of *Diamond (Ashton Joint Venture) Agreement Act 1981*. Clearly Sir Charles Court's strong

[161] There is some danger in attributing 'personality' to corporations, however there is also a need to recognise that corporations are composed of individuals some of whom are influential in creating a particular 'culture' at particular times of the corporation's history.

[162] ASIG was variously named during the process of negotiation between the State and Argyle until the terms of reference were finally agreed and ASIG formed in 1985.

objection to the Good Neighbour Agreement did not prevent the Government 'expediting' the project including creating a special Act of Western Australian Parliament in December 1981 to secure the mining lease for the Ashton Joint Venture (Dillon 1990b: 136). Another indication of the government's commitment to securing the development of Argyle was when the State Minister for Cultural Affairs used his powers to override the WA Museum's advice to protect the site Barramundi Gap (Dillon 1990a: 46; Dillon 1990b: 136-137).

The Environmental Review and Management Program (ERMP) was submitted for approval to the WA Liberal Government of Sir Charles Court in August 1982. In January of 1983 the Environmental Protection Authority (EPA) proposed five changes to the Environmental Review Management Plan. However, in March, following a State Government election, there was a change to the Burke Labor Government. The conditions imposed in August of 1982 on the ERMP were further modified in May 1983 with three additional conditions. They were:

(1) to review to change the management of funds contributed under the Good Neighbour Policy;

(2) for further discussions and possible modification of the Aboriginal Employment Program;

(3) and to establish an Impact Assessment Group.[163]

It took the government and the company more than two years to agree on the structure and role of the Argyle Social Impact Group Steering Committee, which was made up of Argyle and State Government workers. The original agreement for the establishment of ASIG was for the period from 1 January 1985 until 31 December 1989. Funding for the one million-dollar project was to come jointly from the State Government and from the company at $500,000 per annum each for the five-year period. In meeting its obligations to pay into this fund Argyle only contributed the difference in funds from that which it was already

[163] Aboriginal people in Warmun community continued to lobby for independent social impact analysis to be conducted. Their efforts lead to the creation of the East Kimberley Impact Assessment Project (EKIAP) which did undertake research directed to issues of social impact, including the impacts generated by the presence of the Argyle mine (see Chapter 2).

contributing to the three communities under the Good Neighbour commitments, an issue that was contentious and never clearly resolved (Argyle 2002-2003b Folder 9: F15; Social Impact Unit nd: 11-15, see also Dillon 1990b: 145).

The aim of ASIG, once established, was to ameliorate indigenous disadvantage in the face of the presence of the mine. Despite its title, ASIG did not, however, undertake any social impact research, data collection or analysis, and nor did Argyle.[164] ASIG was, then, essentially established as a funding body that distributed funds for capital works projects. The funds were distributed based on applications from East Kimberley Aboriginal communities or Aboriginal community organisations. It was anticipated, by the State at least, that the Good Neighbour Agreement and Good Neighbour Programme communities would relinquish their funds into the ASIG funds and make application in the same way as other East Kimberley Aboriginal communities. But following a number of meetings with government consultants and Argyle the three communities – Mandangala, Woolah and Warmun -- decided to stay with the Good Neighbour Programme (Argyle 2002-2003b Folder 6: F15; Dillon 1990b: 140-145; O'Leary 1993:18-19).

ASIG was made up of seven members, three each from Argyle and the State, and a chairman, who was appointed by the State Government, "with the consent of Argyle Diamond Mines" (Argyle 2002-2003b Folder 6 - F15 Argyle Social Impact Assessment Group Terms of Reference: 1). This group was the decision making group with the power of veto over any applications. Aboriginal people found their representation in "three subordinate committees" which were established to make recommendations to the ASIG group in relation to the applications that

[164] In a memorandum from O'Leary to Barlow in November 1984, O'Leary made the following comments: "It appeared that the Government was forgetting the responsibility of ASIAG for monitoring the social impact of the project (a requirement of the ERMP approval), in its desire for ASIAG to play the role of dispensing Government/ADM largesse in the various aboriginal [sic] communities", and later in the same document he expresses concerns that the Government might allow Aboriginal people to undertake social impact research themselves when he said: "we can not abdicate our responsibility to assess the social and economic impact of our operations to a committee in which we have no involvement" (Argyle 2002-2003b Folder 6: F15). See also Dixon et al 1990.

were presented. There was a total of twenty-seven “communities” seeking funds for projects from the ASIG programme. The three sub-committee areas were “Kununurra” with fourteen incorporated groups, “Turkey Creek” with seven incorporated groups, and “Wyndham” with three (Dillon 1990b: 144; Argyle 2002-2003b Folder 6 - F15: Argyle Social Impact Assessment Group Terms of Reference).

The functions of ASIG were to (a) determine the allocation of funds to the lower level committees from the global allocation of funds provided annually by the State Government and ADM; (b) ensure that projects proposed for funding by the lower level committees in their respective areas complied with the Terms of Reference; and (c) to report jointly on an annual basis to the Minister for Minerals and Energy and to Argyle on the conduct of the program during the preceding year with the report to include an audited statement of accounts (Argyle 2002-2003b Folder 6 - F15: Argyle Social Impact Assessment Group Terms of Reference).

The criteria for granting funds required that the application be for:

> … capital improvements or items which will materially benefit Aboriginal people in the region, community or incorporated group, on whose behalf of the application for funding is submitted to ASIG ….ASIG funding will not be used to fund projects of a non-material nature (Argyle 2002-2003b Folder 6 - F15 Argyle Social Impact Assessment Group Terms of Reference:3).

A concession was made to enable funds to be used for contracting Aboriginal people to work as contractors for any services that were actually going to be required to complete the overall capital project that had been applied for. And there was a special note in relation to vehicles "the community or incorporated group must contribute not less than 10 percent of the capital cost of the vehicle” (Argyle 2002-2003b Folder 6 - F15 Argyle Social Impact Assessment Group Terms of Reference: 3-4).

Aboriginal people made submissions for funding through their local committees that were ultimately approved by the government and Argyle representatives, that is, the “top committee”, a situation that generated enormous disquiet among the Aboriginal community leaders (Social

Impact Unit nd: 21-23). That is, Aboriginal people were effectively denied any real role in decision-making. Nonetheless, there were several significant projects that were started with ASIG funds, for example the Mirima Dawang Woolab-gerring Language and Culture Centre in Kununurra.

ASIG collapsed after the initial five-year trial. Argyle was unwilling to meet the total costs of ASIG although Argyle did endorse the continuation of ASIG (Argyle 2002-2003 Folder 6 – F15: 22 May 1989 correspondence from David Karpin (Managing Director, Argyle Diamonds) to the Hon Peter Dowding, Premier of Western Australian).[165] The State withdrew its financial contribution and ASIG was formally disbanded in 1990. Argyle reverted back to the Good Neighbour Agreement and the Good Neighbour Programme funding arrangements. A review of ASIG by the WA Social Impact Unit[166] was undertaken with an invitation for submissions from interested parties (Argyle 2002-2003b Folder 6 – F15). The Kimberley Land Council produced a detailed and damning report calling once more for a review and re-negotiation of the existing arrangements between Argyle and the local Aboriginal communities and Aboriginal people (Pierliugi 1990).[167] The final report of the review was not publicly released and in 1990 the WA Government quietly disbanded ASIG. In May the Social Impact Unit was also disbanded (Argyle 2002-2003b Folder 6- F15). Once the ASIG funds dried up the Aboriginal communities and organisations that had accessed them were left without any equivalent funding source.

Others have provided more detailed comment on ASIG and I direct the reader to the following references (Dillon 1990b; Coombs et al. 1989;

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[165] Argyle clearly saw that ASIG provided some benefits to local Aboriginal communities but also that the relationship between ASIG, the State and Argyle provided some redistribution of funds to the East Kimberley. The following statement was part of an undated file note; "It is the only obvious mechanism where royalties paid by us to the Government are seen to be coming back to the East Kimberley" (Argyle 2002-2003b Folder 6 – F15). This was a view that was not entirely dissimilar to that held by Aboriginal people who viewed ASIG as the Government's participation in the wirnan (for example Dixon 1987b).

[166] For a discussion of the SIU and its role in development review processes in WA see Beckwith (1994) and Duffey and Pollard (2001)

[167] The KLC submission generated concerns within Argyle about potential land claims and the introduction of

Howitt 2001:243-247; Frewen 1988; Ross 1988; Ross and Johnson 1989). For the purposes of this thesis it is sufficient to note that ASIG was an unsuccessful attempt on the part of the State to insert itself into the lives of the local Aboriginal communities and between Aboriginal people and Argyle. Moreover, ASIG, as an instrument of social analysis, failed completely because there was no social impact research conducted and the collapse of ASIG allowed Argyle to ignore the requirement to undertake or support impact research itself.

The three Good Neighbour Aboriginal communities rejected the State's attempt to unilaterally intervene in and reconfigure their particular negotiated relationships with Argyle and refused to relinquish their funds from Argyle. I have heard Aboriginal people suggest that ASIG was the Western Australian Government meeting its wirnan obligations to the East Kimberley Aborigines because Argyle had not. One woman in particular was speculating about whether or not Argyle would "make the wirnan good again" in the new negotiation process (Shirley Drill pers comm December 2003). Others have commented that ASIG was an extension of the wirnan from the diamond mine and that it was problematic that the government had "cut the wirnan" when they withdrew the ASIG funds. There was a sense that ASIG, as a beneficial source of funding, was considerably compromised by poor co-ordination and management between the various servicing agencies. This was a view held by Argyle and community workers and there were concerns expressed that ASIG contributed to a 'cargo cult' mentality of economic dependence:

> ASIG is part of a system which leads Aboriginal people to believe that they can obtain houses, land and other benefits with little commitment. Economic independence is not learned in this way. This acts against motivation to develop economic independence. ASIG is another agency seen as a source of income (quoted in Social Impact Unit nd: 75).[168]

"new families" (Archive Box #1 AD203 - ASIG; Heritage General Native Title Act).

[168] The review also documented the potential collapse of projects and further impoverishment that resulted from the capital purchases (see also Kirkby 1983; Dixon et al. 1990:121), and problems arising from a failure to integrate the program with other funding systems (Social Impact Unity nd: 34). Donovan suggested in 1986 that the: Government is faced with a large and rapidly increasing economic burden from the almost total dependency of the communities surrounding the mine on grants….Lasting economic gains for the local communities from the mine will not occur if efforts to address the economic impact of the project simply lead to 'the transfer of dependency from the public sector to the mining sector.'" (Donovan 1986:54)/ This

Because the Good Neighbour communities did not join ASIG by relinquishing their funds it was business as usual between them and Argyle and matters did not change much until the early 1990s. One of the more interesting items recorded in the minutes of a Mandangala community meeting, where Argyle was present, was related to a newspaper report stating that Argyle's total sales were $400.8 million which were derived from 34.6 million carats of rough diamonds valued at $378.1 million and 5510 carats of polished gems that were worth $22.7 million (West Australian 8 March 1990). This news stimulated requests from community members for an increase in financial benefits from Argyle (Argyle 2002-2003a Folder 2 - F5C: proposed agenda for meeting about Good Neighbour budget 1993 no date). There was no formal response from Argyle and it is not possible to say if this approach by Aboriginal people was to influence Argyle's decision to expand and extend the Good Neighbour funds. However, it is reasonable to assume that, with such information in the public arena, the increasing political awareness of a younger generation of Aboriginal people, and the returning attention to Aboriginal land rights and social justice in the wider political domain, Argyle was aware that things needed to change in terms of the Good Neighbour approach.

The Good Neighbour 1993 - 1996

The Good Neighbour approach of highly visible personal relationships established in 1980 operated fairly consistently until 1993 when Argyle made what appeared to be two significant shifts in policy and practice. These shifts were, firstly, an extension of Argyle's Community Relations assistance to "projects other than" Good Neighbour Agreement or Good Neighbour Programme projects, and, secondly, a (definite) refusal to allow Good Neighbour funds to be used to purchase vehicles, that is the 'No more Toyotas' statement (see below). These shifts were to have long-term implications for Argyle's relationships with their Aboriginal

concern was reiterated in the review (Social Impact Unit nd: 76).

neighbours and the way that Aboriginal people engaged with Argyle. These two particular changes and the subsequent modifications in the way that the Good Neighbour relationship was enacted by Argyle and by Aboriginal people inevitably led to new tensions, expectations, and ways of relating. In turn, these changes forced Argyle to reconsider its relationships with the local Aboriginal people and communities in more consensual terms. Importantly, it led Argyle to the negotiation of the Argyle Participation Agreement (2004) that is discussed in Chapter 9. For now it is important to track the changes post 1993 so that the events that followed are more readily understood.

Extension of Good Neighbour Funds for Other Projects

The changes made by Argyle in 1993 did not sit in a contextual vacuum. The historic and nation changing *Mabo* decision had been made the year before which highlighted the reality that new forms of relations between Aborigines and the nation were inevitable. This resulted in an air of general uncertainty and in the mining industry in particular with CRA demonstrating a strong dislike for the legislation in the first few years (Tickner 2001:162). 1993 was also the year that the Keating (Labor) Commonwealth Government legislated national land rights legislation, the *Commonwealth Native Title Act (1993)* and it was one year before the first lodgement of the Miriwoong Gajerrong native title application.[169] To complicate this situation, Argyle was facing possible mine closure (discussed in Chapter 9), a situation that required some remedial action in terms of Argyle meeting its neighbourly obligations to leave a region with some long-term residual benefit derived from the mine's presence in the region.

In January 1993 Argyle Community Relations wrote to the three Good

[169] The first application was lodged on 6th April 1994 by Miriuwunga Gajerronga Ningguwung Yawurrung Inc (Miriuwung and Gajerrong Families and Heritage Land Council) and covered a substantial area of land and waters comprising numerous Reserves and Vacant Crown Land including Lake Argyle and the Keep River National Park in the Northern Territory and including a small north eastern portion of M259SA which were mining leases and miscellaneous licences held by Argyle. This application had to be re-submitted for a number of technical reasons (McIntyre and Doohan 2002:1) and some of the land was withdrawn although not the Argyle leases. The amended application was made "on behalf of the Miriuwung-Gajerrong Peoples" and was

Neighbour communities inviting them to make application for funds other than existing Good Neighbour funds for "worthwhile projects through joint participation and consultation" with Argyle (for example the letter to Mandangala Community 27 January 1993 Archive Box 8 Mandangala AD204 and 204.1). It is unclear from the files how many 'other projects' were presented to Argyle Community Relations for consideration. One project that was generated from this offer was the experientially based cross cultural training project,[170] the Daiwul Gidja Cultural Group, commonly referred to as, Daiwul Gidja (Daiwul Gidja Culture Group 1999). This project was to create a particular context that was to irreversibly change the engagements between Argyle and Aboriginal people in and around the mine site.

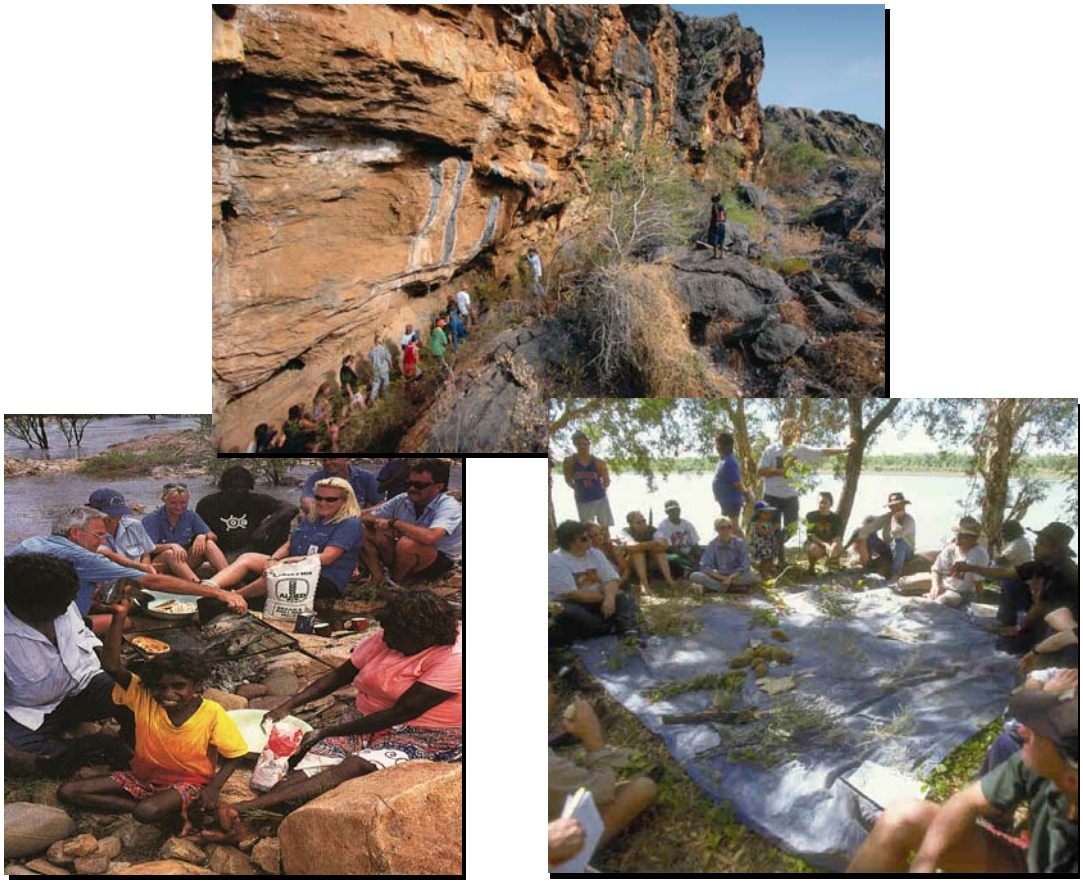
Daiwul Gidja Cultural Group

In December of 1993 Lewis Hawkins, Superintendent Community Relations, proposed to the members of Mandangala community that they consider participation in the development of a cross-cultural course as a business enterprise (Argyle 2002-2003a Folder 2 – F5B: minutes of meeting in Archive Box 8 Mandangala AD204.2). Following a series of meetings and discussions with Aboriginal people from all three Good Neighbour communities as to who would be involved, where the programme could conduct country visits and so on, the project found final form during 1994 in the Daiwul Gidja Culture Group Aboriginal Corporation. As it turned out it was primarily senior Gija men and women from the Warmun community who conducted the project. Argyle had expected the business to become self-sustaining over time, and given increasing tourism in the East Kimberley, to provide a culturally appropriate economic opportunity for the Warmun community beyond the life of the mine. In the early years of its operation Daiwul Gidja provided a cross-cultural service to Argyle management teams and other

later heard and a judgement made (Lee J 1998).

[170] It is interesting to note that in any discussions about 'cross cultural' training Peggy Patrick would always refer to the exercise or event as "cross country," a choice of words that I took to be a very carefully considered choice and one that was demonstrating the deeply embedded relationships that people have to their country. However, this choice of words was often interpreted by non-Aboriginal others to be a consequence of

interested groups (Plates 16, 17 and 18). It was considered a model of enterprise development based on a partnership between Aborigines and Miners. The model was presented at the Reconciliation Australia Awards in Melbourne 1997.



Plates 16, 17 and 18 Daiwul Gidja Culture Group Activities
(visiting important cultural places, sharing of 'bush tucker,' learning about bush medicine)
Photograph Courtesy Argyle

This request to Aboriginal people from Argyle to 'teach' them about Gija laws and customs, contact history, and social organisation was seen by senior Aboriginal men and women as an indication that Argyle was finally coming to understand 'blackfella ways.' Significantly, Gija men and women considered this to be a major shift from the early Argyle Community Relations approach. Several Aboriginal women have noted over the past few years that the "first miners did not believe in blackfella way" and "the lately mob are coming good, they believe we now."

speaking in Kriol rather than standard English.

However, Daiwul Gidja was unable to sustain its existence as an independent and fully functioning service. It would appear that this was due to a number of unfortunate circumstances. Primarily there were divergent expectations between the 'partners' of Argyle and the Aboriginal providers. Argyle had an expectation that Daiwul Gidja would become a fully independent service-providing Aboriginal enterprise and would no longer require the developmental and administrative support that Argyle had contributed in the early years. However, this was not to be the case. Among the reasons for the financial collapse of Daiwul Gidja were a range of administrative and logistical issues such as poor management and planning by engaged administrative staff and the highly seasonal and unpredictable nature of the tourism market. But there were other reasons that can be explained by reference to Gija tradition rather than finance and management. The ultimate success of the Daiwul Gidja programme was dependent on the regular and continued participation of senior Aboriginal men and women. However these men and women were less inclined to produce regular and routine cross- cultural programmes for the general public than they were to engage with Argyle and the miners at Argyle. It would seem that, for senior Gija men and women, their efforts and energy were directed toward issues of cultural understanding in the context of real engagement with people on their country, namely the miners, and those who were seeking to employ their kin. And these senior men and women did not want to compromise their social welfare benefits as pensioners or work for long hours in difficult and tiring conditions with groups of strangers whom they would never see again. Thus, even though the Daiwul Gidja business enterprise collapsed, senior Aboriginal men and women continued to provide a situated and relevant 'cross cultural engagement' between themselves, the mine and the Miners but in changed circumstances. The context of engagement altered following the announcement in early 1996 that the mine was going to be shut down in 1998. The detail of what followed is outlined in the following chapter.

"No More Toyotas"[171]

> Between the years of 1980 and 1992 Argyle purchased a total of twenty motor vehicles for personal use by the four signatories of the agreement. This was in addition to the many vehicles also purchased for community use by the Good Neighbour communities. For this Argyle was, and still is, accused of Toyota politics, that is, buying the support of particular strategic people while doing little for many others affected by Argyle's activities in the area (internal document, unknown 1996:1).

Vehicles are a prized item within Aboriginal communities. The recent quasi-documentary film and series *Bush Mechanics* (Battye and Kelly 1998, 2001) demonstrates that 'Toyotas' are important in social, economic and cultural terms. Although little systematic research has been conducted into why vehicles are so prized and how they are 'located' in contemporary Aboriginal community life, it is clear that, among other things, vehicles provide the critical means of transport to visit kin, participate in regional ceremonies, access bush foods, get to local and regional football games and other sporting events, and attend funerals and meetings of all kinds (see for example Akerman 1980a, 1980c; Kolig 1981, 1984, Hamilton 1987b; Lawrence 1991; Prout (in prep); Stotz 1993; Sullivan 1987; Young and Doohan 1989). Toyotas are a superior wirnan item and a stand-alone sign of independence, status, and standing within the wider Aboriginal community. There has been constant pressure from Aboriginal people to access vehicles from government and non-government funding agencies and from negotiated agreements. Toyotas are a constant subject of negotiation, disappointment and often dispute, jealousy and contestation within Aboriginal communities. Toyotas are expensive to purchase and to maintain but they are essential in many parts of remote and regional Australia where many Aborigines live today. From the very first discussions between John Toby and Frank Hughes, Toby requested "four Toyotas" (Hughes interview 12 September 2001). Three four-wheel drive vehicles and one truck were part of initial benefits package of the Good Neighbour Agreement (1980 Schedule 2). Bob Nyalcas, when interviewed

[171] For Aboriginal people, "Toyota" is a generic term meaning a 4-wheel drive or light truck, usually a Toyota Landcrusier or Toyota Hilux but the term can refer to any motor vehicle.

by Rod Dixon in 1986, explained that the “Daiwul gave me motor car” (Nyalcas on Dixon 1986b) indicating a wirnan relationship between the diamonds and Aboriginal people mediated by Argyle. Aboriginal people continued to seek funds for vehicles. The first round of distributions from the Argyle Participation Agreement funding configurations included applications for vehicles for a range of ‘community’ and economic development purposes. From my own observations, Aboriginal people’s desire to secure funds to purchase vehicles is equalled only by the resistance of funding agencies to those applications or their efforts to make the granting of vehicles heavily conditional. Argyle attempted to resist the pressure to purchase vehicles for Aboriginal people from the Good Neighbour Agreement funds in line with their policy to only spend on capital items. They were unsuccessful.

At a community meeting at Glen Hill early in March 1995 Argyle senior management made a forceful statement re-instating their policy of Good Neighbour funds for capital items only (Argyle 2002-2003a Folder 2 – F5B: Mandangala Aboriginal Corporation Management Committee Meeting 3 March 1995). There followed a series of tense discussions about spending Good Neighbour money on (essentially) private vehicles (Argyle 2002-2003a Folder 2 – F5B: 7/3/95 letter from Mandangala to Rod Bates; notes from Mandangala community meeting 29 March 1994; Mandangala Aboriginal Corporation Management Committee Meeting 21 February 1995). The consequence of the ‘no more Toyota’ policy was that Aboriginal people expressed serious concerns about the value of the Good Neighbour benefits. According to Argyle Community Relations staff this was to lead directly to the instigation of the Signatories Fund in 1995. The Signatories Fund - an unencumbered cash payment for each of the four Aboriginal signatories to the Good Neighbour Agreement (unknown 1996:1) is outlined below.

The internal document quoted above suggested that Argyle had become involved in “Toyota Dreaming” (unknown 1996). This is perhaps a cynical

use of the term ‘Dreaming,’ but for Aboriginal people vehicles are a much more material, identifiable and appropriate form of compensation and exchange than other items or services. They conform more readily with the need to pass on resources within the wirnan. There was, and I would argue continues to be, an inherent conflict between the Miners’ desire to make a 'lasting contribution' against Aboriginal people’s desires for Toyotas. Miners perceive Toyotas as having no lasting 'investment' value. They appear to have little appreciation of the lasting social value placed by Aboriginal people on their investment in Toyotas.

Signatories Fund

The Signatories Fund was an informal arrangement offered in the form of an unsigned letter from by Lewis Hawkins, Superintendent Community Relations 1 December 1995, to each of the four signatories to the Good Neighbour Agreement - John Toby, George Dixon, Peggy Patrick and Evelyn Hall (Argyle 2002-2003a Folder 1 – F1). The signatories had to sign an acceptance of the offer before they could receive the funds. All of the signatories accepted the offer after a period of some discussion and debate among themselves and with Argyle Community Relations officers. It is interesting to note that John Toby was the last to accept and he did so only after seeking some legal advice from the Aboriginal Legal Service (Argyle 2002-2003a Folder 1 – F1).

According to an internal Argyle document, the Signatories Fund came into existence following Argyle’s refusal to allow the spending of Good Neighbour funds on private vehicles (unknown 1996:1). It was suggested that the signatories, “John Toby in particular”, reacted to this announcement by stating that they believed that Argyle was “reneging on part of the Good Neighbour agreement” (unknown 1996:1). The author(s) of this document write that “this announcement was subsequently reported to CRA and evoked an immediate response from Mick O’Leary, who inquired further as to what direct benefits John Toby and the other signatories were receiving” (unknown 1996:2). Sometime later, O’Leary requested that unencumbered funds of $100,000.00 per

annum (without indexation) be made available for equal distribution between the four signatories, for the life of the mine and only for the life of each of the signatories. The author(s) say that:

> The reason given for the additional money being made available was that Mick O'Leary felt that if the signatories chose not to reside on the communities, they would no longer benefit from the [Good Neighbour] agreement and should therefore be catered for in another way (unknown 1996:1).[172]

The Argyle Community Relations archives indicate that there were other reasons why the funds came into existence including an acknowledgement that "the individuals are getting nothing from it [the Good Neighbour Agreement]" (Argyle 2002-2003a Folder 1 – F1); that the funding was made to "enable the signatories to continue to benefit from ADM's operations regardless of their place of residence," (Argyle 2002-2003a Folder 1 – F1) and that there was a need for a separate fund to "avoid using GNP funds to do this [provide individual benefits] as it would be inconsistent with the spirit of the agreement" (Argyle 2002-2003a Folder 1 – F1). The Signatories Fund money was to be offered as a 'gift' to the signatories. The offer as a gift was made for taxation purposes (Argyle 2002-2003a Folder 1 – F1).

Whatever the 'reason(s)' for the creation of the Signatories Fund, the unencumbered cash funds to the four signatories were a major deviation from Argyle Community Relations policy and operations.[173] The Signatories Fund caused a significant degree of internal debate and discontent among the Argyle Community Relations workers and within the wider Aboriginal community (unknown 1996 passim). In particular it was felt by some Community Relations officers that:

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[172] The "understood" version of events within Argyle senior management in 2001 was that the decision to pay the money to the signatories was made by O'Leary as a senior CRA Group Executive and endorsed at the board level (Brendan Hammond pers comm 2003).

[173] From the outset some of the signatories had requested and expected to receive cash payments (see Dixon (1990a: 79, 80)). The matter was raised at several community meetings just after the signing of the Good Neighbour Agreement. The question of 'cash payments' and 'Toyotas' as an appropriate form of benefit continues to be a contentious and heavily debated issue between agreement parties generally and not just at Argyle. This has been my own and others' experience in the Northern Territory, Queensland and the Pilbara region of Western Australia (pers. comm Bornman; pers. comm Suchet and Harvey, B. October 2005). Further research could provide some immediate practical understandings of, if not resolutions of, this apparent conflict over allowing Aborigines to determine, completely, the form of their agreement benefit.

> This deal now is seen as a pay off from Argyle and has made Aboriginal people in the area suspicious of why the payment has been made. Worse it highlighted that in making these payments to individuals we have offended some of the key traditional custodians in the region who have just as much say for the area and who were named in the agreement but did not appear as signatories. It is evident already that some of these elders have taken great offence at this gesture and it sends a strong message that Argyle has not really been listening to the elders and their efforts over the years to teach us how to do business with them (unknown 1996:3).

Some Aboriginal people referred to this money as "finger money", a descriptive term indicating untied cash benefits. Others simply referred to it as "diamond mine money." However, others considered it to be a long overdue cash extension of the Good Neighbour Agreement, albeit limited in its distribution, and another indication that after fifteen years, Argyle, and O'Leary, were finally 'coming good' and meeting obligations of exchange that were more fitting in terms of the wirnan. Money can be passed on to others. Indeed Aboriginal people were keen to see that this form of payment was expanded to include "all the right people" for the Argyle mine lease area.[174] This was an exercise that was to take only a few years. By 2004 the quantum and terms of the Signatories Fund was also renegotiated and incorporated, renamed and expanded in terms of payments and recipients as 'Individual Payments' in the Argyle Participation Agreement 2004 (Section 6; 9-10).

Concluding Remarks

Thus by the mid 1990s Argyle had not only been subject to informal negotiations and exchanges with the Good Neighbour communities and individuals within those communities, Argyle had also voluntarily and 'formally' extended the Good Neighbour policy and funding base beyond

[174] Ten days before the signing ceremony one of the Aboriginal people identified as one of the 'traditional owners' for the mine area sent correspondence to both the KLC and Argyle requesting clarification of a number of issues about the processes of making the agreement and identifying Aboriginal people as having particular relationships to the mine area (McLennon 13 September 2004). No formal response was prepared by the KLC and Argyle's response was to allay the writer's fears with reassurance that the matters would be dealt with in an unspecified way and unspecified time frame. The day after the agreement signing ceremony Argyle sought professional assistance to clarify some of the matters raised by this correspondence and verbally reassured the correspondent (who raised the issues again on the mine site) that Argyle took the matters as serious issues and that they would be addressed within the context of the new agreement which was an expression of new relationships of trust and mutual respect, good faith and commitment to doing the right thing.

the initial financial and policy limitations of the Good Neighbour Agreement to include Warmun and Woolah Aboriginal Communities. In indigenous terms Argyle was (slowly) 'coming good' and beginning, in board terms, to meet its wirnan obligations. Argyle and local Aboriginal people had been and were continuing to participate in a number of complex, albeit often unarticulated, poorly understood and under analysed, exchanges, formal and informal, that were deeply embedded in, although sometimes outside of, or adjacent to, the overall Good Neighbour approach.

By the late 1990s many of these relationships were to find particular form in and around the mine site. Aboriginal people had begun to reveal to Argyle the nature of their relationships to each other, their country, the Barramundi and the Miners during the Daiwul Gidja Cross-Cultural Programmes where they were "teaching people to understand" (Daiwul Gidja 1999). At the same time, Argyle had to consider closure of the diamond mine open pit operation due to a number of technical and non-technical issues and a declining source of diamonds. As I will elaborate in the next chapter, Aboriginal people were alerted to the possibility of the mine closure in 1996.

In 1998 a new Manager Operations, Brendan Hammond, arrived to commence a review and possible decommissioning of the mine. Hammond's arrival heralded a time of great change and some discontent at the mine, with local communities and the East Kimberley generally. By this time, a number of the local Aboriginal people had made the decision that they would bring to the Argyle mine their own 'technologies,' in the form of ceremonial performances, and attempt to remedy the expected closure of the mine while at the same time expanding their relationships with Argyle.

As we shall see in the following chapter, from this time on, Aboriginal people became increasingly willing and able to directly engage, on their own cultural terms, with the Miners at the mine site. Within this

emergent ‘space’ they revealed to Miners their relationships with the Barramundi Dreaming, the diamonds and the mine. That is, Aboriginal people began to demonstrate their own Good Neighbourliness in their own terms and convey to the Argyle their own understandings of cause and effect.

In the broader arena, by the mid 1990s not only had Aboriginal land rights re-emerged as a significant political issue in the East Kimberley but also Miners were taking up ‘social issues’ in a more open and public manner. These developments were to have an increasing influence on what happened at Argyle. What was evolving at Argyle, then, was what Bhabha has called a ‘third space,’ a space of alternative and hybrid engagement between two parties in a post-colonial context. This was a space from which new cultural constructions would emerge. However, Argyle was not to become sited in a classic post-colonial context (see Ghandi 1998; Langton 2001a, 2001b, Sullivan 1996:5-42; Trudgen 2000), nor, as I will show in the next chapter, would it become a space of blended hybridity. And it is a long way from being a place where Aborigines and Miners meet as ‘equals.’ Rather what emerged was a space where ‘the Other’ expressed the distinctiveness of their own world view while at the same time engaging with Miners in incorporative processes. Just how this alternative space at Argyle found expression as a space of incorporation and alterity is explored in the following chapter.

CHAPTER 9
EXTENDING THE LIFE OF ARGYLE: Technological Innovation and Ceremonial Performance

The late 1990s were a tumultuous time at Argyle. Community Relations policy and practice were changing and the mine was scheduled to be closed in 1998 and therefore Argyle management had to develop a mine closure plan. At the same time Aboriginal people in the East Kimberley were asserting their native title rights to areas near the Argyle lease area. The Miriuwung Gajerrong native title application to these areas had not been resolved through mediation with the result that the claim was due to be heard by the Federal Court.

Throughout this period Gija Aboriginal men and women had been conducting their cross-cultural training with the Argyle miners. This programme involved teaching miners about kin terms, skin groups, culturally appropriate forms of behaviour when interacting with local Aboriginal people, Aboriginal bush medicine, and local Aboriginal history (see Daiwul Gidja Culture Group 1999 and Plates 16, 17 and 18). It was also during these cross-cultural courses that Argyle miners, and others, were ceremonially welcomed to country by Aboriginal people. Mona Ramsay once explained to me how the senior men and women conducting the cross-cultural course had talked amongst themselves about the use of the welcome manthe ceremony as a way to increase the cultural awareness of the miners. Mona said that they had decided “to give it a try.” She said that the ceremony had “worked” in that they felt that the miners were more receptive to learning about Aboriginal culture and more able to respond to them appropriately. As she said, it “made them think about culture” (Mona Ramsay pers comm February 2004). From that time on Aboriginal men and women had become increasingly confident that their performative cultural practices worked on Miners in a way that wirnan had not.

It was within this context that Aboriginal people learned of the planned closure of the mine. The newly arrived General Manger Operations, Graham Gunness, delivered this unexpected news to them in 1996. Shortly after Gunness arrived at Argyle senior Gija men and women performed the welcome manthe for him, which was the first time that this welcome ceremony was performed at the actual mine site. The previous manthe ceremonies, conducted as part of the cross cultural programme, had been conducted away from the actual mine site at locations of cultural significance to local Aboriginal people, for example at Gimminbe, a cave that was a story place with paintings and hand stencils as well as an occupation site located in the southern portion of Argyle lease. After being welcomed Gunness then invited Gija Aboriginal men and women to visit the mine site to view the open pit operation, something that they had not done before. While they were there, he took the opportunity to inform them that the mine was going to be closed over the following couple of years. According to several Aboriginal women who were present at the time Gunness told them that the mine was going to close because the diamond resource had come to an end. This news shocked the women. They were shocked for a number of reasons: (a) there were many outstanding issues between themselves and Argyle that had yet to be resolved most particularly legacies from the 1980s; (b) if the mine was to close their communities would no longer receive financial benefits; and (c) they were convinced that the Barramundi was still there and could be asked to reveal more of herself, if she was talked to in “the proper way” (group interview 20 February 2002 Perth). Then and there, some of the Aboriginal people present decided that they would perform the kurara ceremony. They would “talk to” the Barramundi and “ask for more.” They picked up some stones from the ground at the observation area and threw them into the air in the direction of the open pit while calling to her “in language” to “show ’em self more” (group interview 20 February 2002). The women were not sure if the Barramundi would respond; they had not visited her or talked to her for many years. They were sure that Gunness had no idea what they were doing that day and

they have since told me they felt that he would not have understood them anyway if they had explained.

This performance of kurara in the presence of Gunness laid the basis for subsequent enactments of this ceremony at the mine site as Aboriginal people turned increasingly to their own 'technologies' in order to increase the supply of diamonds at Argyle and thus prevent the closure of the mine. As a group of senior women explained to me:

> Kurara, that word means, make that place with more diamonds come into it. That will make them stay longer that is because they want to go away you know because there wasn't enough diamonds there. They want to finish up and go away. But we bin say "Oh", that is, me an uncle and the other one that we bin lose and two sisters, me and Mona. We bin say "We'll kurara give it more so that they could stay for a couple of more years(Peggy Patrick in group interview 20 February 2002, Perth).

Gunness was replaced in 1998 with a new Manager Operations, Brendan Hammond, who was to begin the review of Argyle's operations knowing that the mine closure and decommissioning process was the anticipated outcome. With Hammond's arrival, came a dramatic wave of re-evaluation and change. He undertook a major review of the mine's operations, including financial issues, operational and management practices, and the process of extracting diamonds. He proposed an alternative view and directed attention to finding a way to extend the life of the mine.

In the following discussion I attempt to provide a non-technical summary of the way that Hammond tackled the issue of securing a longer life for the mine. Argyle knew that there were still some diamonds in the bottom of the open pit but it was becoming too dangerous to mine them. Hammond was faced with the reality that the walls of the pit were likely to collapse because of the existing design and depth of the open pit benches. In an effort to forestall that situation the rock surface of the western wall of the open pit was stabilised with the use of rock bolts, mesh, concrete and other particularly robust materials to prevent the collapse of the upper walls into the pit. This innovation worked and the mining operation was thus extended until 2008. But Hammond was still

confronted with how to determine if there were still even more diamonds to mine and if so how that could be done efficiently. Even if it was technically possible to extend the open pit there were not enough diamonds for the open pit mining method to be economically viable. Thus Hammond was confronted with the extra problem of trying to keep the diamond mine economically viable and technically capable of being mined. Following further discussion and exploration of alternative methods Argyle began to explore the possibility of undergrounding mining. This required Argyle to prepare technical, practical and financial plans, models and arguments that would secure them finance from Rio Tinto to build an exploratory underground tunnel as part of the overall feasibility study for an underground operation, The funds were secured for the exploratory decline construction to commence in 2003. Once the feasibility study determined that there were sufficient diamonds that could be viably extracted in a safe mining operation the funds for developing the underground operation were finally secured in December 2005. The Argyle mine is now expected to continue operations until 2018.

As noted above, during the process of finding a technical response to the foreshadowed closure of the mine Hammond also undertook a major review of the mine's finances, along with the operational and management procedures at the mine including the Community Relations division. As a result of this review a number of administrative and operational decisions were made. Many of them were unpopular with the Argyle miners. Many were also unpopular with local Kununurra contracting firms as well as some of the local Aboriginal people, especially Aboriginal people at Warmun. The review was to have an impact on the way that Community Relations operated and conducted its relations with local Aboriginal people and local Aboriginal communities. Community Relations was already in a state of disarray for a number of reasons. For instance, Neil Butcher who had held the senior management position since 1980 had retired in 1997 and there was a degree of instability in the overall management of the Community Relations

division. Hammond determined that Community Relations would be directly answerable to him and that he would take an active interest in local Aboriginal community relations. It was during this review process that, among other things, Hammond demanded that support funding for the Daiwul Gidja Culture Group project cease pending a complete review of the management of the project. He also demanded a review of Argyle's relationships with local Aboriginal communities. He felt that the basis of engagement with them was not clear and that the absence of significant numbers of local Aboriginal workers on the mine at that time indicated a systemic problem in the company's relationships with the local and regional Aboriginal community (Argyle 2002-2003: Folder 1 – F2B, Hammond 1999). These events were of such a dramatic and unprecedented nature that communication between Warmun community and Argyle in particular came to a complete standstill resulting in Warmun community demanding a mediated conference with Argyle senior management, including Hammond. The mediated meeting occurred in late March 1999 and was called the "Future Relations Meetings" (DodsonLane 1999).

Following the 'futures meeting' Argyle Community Relations sought an internal review (with assistance from Rio Tinto) and advice as to how it might better understand and reconfigure its relationships with local Aboriginal people. Jeff Wilkie, a Rio Tinto Exploration employee with many years experience of working with Aboriginal communities and Northern Territory Aboriginal land councils, was seconded to undertake the task (Wilkie 1999). Wilkie made a number of recommendations, among them that there be an anthropological review of existing information relevant to Aboriginal people's connections to the mine area. He also recommended that more formal arrangements be established with Aboriginal people. However this did not eventuate and relationships between Argyle and local Aboriginal people did not improve.

By early 2000, Argyle had decided to seek independent advice. It was at this time that Langton and I were contracted by Argyle to undertake a

review of Argyle Community Relations policy and practice and provide advice on a new way forward. During our discussions with local Aboriginal people it became very clear that Aboriginal people were still unhappy about the way that relationships with Argyle senior management were being conducted, they felt that matters concerning the support of the Daiwul Gidja programme had not been adequately resolved, that there were insufficient opportunities for the young Aboriginal people to gain employment at the mine, and that there needed to be more tangible demonstrations of the company's commitment to assisting local Aboriginal communities to achieve greater economic independence. Most particularly they said that there was a need for a more formal, secure and clearly articulated relationships to be established between all of the relevant local Aboriginal people and Argyle. Local Aboriginal people wanted resolution to the outstanding issues of the 1980 Good Neighbour Agreement. In short they were still working at 'making things come good' with Argyle.

During interviews that Langton and I conducted with Argyle Community Relations staff, past and present, it became clear that there was an absence of continuity in the way that they conducted their relationships with local Aboriginal people, that they were unaware of the cultural and historical context of their formal and informal agreements and interactions with the local Aboriginal communities and individual Aboriginal people, and that there was a general lack of clarity as to how to identify and establish appropriate boundaries in their relationships with local Aboriginal people and local Aboriginal communities. It was also clear that Community Relations wanted to have 'good' relationships with its neighbours.

In providing our advice Langton and I made a number of recommendations and suggestions including that Argyle needed to reconceptualize the Good Neighbour Agreement in the context of native title and 'best practice' in contemporary agreement making processes and outcomes between Aborigines and Miners. By early 2001 Argyle

decided to embark on a formal process of reconciliation with the local Aboriginal people, local Aboriginal communities and the Kimberley Land Council. Unlike twenty years earlier, Argyle contacted the Kimberley Land Council and sought its assistance and co-operation in establishing an agreed process of negotiation between Argyle and all of the relevant local Aboriginal people. This decision was formalised with the signing of the MoU, 27 September 2001 (as I described in Chapter 1).

Local Aboriginal people saw this coming together of the Kimberley Land Council, Argyle and themselves as a significant symbolic action and a public statement of Argyle's renewed intention to create a new and better relationship with them. This action indicated to Gija men and women in particular that the Argyle Miners were, at last, learning and starting to "come good." As the processes of negotiation unfolded over the following three years, local Aboriginal people increasingly drew on their 'symbolic power' as a means to manage, modify and enhance their relationships with the Miners, their kin and the Barramundi and other Dreaming beings. For many of the local Aboriginal people these changed circumstances also provided an opportunity for them to reconcile unresolved residual conflicts among themselves that had begun with the signing of the Good Neighbour Agreement twenty years earlier

The process of negotiating the content of the Argyle Participation Agreement commenced from this time on. A number of meetings were conducted between the parties, each sought advice and assistance from experts including translators, anthropologists, political economists and lawyers. Different information materials were prepared to assist in the process of disseminating technical and other information and included printed visual materials, diagrammatic devices and video recordings in both English and Kriol. These meetings were undertaken at the mine site, in the local Aboriginal communities, in bush locations, at locations near Kununurra and from time to time in Perth during the period 2001 until 2004 until the agreement was signed.

Ceremonial Performances at Argyle

Within this context then, Aboriginal people turned increasingly to their ceremonies in order to influence events taking place at the mine. Their belief that they could influence events and relationships at Argyle had its roots in the Daiwul Gidja Culture Group inter-cultural training programme and in their decision in 1996 to perform kurara at the mine site in order to increase the supply of diamonds and thus prevent the closure of the mine. However, in contrast to their 1996 performance of kurara at the open pit operation in the presence of Gunness, Aboriginal people were now attempting not only to perform kurara ceremonies in the presence of Miners but also, to involve them as active participants in these performances, performances which were directed to ensuring that the mine stay open.

Such performance of ceremonies by Aboriginal people at Argyle raises a number of questions. For example, how can they be understood beyond conceptualising them as mere entertainment? What does it mean for Aborigines to express their beliefs and worldview through such performances at a mine site? And what has been happening at Argyle when these performances have been conducted? Clearly there is more occurring than mere singing and dancing or the evocation of nostalgia. The conditions that prevail during such performances, when it is generally very hot and uncomfortable, would suggest this. Such performances by local Aboriginal people therefore challenge the assumption that there can be no sacred site if there is a mine and that large mining corporations must inevitably destroy Aboriginal culture. Instead, my argument here is that such performances are among the ways in which Aboriginal people attempt to engage with outside forces - like mining corporations - in order to effect change, and at the same time sustain their own worldview and alterity.

The local Aboriginal people connected to Argyle are not the only Aboriginal people who believe in the efficacy of ceremony and ritual to

affect the behaviour of miners or the outcomes of their activities. For instance, as I noted in Chapter 1, Dixon recorded the late Bob Nyalcas and the late Jack Britain asserting that oil exploration failed at Noonkanbah because the local "maparn" – a clever, ritually powerful individual - had had the power to relocate the "fat" – that is, the oil – of the Dreamtime Goanna (Dixon 1990a: 90-91). Britain also suggested that it was the ritual power of Aboriginal people of the Forrest River Reserve area that had been able to deter miners from entering their land. He told Dixon that Aboriginal people near the Argyle mine did not want to deter the miners even though they could have called on the assistance of the maparn from the Noonkanbah region (Brittain on Dixon 1987). Similarly, Dussart reports for the Walpiri that:

> The Warlpiri came to view public presentations of the *Jukurrpa* [the Dreaming] as a means to counter non-Aboriginal assault… The Warlpiri had hoped that by dancing, singing and showing ritual designs, they could stop the tests that threatened to desecrate the sacred. Soon after the ritual performance, the prospectors ceased their testing. Whereas the miners attributed this stoppage to poor yield of the test samples, the Warlpiri were convinced that it was the ritual performance that abbreviated the incursion (Dussart 2000:38-39).

A selection of photographs taken at performances held at the mine over the past five years are included in this chapter in order to provide a better sense of what these performances look and feel like. As well as the visual impact of what one sees when one witnesses these performances, there is a distinct 'sensibility' that is conveyed (Geertz 1976:1478) and even a sense of the 'tactibility' of the occasion (Geertz 1976:1499). When I was able to personally witness these performances I could not escape the sense that Aboriginal people considered them very serious events.

A large body of anthropological study indicates that, for Aboriginal people, evoking their connections with the sacred through such ceremonial performance is an important way whereby they maintain their relationships to each other and their country and all that is embedded in those relationships. Although they are not performed everyday ceremonies are a material representation of the everyday nature of engagement with the other and each other. These kinds of engagements

have to be thought about, debated, understood and enacted by Aboriginal people in order to ensure that relatedness and balance are maintained. Thus, ceremonial performances carry with them a sense of the everydayness of peoples' lived lives in that they convey how local Aboriginal people are constantly cognisant of the other realm of existence – the Dreaming - and the impact of this realm on their daily lives. That is, Aboriginal ceremony is at the heart Aboriginal people's habitus (in Bourdieu's sense). For me, the ceremonial performances at Argyle that I witnessed conveyed a sense of deep integrity, commitment and understanding on the part of Aboriginal participants, along with a sense fo their determination to effect change from within their own cultural domain.

The images captured in the following photographs and the 'sensibility' that they reflect support my argument that for some, if not all, viewers and participants of ceremonies held at Argyle there has been more to the experience than merely enjoying a spectacle. As we shall see shortly, miners who have participated in ceremonies at the mine have found them to be emotionally moving experiences. Their experiences have included their active participation in the ceremonies, such as their being made wet by water in the water manthe or being engulfed by smoke and brushed with warmed leaves during the smoke manthe. Miners also have observed other personnel taking part in manthe, although the distinction between participant and observer might not always be a valid one because in the performances at Argyle one can only be an 'observer' (not participate) of the manthe ceremony if one has previously been a 'participant' in it. Presence and participation is more than just the receiving of smoke or water. It is also a reinforcement of previously established relationships, however they might be perceived or experienced.

In the ceremonies at Argyle the Aboriginal performers are not trying to recreate a romantic past. The ceremonies are not conducted with any sense of nostalgia or as a token of 'how things used to be.' They are not

a form of primitivism or an appeal to faded tradition, nor are they just 'colour and movement.' As Langton once said in relation to manthe:

> It is not 'primitivism' but a real ceremony performed by real people wearing clothes and engaging in the real economy of the 21st century" (pers comm 2003).

Moreover, ceremonial performances can be dangerous events. During them people are vulnerable and subject to unseen forces that can impact adversely or positively on their lives and those of their countrymen and their kin. They are very real and very contemporary events that construct very real relationships in the contemporary life of the local Aboriginal people and those with whom they are interacting. In this particular case these relationships were with the Barramundi, the Argyle mine and the Argyle miners.

Manthe

As noted in Chapter 7, manthe is a ritual that enacts the host-guest relationship and as such confers safe passage in the landscape and protection from malevolent spirits and beings. In mining terms it could be seen as an equivalent to meeting approved standards and practices for 'occupational health and safety' (OH&S).

As Peggy Patrick explained, when she addressed Rio Tinto Board members, KLC workers and others, on April 24th, 2003 (Plate 19):

> You have come up to strange country. Why we give manthe? Why you come up to a strange country? To mine. You come for meeting and we give you manthe to welcome you. We want to mix up black and white to work together on this mine. Not before, but lately, we bin work together to make this mine.
>
> No one other mine give you manthe. This is the only mine you get'em welcome to mine. We make this mine safe for you. You can go back to your country and you wont get sick. Thank you.

Plate 19 : Welcoming the Rio Tinto Board 24 April 2003

To elaborate, manthe at Argyle is a symbolic re-affirmation of relationships between the landscape, the Dreaming, and Aboriginal people, and it is expressed in the form of a performance of a powerful and demanding kind. Those Miners who experience manthe are experiencing something that is alive and real. Manthe creates and reinforces a range of relationships between people, the nonhuman other, in this case smoke as the embodiment of the Barramundi, and the place, in this case the Argyle mine. These relationships have identifiable outcomes and consequences that reinforce the certainty that manthe 'works' for Aborigines and for Miners. For instance, Aboriginal people remark that there has only been one death in the history of the mine.

Manthe as a Welcome to the Argyle Mine

Since 1996, as is customary, senior Gija men and women have conducted the welcome manthe at Argyle. The manthe ceremony is not currently conducted for those individuals who are classified as 'tourists' to the mine or day visitors. There is currently some discussion among the local Aboriginal people as to whether or not all visitors to the mine site should be 'welcomed' in this way. Since 2002 new workers to the mine site have

been required to attend a manthe as a part of their general induction programme. Inductions are conducted once every week at the mine site. The regular manthe induction has been, and continues to be, conducted primarily by senior Gija men and women every Wednesday morning outside the Community Relations office. Currently, there are between ten and fifteen adult men and women and sometimes, even children who provide the service. These men and women self select from within the wider local Aboriginal community and they are paid by Argyle to provide this portion of the overall OH&S and induction programme. Argyle has also committed to have all their existing staff participate in both cross cultural training programmes and manthe. This commitment was made as part of the negotiation processes and is part of the Argyle Participation Agreement (Management Plan 3: Cross Cultural Training). These senior people are considered to be traditional owners for the land and Law men and women. As such they are 'known' by the landscape, the Dreaming and the ancestral spirit beings within the landscape. That is, they have the right to be there. They are required under their 'Law' to perform manthe and to use their ritual power to provide safe passage for their guests and thus ensure that they are 'free' to access and utilise the land and its resources without fear of danger or accidental death.

As I have indicated above, the manthe ceremony was first conducted at the Argyle mine site as part of the welcome ceremony held for the incoming General Manager Operations Graham Gunness in 1996. According to Julie O'Dongohue, a former Argyle Community Relations Officer who worked with the Daiwul Gidja Culture Group:

> We [the Daiwul Gidja group in conjuntion with Argyle Community Relations] used the occasion of a significant change in management at the mine to herald in a new and better level of Community Relations and a much higher degree of real community involvement in the processes of the mine, and the Mantha (sic) was done as part of that (email 25 March 2003).

Manthe has continued at the mine site since this time. To witness manthe on the mine site is to witness an event that is unusual in many ways. The most immediate response that I had when I viewed this ceremony was a sense of surprise at seeing 'traditional Aboriginal people' performing

ceremonies that included the participation of Miners on a highly developed, technically oriented and commercially-focussed mine site. I wondered how these two 'things' could sit together. My other unexpected observation was of Aboriginal people directing the behaviour of non-Aboriginal men and women within what would normally be seen as a 'whitefella' place, namely the Argyle mine. I was struck by the confidence demonstrated by Aboriginal women, young and old, when they were in close physical contact with non-Aboriginal men and women. The miners usually removed their hard hats and bowed their heads when they were standing before the women. I interpret this as an indication of their acceptance of – or alternatively their acquiescence to -- the unusual context within which they found themselves. Most appeared to show genuine deference and respect to the women (see Plates 20 and 21). As well, protected by painted designs and the other components of the performance, Aboriginal women appeared to lose their usual shyness and sense of discomfort in the presence of non-Aboriginal people, and men in particular.

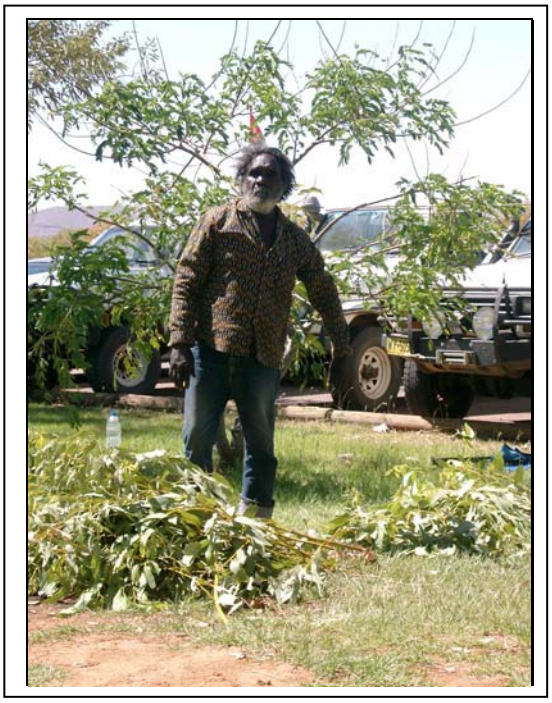
Plate 20: Women Welcoming Miners
Photograph Courtesy Argyle 31 July 2003

Plate 21: Miners Showing Respect
Photograph Courtesy Argyle 31 July 2003

The balance of power shifts significantly when non-Aboriginal people are in unfamiliar settings and are subject to, and participating in, unfamiliar events. Myers, citing Turner's (1982) comment on "the important quality of performance: *to connect*" (1994:694 italics in original), reminds us that however the participants understand what is happening to them and whatever the meaning of the connections that are made, something has happened that requires attention and serious consideration (Myers 1994, see also Houseman 2004, Houseman forthcoming).

What the Welcome Manthe Looks Like

The welcome manthe ceremony starts with Aboriginal men and women placing green leaves in a central location (see Plates 22a & b). These leaves are obtained from several different kinds of trees that grow on the lease area.



Plates 22a & b: Placing Gathered Leaves in Central Location

The leaves are then set alight in order to create a smoky fire (Plate 23). The smoke from the smouldering leaves is the potent, country-specific material element of the ceremony. It is the Barramundi's presence in corporeal form.

Plate 23: Making a Smoky Fire

Senior Aboriginal women sing the song cycles of the manthe while creating accompanying music with wooden music sticks (Plate 24) made from local trees.

Plate 24: Making Music and Singing the Welcome Song

Kofod prepared the following "free translation of each sentence" of words that Mona Ramsay had given to her to be used on an Argyle website explaining the welcome manthe and why it should be done (Kofod email 7 October 2005).

1. *Berremga ngaginybe daam.*

This is my country.

2. *Ngarranggarnim ngaginybe ganginy nimbirrijtha-burru.*

The dreamings (sic) from my country might not know you and you might be in danger.

3. *Miya manthe narajtha-ngungu ngagenybe-berruwa daam.*

I would like to introduce you properly so that you will come to no harm.

4. *Manthe-ngarri nanuwun-ngungu menkawiya girli nimbin berremga-birri daam.*

When you've been welcomed in this way you will be able to visit in safety.

As the song cycle is sung, other women whose bodies are painted are dancing toward and around the smoking fire (see Plate 25).

Plate 25 : Women Dancing Around Smoky Fire

There is an agreed upon point when a senior Aboriginal man, also painted and with a red headband (indicating status as an initiated man), guides the participants to and through the wall of smoke (see Plate 26) where they are greeted by the women who are dancing (see Plate 27).

Plate 26: Coming to the Smoky Fire

Plates 27a & b: The Dancing Women Welcome the Miners
Photographs courtesy Janina Gawler

Once they have been 'through the smoke' (see Plate 28) participants stand and are 'brushed' by the women with the slightly smouldering, or at least warmed, green leaves (see Plate 29).

Plate 28: Going Through the Smoke

Plate 29: Brushing With Warmed Leaves

The leaves have been immersed in the fire so that they are imbued with smoke and are warm to the touch. The women rest these leaves on the heads and bodies of the participants. This is a very intimate act and the recipients of the welcome are expected to demonstrate great respect and appreciation during the process (see Plate 30).

Plate 30: Showing Respect
Photograph Courtesy Argyle 31 July 2003

Once all the participants have been smoked the group is addressed by at

least one of the senior Aboriginal men or women who explains the meaning of the ceremony (see Plate 31).

Plate 31: Explaining Manthe

There are no written scripts and therefore the details given for each manthe by the senior men or women vary, although there is a consistent theme to each explanation. At the twenty or so ceremonies that I have attended at Argyle, the spokesperson has explained "manthe is to welcome you to the mine" and "to make you safe to work." The participants are often reminded that "no other mine will give you a welcome like we do" and that the Aboriginal people want "black and white to work together." The participants are often also invited to access Aboriginal healers if they "feel funny [unwell] or worried on the job." They are often encouraged to think about the meaning of manthe and to reflect on why it is that Aboriginal people have provided them with safe passage. This invitation to self-reflection is an open-ended one with no formal avenues for further discussion or enquiry. There have been situations where this invitation has been taken up, most often when Aboriginal employees have felt uneasy at the mine site although there was one occasion when Hammond received treatment for an ankle injury, which occurred during one of the Daiwul Gidja cross cultural courses. The Aboriginal women who administered the treatment to him considered that

they had “shown him our power” and their willingness to “help” the miners.

Individuals can choose to attend manthe on more than one occasion if they feel the need to do so and many have. There have been occasions when past participants have been encouraged to “come to the smoke” to “make you feel good.” There have been times when people have been encouraged to participate (again) in manthe other than during the normal weekly induction ceremonies to ensure added personal safety and protection such as prior to commencing work in the underground portion of the mining operation or for particular events such as when a group of local Aboriginal people and Argyle company personnel were travelling from the East Kimberley to visit an underground mine in New South Wales.[175] Manthe ceremonies have also been arranged for individual Aboriginal workers who have felt unsettled when working in the open pit or other in parts of the mine.

The participants in manthe display the full range of responses from genuine interest and respect to being mildly intrigued and curious: some merely participate in manthe in order to ensure their job security, apparently considering it a spectacle, rather than a significant ritual. Others are genuinely moved (and changed) by their participation. There is generally a round of applause from the participants once the formalities are completed and before they depart to return to their places of work. Some of the participants informally seek further explanation about manthe from those who give it to them. Some individuals personally thank the Aboriginal participants and shake hands with them at the completion of the ceremony. There are some individuals who have refrained from participating, but this is rare. Senior management of Argyle attempted to make participation in manthe at the site a

[175] On this occasion the Aboriginal participants in the mine visit, to the Northparkes Mine, would not attend unless they were guaranteed that the local Aboriginal traditional owners of the mine site provided them with safe passage in the form of a welcome ceremony. This was a surprising request to Argyle and Northparkes. The local Aboriginal traditional owners of the Northparkes mine site did welcome the visiting Aboriginal people (2 September 2003).

compulsory component of the overall occupational health and safety induction programme but this attempt was challenged by an individual worker on the basis of religious objection. I have personally never seen anyone refuse to participate.

In May 2001 during his first visit to the mine, Jonathan Leslie (at the time, London based Group Executive Diamonds) was welcomed with the manthe ceremony and later the women performed some of the Daiwul 'joonba.' The Gija Aboriginal women chose to "show" (tell, teach, explain) Leslie their relationship to the mine, the Barramundi Dreaming, and their own continuing cultural presence at the mine site. They did this by performing several 'legs' of the Daiwul 'joonba' that related to the initial transformation of Barramundi Gap by heavy earthmoving machinery.

The choreography of the scene enacted was very contemporary and powerful. It was conducted at night in the light of a fire and consisted of the women, painted and bare breasted, dancing in their typical shuffling style from the darkness toward centre stage that was bathed in natural firelight. Their dancing consisted of stylised movements that mimicked bulldozers and other heavy earthmoving equipment. They held branches of green leaves in their hands. The woman slowly made their way toward Leslie and his wife, both of whom had been strategically seated in the centre of the viewing group. It was a dramatic performance. When the women reached Leslie they also presented him a copy of "their book" *From Digging Stick to Writing Stick* (Ryan 2001). This book is a collection of edited stories told by local Aboriginal people from the Warmun community about their recent and historical past. It includes accounts of massacres and displacement and a story from the (late) senior Aboriginal Law women Queenie MacKenzie about Aboriginal women's relationships to Barramundi Gap.

This combination of 'traditional' ceremony and the presentation of a book were surprising and clearly a little unsettling to Lesley. The book was presented so that he could also "read" about the Barramundi story and

the concerns of the Gija women about the nature of their relationship with Argyle and their desire for appropriate acknowledgement. The women were keen for Leslie to "understand" that the site was particularly significant to Aboriginal women and that they, as women, had not been given appropriate acknowledgement in the Good Neighbour processes (interview group 21 August 2002; see also Ryan 2001:139). The women were also concerned to ensure that Leslie and his wife who were from England, would not become sick or encounter any danger whilst visiting the mine (interview group 21 August 2002).

During an interview with Leslie in London (7 November 2002), over a year after this event, he noted that although he had visited the site in the early 1980s, prior to the development of the open pit, he had not been back since then until his 2001 visit. He said that the Daiwul 'joonba' performance was foremost in his mind when he now thought of Argyle. He had found the experience:

> very very striking and ... it was very effective in cutting right through ... a personal experience to me rather than just the theoretical issue which I was very well aware of ... with actual and symbolic performance ...that made it much more real and connected in and so something that maybe – maybe just a higher – bit higher in my – the list of things I would automatically think about when I think about Argyle... Very, very effective (Leslie interview 7 November 2002).

In late April 2003 the Rio Tinto Board, including the chairman of the board and the CEO of Rio Tinto, held their annual board meeting for the first time at the Argyle mine site. All of the board members, and their partners who were accompanying them, the Executive director of the Kimberley Land Council and several Kimberley Land Council employees and specialist consultants were 'welcomed' to the mine with the manthe ceremony (Plate 19, above). The Aboriginal people were conscious that their current negotiations with Argyle would, at some stage, involve the board members. Later in the evening, the Neminuwarlin Dance Group performed 'legs' of the Fire, Fire Burning Bright joonba for the board members.

Plate 32: Neminuwarlin Dance Group Members Preparing to Perform

This performance was chosen because Aboriginal people wanted to try to "teach" the Rio Tinto board members about their relationship to country, the history of their interaction with the pastoral settlers of the Kimberley and establish a relationship with them in and around the mine.

Following the performance all the participants spent an evening sharing a meal and engaging in informal conversations. No formal meetings had been requested between the Rio Tinto board members, the KLC, and the traditional owners. Later that same year the new London based Group Executive for diamonds, Mr Keith Johnson, who had replaced Leslie, visited the mine site and was also made welcome with the manthe ceremony.

Manthe as a Funerary Ceremony

Following the death of a young Aboriginal miner at Argyle in May 2003, local Aboriginal people performed a series of smoking ceremonies as a funerary ritual including smoking the vehicle in which the accident occurred at the site of the accident, the open pit of AK1 (see Plates 33

and 34 below).

Plate 33 : Commencing the Smoking Ceremony
Photograph Courtesy Frances Kofod

Plate 34 : Smoking the Vehicle and Workers in the Open Pit
Photograph Courtesy Frances Kofod

This young man had not participated in the regular manthe ceremonies at the mine. He had commenced employment prior to the introduction of routine participation in manthe in 2003. A smoking ceremony was conducted at the accident site and the place of death as well as his accommodation room at the mine. Finally, a smoking manthe was

conducted for over a hundred miners at the Wundarrie Community Relations Office. This event was particularly poignant. The miners had voluntarily attended for their own ritual purification as co-workers of the deceased man along with the ritual purification of the mine site generally. Argyle did not penalise, in terms of loss of pay or lost hours penalties, any of the workers who chose to participate in the manthe ceremonies.

According to one participant, many of the miners were in tears during the ceremony and later said that participation in the manthe was a moving and remedial outlet for grief that they had not anticipated (pers comm Fred Murray 2003). I will have more to say in further parts of this chapter regarding the reactions of mining personnel to manthe at Argyle.

The Meaning of Manthe

The meaning(s) of manthe at Argyle, as for all ceremonies, can be located within a number of interpretative frames ranging from the 'traditional' indigenous frame to the sceptical cynicism of some miners. As would be expected, there have been varied responses from Aboriginal people, miners, management and indeed researchers such as myself. For Aboriginal people the giving and receiving of manthe at Argyle binds people in a reciprocal relationship. It is an act that entails both the symbolic and the actual commencement of relationships of exchange between the 'land owners' and the 'land users.' In this case, the relationship is between the local Aboriginal people and Argyle miners and, more broadly, between local Aboriginal people and Argyle and Rio Tinto as a company. The miners are granted their (safe) physical presence on the country and the miners acknowledge that Aboriginal people are entitled to economic benefits (compensation) for enabling and maintaining the continued safe operation of the mine and associated mine workers.

Aboriginal men and women 'read' the meaning and the efficacy of each manthe by interpreting the density, pattern and distribution of the smoke and identifying their body's reactions to the external conditions of

temperature, for example, the amount of sweat they produce on a hot day. They also comment on the responses of the particular group being inducted to the site and speculate as to how those individuals might be 'feeling' about manthe and their place in the landscape. Certainly each manthe has a unique feel to it and there is never a sense of being involved in a routine or ordinary event.

Alternative Interpretations of the Continued Productivity of the Mine

The benefits from the Argyle mine, direct and indirect, that accrue to the local Aboriginal communities and individual Aboriginal people are an important part of peoples' lives Thus, as we saw earlier in this chapter, when it seemed the mine might close, they were deeply concerned. However, as we have also seen, the mine did not close. Instead, the mine continued operating the open pit beyond 2000, the initial date proposed for closure. According to Argyle, this occurred because of Hammond's careful analysis of the mine's financial position coupled with his determination to tackle difficult engineering problems, such as stabilising the western wall to enable deeper mining of the open pit and his creative calculations of geological information that lead to proposing an exploratory decline to test the feasibility of underground mining that would enable the extension of the life of the mine beyond 2008.

Senior Gija Aboriginal men and women have a very different explanation. According to them it was their talking to the Barramundi and calming of the spirits of the 'old people' that allowed the mine to continue by ensuring the continued presence of diamonds and thus the mine. For them, this has been achieved by conducting kurara to ask the Barramundi to reveal more of herself and through their continued engagements and conversations with the Barramundi during the mine's recent history, that is since 1996. Along with performances of kurara, the performance of the manthe ceremonies in conjunction with the Daiwul 'joonba' and the Fire Fire Burning Bright joonba have reassured the

Barramundi and made her compliant and tolerant of the miner's activities. The Gija Aboriginal men and women have encouraged her to give up more of herself, namely the diamonds.

Talking to the country, to the 'old people' generally, and to the Barramundi in particular, has happened on occasions other than those described above. For example, during a negotiation meeting for the new Argyle Participation Agreement at Argyle in March 2002, all those present were invited by Argyle to visit the open pit and tour the Designated Area. On that occasion several Aboriginal people accepted the offer. Some had never seen the operating mine. Whilst there, two Aboriginal women explained to others present, including Argyle staff, how they could seek the assistance of the Barramundi to keep the mine going and influence the current negotiation process for the 'new agreement.' They called out to the Barramundi and asked her "to make more [diamonds]" and "to make the agreement come up quick" (Peggy Patrick and Patsy Hall 19 March 2002 see Plate 35).

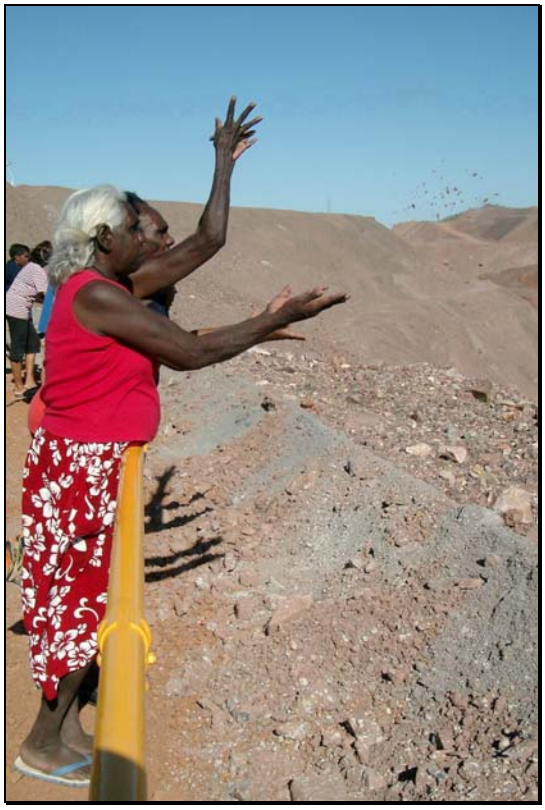


Plate 35: Performing Kurara

The ‘Ground Breaking’ and ‘Underground’ Manthe

Another occasion when Aboriginal people turned to their ceremonies to ensure the mine’s productivity was during the manthe that was held prior to the commencement of major groundbreaking activity to build the entrance for the exploratory decline tunnel (31 July 2003). The ceremony was performed following a the break down in the negotiations for the Argyle Participation Agreement when Argyle negotiating staff misread a statement of position on the part of Aboriginal people in relation to allowing the exploratory tunnel development to proceed. Aboriginal people had not granted permission for the work to commence and linked their refusal to do so to the negotiation processes and terms of the new agreement rather than to issues regarding ‘sacred sites.’ Their refusal was challenged by some Argyle staff who were negotiating the agreement and negotiations came to a serious impasse. However, senior Argyle management reiterated that Argyle policy was that if Aborigines said “no” to any developments on the mine then Argyle would accepts that “no means no” and would not revert to legislative or other legal avenues to challenge that decision. Following this statement of policy and further discussions Aboriginal people did grant permission for the work to go ahead. It was then that they conducted to ceremony to ensure that the exploratory tunnel construction would occur without incident.

Later in the year, once the preparatory ground disturbing work had been completed, and the second phase of the development of the exploratory tunnel was to commence another very significant performance of kurara and manthe occurred. On this occasion it was in order to welcome those miners who would commence drilling and blasting the hard rock to create the underground exploratory tunnel and at the same time ‘open’ the decline entrance and most particularly to ‘talk’ to the Barramundi (3 December 2003). Aboriginal people from the towns of Kununurra and Wyndham and the local Aboriginal communities of Warmun, Juwulinypany, Woolah and Mandangala attended on both of these

occasions. These were large events that had been agreed to by the local Aboriginal people and Argyle prior to their taking place. They were viewed as a demonstration of the good will that was developing between the parties as the negotiations for the new Argyle Participation Agreement were going ahead.

I was not present for the 'Ground Breaking Manthe' (31 July 2003) but I did interview some of the Gija Aboriginal men and women who were there. With them, I reviewed a series of photographs that had been taken at this event. I was present for the 'Underground Tunnel Manthe' (3 December 2003). A number of separate ceremonies were performed on both occasions. There were some common threads in all of the performances. For instance, all of the Aboriginal people present participated in some way or other in the welcoming manthe ceremonies – smoke or water - for all the mine workers who would, directly or indirectly, be involved in the ground disturbing or underground mining work.

As with all manthe, the performance(s) for the 'Ground Breaking Manthe' was directed to seeking permission from the country, the spirits of the 'old people,' and the embedded Dreamings to allow the miners to disturb the ground, use heavy machinery to dig into the ground, and commence the construction of the exploratory tunnel decline shaft (see Plates 36 and 37).

The ceremonies involved seeking permission from the country and the spirits embedded in the country to engage with the physical 'ground' as much as the enlivened 'space.' That is, the ceremony was to ensure that when the miners began to disturb the ground with heavy machinery the spirits of 'the old people' would not create havoc:

> Traditional owners have to ask the ground to let the work start there, that is why we have to put manthe, to make it safe (pers comm Lena Nyadbi 19 February 2004).

Plate 36: Prior to Construction (left)
Plate 37: The Commencement of Construction (right)
(Photograph (a) courtesy Argyle 31 July 2003)

Seeking permission was linked to ensuring the safety of the workers. That is, once permission was gained, those disturbing the ground would be granted safe passage. To secure that consent, Aboriginal people had to talk to the country, the old people and the Dreamings. To do this they painted their bodies, sang certain songs, enacted certain realities and danced in particular ways and had a smoky fire. The Gija men and women performed portions of the Daiwul 'joonba' (Plates 38) and portions of the Fire Fire Burning Bright joonba (Plate 39) at both events.

Plate 38: Daiwul Joonba
Photograph courtesy Argyle 31 July 2003

Plate 39: Fire Fire Burning Bright
Photograph courtesy Argyle 31 July 2003

Daiwul 'joonba' was chosen because it "came from the country" and the Barramundi would "know them," that is recognise the Aboriginal performers as having the requisite authority to engage with her, and "listen to we." The Daiwul cycle is also one of the ceremonial means by which kurara can be enacted.

Fire Fire Burning Bright, as a 'true story,' is a means to engage with the disturbed spirits of massacred men who travel the land and can cause trouble due to their restlessness. Because of the restless nature of these spirits they can be aggressive and dangerous. Gija men and women perform parts of this joonba at the Argyle mine site to "make the old people (that is, the spirits of deceased people) happy" and to "make them settle down with kartiya." They also perform this joonba "so that kartiya can see what really happened to blackfellas before, not so long (ago)" (group discussion at Argyle 19 February 2004).

The major concern of the Aboriginal people during the Underground

Tunnel Manthe - conducted for the 'opening' of the underground decline tunnel -- was to secure the safety of the underground miners and to entice and encourage the Barramundi to reveal more of her scales and internal organs, the diamonds. These actions would ensure the success of the underground mine, and thus the flow of benefits to the local Aboriginal people.

The Underground Manthe was conducted over a period of several hours on a very hot and humid day in December 2003. It's performance was not an easy undertaking for the Aboriginal people who were singing, for the underground workers who were being smoked, and especially for the dancers whose feet were close to being burned. The commitment to "making it come good" on the part of Aboriginal people was clearly demonstrated that day. The underground workers also demonstrated a commitment to be respectful and willing participants in the ceremonies, something that was noticed by Aboriginal people who I spoke with after the ceremony.

There was no commentary or explanation provided by Aboriginal people, or anyone else about what was happening on this day. However, a few months later I was able to show the images from both the 'Ground Breaking' and the 'Underground' manthe to a group of Aboriginal people who had participated in both of these manthe ceremonies (see Plate 40).

Plate 40: Reviewing Images
Photograph courtesy Johan Bornman 19th February 2004

In the case of the Underground Manthe, they commented on the "meaning of it." Some of the information shared with me at this time is restricted to adult women and can only be told by those who are entrusted to do so by Aboriginal women's Law (see Tarran 1997). But, at the same time, Aboriginal people felt that certain information had to be shared with senior mine management "so they can really know the meaning of it." There was also a level of detail and knowing that was considered acceptable for me to "put it in the paper for everyone to see." It is this version of the meaning of the underground manthe that follows.

The 'reason' for the underground manthe was similar to the reasons for the groundbreaking manthe ceremonies, namely to seek permission to disturb country, to gain compliance from the Ngarranggarni (Dreaming) and the spirits of "the old people," and to entice the Barramundi to reveal more diamonds. In this instance, it was to seek permission to begin to "drill" into the rock and go underground. The scenes of the Daiwul 'joonba' that were performed were related to "drilling" in this instance with the women's prop – the painted stick - representing the drill - but in a form - elongated shape and painted design - that the Barramundi would recognise (see Plate 41).

Plate 41: 'The Drill'

As the women were approaching the tunnel entrance they were calling out to the Barramundi seeking her permission to let the miners enter and create the tunnel (see Plate 42). They were telling her that they wanted to look for diamonds and that she should not be afraid of their machines and that they were not going to hurt her but they wanted her scales. The singers and dancers were encouraging her to “show’ em self more” (diamonds) so that the mine could maintain production. They were asking her not to hurt the workers when they entered and commenced work. The women were telling the Barramundi that “the miners like you, they want to come to see you” and not to be afraid of them. They were telling her that they were happy for the miners to mine because they (the miners) were “coming good” (making a new agreement).

Plate 42: Talking to the Barramundi

The presence and attention of the Barramundi was evidenced in the density and movement of the smoke from the fire in and around the mouth of the tunnel and eventually filling the tunnel (see Plates 43, 44 and 45).

Plate 43: Indicative Smoke Underground Welcoming Ceremony
3 December 2003 - -this has to move - HERE

Plate 44: The Smoke is the Barramundi

Plate 45: Smoke Fills the Tunnel, further evidence of the Barramundi

This strong presence of smoke was seen as definitive evidence of the Barramundi engaging with Aboriginal people and more so as indicative of positive consent, from the Barramundi for the underground work to commence. Further, this impressive demonstration of presence also indicated her acceptance of the workers to commence their tasks and an acknowledgment that they have been through the water and smoke manthe ceremonies in preparation for their work in the development of the tunnel (see Plates 46 and 47).

Plate 46: Water Manthe

Plate 47: Smoke Manthe

When Aboriginal people saw the photographs of the underground manthe that I had taken a few months before they suddenly said, “those miners don’t know the meaning of it yet.” Perhaps it was seeing the images of themselves, captured, as it were, in the moment, with “the smoke,” that reinforced the difference between their experience and knowing and that

of the miners at the ceremony. They were moved by the photographic images that signified for them the critical and sequential involvement they had had with the Barramundi that day. The pattern of the smoke confirmed for them the communication they enjoyed with her. She had responded positively to their enticement and encouragement to “show ’em self” to the miners and yet at the same time the photographs also indicated to the Aboriginal viewers that this clear demonstration of acceptance and conformity on the part of the Barramundi was not something that the miners had “seen” whilst they were there, nor could the senior management have “seen” because they were not there.

That is, they told me that they now realized that the Miners did not know that the Barramundi had been driven further underground by the (unsanctioned) activities of their digging in the open pit. The Barramundi had taken her internal organs and scales - the diamonds - and gone deeper into the land. Now she was being invited, enticed by performance and song, to once again reveal herself. This is what was happening at the underground manthe - Aboriginal men and women were giving manthe with kurara as a protective and a generative exercise between themselves and Argyle. The smoke, how it moved and responded to the performers and the singers, was read as indicating the Barramundi’s compliance and interest in what the Aboriginal people were saying and suggesting to her.

Interestingly, one senior Aboriginal woman wondered aloud why it was that Argyle had waited so long to seek their assistance to secure more diamonds. She wondered why they had not sought their assistance whilst the pit was still productive and why they had continued to “blast her” in the open pit and thus drive the Barramundi further into the earth. “They should have asked we when they were up there, she might have shown herself more and not been frightened” (Peggy Patrick 19th February 2004).

Viewing the photographs in some way bought into sharp relief the

realisation that mere presence at, participation in, and witnessing of, the manthe ceremony was not a sufficient means of instruction for non-indigenous people. Those Aboriginal people then requested my assistance in preparing a ‘presentation’ that they felt would be more instructive to the mine’s senior management team. They invited the Managing Director to choose among his “main bosses” to attend a bush meeting where they would be able to “tell them really the meaning *of* manthe.” This event has not yet happened. The correspondence was addressed to Hammond and he has since left Argyle and the Rio Tinto group. The Aboriginal men and women who developed this information package hoped to use it as a means of teaching the Miners. This may still happen some time in the future.

CHAPTER 10
BEYOND ICONIC SIMPLICITY

> To discover who people think they are, what they think they are doing, and to what end they think they are doing it, it is necessary to gain a working familiarity with the frames of meaning within which they enact their lives.... It involves learning how, as a being from elsewhere with the world of one's own, to live with them (Geertz 2000:16).

The (contested) signing of the Good Neighbour Agreement in July 1980 marked the beginning of a formal relationship between a group of Kimberley Aboriginal people and the Argyle Mine. Since this time, the agreement and the relationships it enacted have been continually modified as part of an informal process of renegotiation. However, contemporary parties to formal legal agreement making have failed to take into account the importance of such a process of on-going renegotiation between Aborigines and Miners. I have argued in this thesis that Argyle has provided the opportunity to undertake a case study that addresses the process of agreement-making, relationship building and co-existence between Aboriginal people and Miners, and, in particular, the opportunity to analyse the social relationships that are forged within the context of such a process. As a result of this analysis, I have concluded that the process by which the 1980 Good Neighbour Agreement has been enacted over the past twenty-five years challenges the more typical iconic representation of Argyle as a site where Aboriginal people are the passive victims of a corporate global mining operation, and where the juxtaposition of sacred site and resource is represented as a zero sum game in which only one of these entities can exist at any time. As we have seen, 'Argyle' is a sacred site and an operating diamond mine. This is an important conclusion because such a reframing opens up the possibility that an operating mine site and an Aboriginal sacred site can co-exist. I am not, however, so naïve as to suggest that this is a sufficient 'better outcome' to ameliorate the continuing disadvantage experienced by Aboriginal people in the East Kimberley on a daily basis. Nonetheless, what has emerged from the multi-sited and inter-contextual approach that I have taken is the identification of an enlivened

space at Argyle that is both geographically grounded and inter-cultural. It is an enlivened space that sustains the Aboriginal worldview in a way that the dominant East Kimberley society does not. At the same time, it is a hybrid space where Aborigines and Miners, as Good Neighbours, have engaged in relationships that find expression in written documents, in oral accounts, in ceremonial performances conducted at the mine and, importantly, in the everyday interactions between Aboriginal people and Miners.

* * *

In a paper written over two decades ago, Blundell suggested that when Aborigines are confronted with disturbing "disorder in the world" they are able to rectify that disorder in a way that is consistent with their traditional laws and customs. They do so, she argued, by engaging with their symbolic representations of the Dreamtime, in her case the Wanjina rock art images (Blundell 1982:12). What I have reported in this thesis is that another example of disorder within the contemporary indigenous context occurs when strangers such as Miners enter Aboriginal lands uninvited and utilise their resources. This is what Turner describes as social drama (1974). And in Turner's terms, within the context of their ceremonial performances, Aboriginal people have, initiated processes of resolution, and the (re)integration of themselves, their country and the Argyle Miners.[176]

Dixon and Dillon suggest that until there are appropriate relationships established between Aboriginal people - as the owners of land - and those seeking to access that land - such as Miners - the latter will remain as 'strangers' (1990c: 172). As such, they remain uninvited and unwelcome. Dixon further states that local Aboriginal people's inherent rights and interests would have to be recognised and respected before they would have "the degree of autonomy needed ... to deal with change by incorporating the unfamiliar present into the familiar past, that is,

[176] See also Berndt (1962) and Morphy (1983) for a discussion about the use of scared boards in North East

before they can 'make the new way come into the old way'" (Dixon 1990a: 90). As we have seen Aboriginal people with connections to the Argyle lease area have indeed incorporated the new within the old. They have done so in an effort to achieve the precondition identified by Dixon. They have incorporated the new within the old in the sense that they have negotiated a synergy between 'the old' and 'the new' by deploying multiple strategies of engagement within the contemporary political landscape of regional development and emerging indigenous governance practices. They have done this in order to achieve a balance and reformulation of relationships between themselves and other forces in their worlds, most particularly, their Dreamings and the Argyle Miners.

Aboriginal People connected to Argyle have drawn from, transformed and strategically engaged with their cultural capital, and in the process generated what Bourdieu calls 'symbolic power' in order to establish, reinforce and materialise their relationships with the Argyle Miners. Aboriginal people are not distant and removed from routine life at the mine or the mine site itself. Instead, through performance and relationship formation, they have maintained and visibly (re) inserted their presence into their country, Argyle. They have enlivened Argyle as a hybrid space of industrial mining and a site for the contemporary expression of a continuing Aboriginal tradition. That is to say, Argyle is an enlivened space of active engagement and participation. Aboriginal people have achieved this state of affairs, in part, by incorporating miners into their ceremonial performances of manthe, kurara and various 'joonba.' These performances are not just colour and movement generously bestowed to workers at a mine site by Aborigines who are particularly kind. In indigenous terms the giving of manthe, the 'making more' and the settling down of the restless spirits of the deceased are all very public demonstrations of ownership of, and continuing relationship with, country. They are demonstrations by those entitled and still empowered to grant permission for others to be present on, and engaged with, the land in the form of physical occupation and the taking

Arnhem Land in another context of 'adjustment.'

(extraction) of resources. Based on these observations, I have concluded that performances at Argyle by local Aboriginal people can be seen as a multi-faceted strategy of relationship affirmation, articulated engagement, and alterity maintenance which draw on, and reconstitute, the embedded and embodied relationships that they have to country, the landscape, the Dreaming, and their kin.

Houseman suggests that participation in ceremonial performance "is serious business" (2004:76) and that it is "an unusually meaningful acting out of special types of relationship (in press). He suggests that relationships are changed, that they "take on a life of their own, acquiring the distinctively naturalized, self-evident quality which is the hallmark of everyday interaction" and further that "the participants' overt behaviour attests to the fact that "before" and "after" are not the same"(in press). For technicians who work within the context of developing a mine, the idea that a simple 'increase ceremony' could ensure the continuity of a desired resource and therefore the on-going productiveness of a mining operation is well outside the boundaries of the expertise and experience that they bring to their understanding of the geology and operation of the mine. The cross-cultural context at Argyle gives rise to a challenge that is rarely encountered or engaged within the general Australian mining field, let alone acknowledged. As Hammond explained this challenge: "How could I say that the mine is continuing because some Aboriginal women did some magic?" (Hammond pers comm February 2003 Argyle mess). For senior Aboriginal men and women it was "just so" and could not be otherwise.

As well as sustaining the vitality of the mine, ceremonial performances at Argyle, all of which are public and open ceremonies, can be seen to re-balance relationships, resolve conflicts, enhance the well-being of the participants, and communicate knowledge systems and world views. They establish and maintain social relations and social order as well as the Dreaming "in all its various guises" (Dussart 2001:15). In the case of Argyle, the performances serve to locate the mine and Miners within the

wirnan and established relationships and exchanges based on Aboriginal concepts of “moral authority” (Rose 1984) and in the Miners’ terms of ‘being a good neighbour,’ ‘being a good corporate citizen,’ sustainability and mine safety.

To summarise thus far, the willingness of Argyle to make the Good Neighbour Agreement, notwithstanding the fact that some consider this to have been done in an inappropriate manner, with indecent haste and insufficient benefits and inadequate inclusiveness, has provided the opportunity for Aboriginal people to recruit their own cultural practices and symbolic representations to deal with Argyle. In Dixon’s words, they have been able to “incorporate the unfamiliar present into the familiar past” and as such to address and rectify the disorder generated by the inappropriate presence of the Miners on their land.

The Good Neighbour Agreement, then, was the beginning of a process of relationship enactment and reformulation between Aborigines and Miners. These relationships had a certain resonance with the wirnan, and, over time through the performance of their ceremonies, Aboriginal people have been able to engage with their country as a mine site and therefore confirm their spiritual connectedness to the Barramundi herself. In so doing they have been able to reformulate the terms of engagement and relatedness between themselves and Argyle. At the same time, kurara, manthe and ‘joonba’ - recruited from within their body of inherited ‘symbolic capital,’ have been aimed at re-establishing and reasserting their alterity in the face of a modern mine site, thus reconciling, to a degree, their country as a site of two simultaneously co-existing realities and operations - that is, the site of the Barramundi (Increase) Dreaming and the operational Argyle Diamond Mine.

This (re)-interpretation of how local Aboriginal people and Argyle have been relating to each other over the past twenty-five years challenges the existing iconic status of Argyle. It is based on a large body of data amassed for this thesis. The methodological approach I have taken

throughout my data collection, my analysis and my writing has been aimed at generating a more nuanced reading of the iconic simplicity of Argyle and not at determining what constitutes a 'better outcome.' I have 'studied' the cultural practices of the local Aboriginal people and I have 'studied up' (Nader 1972) to achieve a similar familiarity and understanding of the Argyle corporate cultural context. I have conducted these studies by undertaking field work as a participant observer, with a series of detailed 'archaeologies' to better understand how the Good Neighbour at Argyle came into being and how it was enacted. This has required attention to a range of primary and secondary materials including information obtained through interviews, reference to archival records and published records, and my own personal experiences in the 'field.' In short I have undertaken a robust detailed case study and I have attempted to reveal and explore 'the habitus' of Aboriginal people and the Argyle Miners.

* * *

Patrick Sullivan, a researcher who conducted field studies in the East Kimberley, writes that:

> … two differently ordered structured socio-cultural systems exist side by side in the remote regions of Australia. The two systems absorb and transform each other's products without themselves merging (Sullivan 1989:(ii)).

He further contends that these points of intersection "occur within, and create, a middle ground in which institutions are functionally polyvalent and their processes inherently ambiguous" (Sullivan 1989:(ii)). In the case of Aborigines and Miners at Argyle, I have argued that ambiguity lies in the rendering of the relationships rather than the intent of them. Sullivan also speaks of a "problem" facing Aboriginal people of the Kimberley. The problem he suggests is "how to forge out of Aboriginal traditional processes modern post-colonial institutions capable of satisfying both European and Aboriginal cultural expectations" (Sullivan 1989:55). The 'problem' between Aborigines and Miners in the East Kimberley is not a lack of 'intersection' or 'processes' but rather the

capacity to recognise those intersections and processes for what they are.

Such a recognition appears to have occurred at the celebration of the registration of the Argyle Participation Agreement in June 2005. At the end of the celebration Murray McLaughlin, a television journalist with the Australian Broadcasting Commission, interviewed several of the invited dignitaries as a matter of historic record (Argyle Diamonds 2005c). During those interviews the Governor General Major Michael Jefferies said that the occasion was “historic” and that he could “tell by the feel of the indigenous people and the mining people” at Argyle that there was a sense of “something deeper than a piece of paper” and a “sense of completion of business” represented by the Argyle Participation Agreement. He felt that the document was supported by good will and mutual respect. Sir William Deanne considered that the new agreement was not only cast in terms of fairness and economic benefit but also “faces up to the need to reverse injustices of the past” and was not only a “brave move” on the part of Argyle but also one that was a “very good business decision” in that Argyle had gained a high degree of respect and regard from the community. Brendan Hammond believed that “deep personal relationships” were a crucial element of making the agreement and that there was a need for “the entire management team [of Argyle]” to be part of that process and not just the Community Relations section of the Argyle operation. However, and despite the good intentions of the new Argyle Participation Agreement, there remains the reality of sustaining these new relationship in the face of continuing poverty, welfare dependence and rapid social change in the East Kimberley.

* * *

Nader has suggested that as social science researchers in times of greater awareness of colonising institutions and practices we should “reflect on grossly unequal power structures that overlap in interesting ways” (1990:315). Clearly Aborigines and Miners are not equal partners,

and yet, given this context, the Argyle case study has shown that Aboriginal people have, “in interesting ways”, reviewed their negotiation processes carefully (Howitt 1985: 373), “tested” the setting and context of their relationships with Argyle, and achieved a kind of “balance” and moral order of being in the world (Rose 1984:29-30). They have achieved this through the deployment of their own cultural practices, in particular through the wirnan and ceremonial performances. Further, Argyle is situated in a context where engagements are juxtaposed with the global mining industry and diamond market forces and the local realities of Aboriginal people. Thus, Aboriginal people are constrained by the imperatives of global capitalism but they are also enhanced by their ability, as individuals, to act powerfully at the local level and create a unique set of relationships between themselves and Argyle.

As an active hybrid space, Argyle exemplifies the ‘ambiguities’ identified by Sullivan (1989:ii) and, as I have argued, provides the space for a kind of shared meaning at the location of engagement, even if such meaning is absent outside the Argyle context. What is promoted, in fact essential, if this space is to endure, is a sense of respect for each other on the part of Aboriginal people and Miners. This is respect for the rights and meanings of the Other. Moreover, what the data from Argyle reveal is that the participatory act of signing agreements does not entrench a prescribed relationship between Aborigines and Miners. Nor does it send Aborigines away and render them incapable of acting by locking them into relationship forms that are bound as static by the terms of a signed text. What emerges from the case study offered here is that when the four Aboriginal signatories signed the Good Neighbour Agreement that act did not end the processes of negotiation. Rather, it created and confirmed a context of ‘being in relationship.’ The Good Neighbour Agreement channelled the newly formed and (partially) authorised relationships between (some of) the local Aboriginal people and Argyle along certain unknown and unarticulated but nonetheless real and operating paths that continue to the present. Argyle was and continues to be constrained by ‘the wirnan.’ The local Aboriginal people were and will

continue to be constrained by ‘agreements.’ However, how these constraints are enacted at the mine between Aborigines and Miners is an evolving process of relationship formation, negotiation, and re-formulation.

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In summary, the enactment of the Good Neighbour at Argyle, by both Aborigines and Miners, demonstrates that the existence of an active, hybrid, multi-vocal discursive space has emerged out of a variety of symbolic practises engaged in by active agents over a number of years. This is a space that includes transformative practice such as the making of agreements on pieces of paper, the performance of ceremony, the extraction of diamonds, and the replenishment of Barramundi scales and internal organs. It is a space that leads to the incorporation of others and yet, at the same time, the maintenance of boundaries and distinctiveness between the participants. Symbolic representations of relationship and engagement generated within this particular space include the giving and receiving of manthe (in its various forms and for a range of purposes) and formal agreement making. Both of these ‘symbolic’ expressions of culturally defined engagement are material demonstrations of the willingness of people to engage at the highest order of communication that takes place between people, between people and things, and between people and place. This localised ‘space’ is about the mine, the people, and the country. It is not theoretical. It exists because of the enactments and relationships that are formed and re-affirmed through the actions of motivated individuals.

The paradox of Argyle is that the success there of relationships between Aborigines and Miners relies on the continuing, albeit contradictory, process of enacting and retaining distinctiveness and at the same time promoting incorporation. For the Aboriginal people it is the incorporation of Miners into their reality through their participation in performative discourse. For Miners, it is incorporation that, for them, is legitimated

through the making of written agreements and having them signed by Aboriginal representatives. Neither Miners nor Aboriginal people may fully understand this process at a conscious level, although the interview data presented in this thesis indicates a far greater awareness of the nature of this process by some individuals than some other observers may credit. Clearly, for Aborigines and Miners to co-exist there is no requirement that Miners go native and cease to be miners, nor that Aboriginal people become Miners even if they do make agreements and take employment at the mine. The processes of incorporation displayed in this alternative hybridised space do not dilute nor diminish the identity or 'traditions' of either. Rather they allow for distinctiveness to be retained by each. This space, then, is the context within which those processes which arise from difference work to confirm the distinctiveness of the Aboriginal world view and the geographical space of the mine site itself, no matter how fragile that context of co-existence might be.

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Throughout the thesis, I have identified several additional avenues of further investigation of the Argyle story. In particular, I have suggested that detailed investigation of the ways that the West Australian State, non-government institutions (such as Land Councils, support organisations and local Aboriginal bodies) and non-Aboriginal advisory staff would provide insight into some important aspects of the story which are not resolved in my account. I explained my decision not to pursue these lines of inquiry in terms of my own position within the complex relations that constitute the Argyle story/ies, suggesting that others would be better placed to succeed in such inquiries, and also in terms of the importance of the evolution of the particular relations between Aborigines and Miners at Argyle as a case study of the broader field of 'Aborigines and Miners.'

In pursuing this case study, I argued that something different and significant has been happening at Argyle. By bringing together careful

and detailed consideration of both the corporate and Aboriginal domains, I have elaborated a narrative of place that has taken both site and culture seriously – which has woven together the powerful insights of anthropological and geographical approaches to the case study.

Geographers often assert that space and place make a significant difference to the playing out of social relations and social process (eg Sayer 1985/83; Cochrane 1987; Massey 1993; Soja and Hooper 1993). This thesis demonstrates that place does indeed make a significant difference in the playing out of social relations and social process between Aborigines and Miners. The place that is the Argyle Diamond Mine has never been reducible to the physical characteristics of the site – its topography, geology and settlement patterns. Rather, the Argyle site has always been enlivened with power derived from the Ngarranggarni (Dreaming). This power exercised its decisive influence on social relations and social process in Aboriginal domains – where one might perhaps expect and accept it in terms of 'culture,' 'belief' and 'sense of place.' Through their performances, however, Aboriginal people have carried this power into the domains of corporate power and practice at Argyle and beyond, exercising considerable influence over the playing out of social relations and social process in the relations between Aborigines and Miners that characterise the Argyle story.

At least part of what is different at Argyle is, to a considerable extent, the nature of place. It is the particular configuration of social, cultural, geomorphic, geological and mythic landscapes at Argyle that configured the relations between Aborigines and Miners in a particular way that opened an avenue for Aboriginal agency that has not often been available in other locations. However, the contingencies of corporate agency, which play out in other sites and at other scales, have also been different at Argyle. In this case, the Miners were enlivened by a particular commitment to a corporate culture that valued performance of localised 'neighbourliness.' They faced a policy context in which the State's refusal to acknowledge the particular rights and interests of Aboriginal people in

the mine site pushed them quickly towards an initiative (the Good Neighbour Agreement) which, although unintendedly and inadequately, placed the company 'in the wirnan' – giving it a place in local cultural formations that provided Argyle with a role that Aboriginal people were able to understand as responding to rather than simply denying and/or annihilating the sacred landscape within which they had serious responsibilities.

Yet, as Howitt's relational view of geographical scale (eg 1992a, 1993c, 1997b, 1998, 2002a, 2003) alerts us, the site of the mine is never simply a 'local' place. It is always simultaneously embedded in the scales at which the mining company and the industry (in this case diamonds) operates, bringing into play a particular configuration of strategic, economic and structural concerns. In the Argyle case, this particular configuration opened up the broader context of Rio Tinto and the significance of that company's role in leading a new approach to indigenous policies in the mid-1990s – at precisely the time when mine closure was under active consideration at Argyle.

So, what was 'different and significant' at Argyle? What does it tell us about the bigger issue of 'Aborigines and Miners'? At Argyle Aboriginal people have initiated, in their own very practical and strategic ways, a range of mostly unacknowledged engagements with the Argyle miners to create a 'better outcome' for themselves. They have employed their symbolic representations and enacted them in powerful ways at the mine. These transformative processes of enactment and participation at Argyle demonstrate that Aborigines and Miners are both situated active agents in the creation of outcomes – be they fully articulated, intended or statistically measurable or not. Thus, what is different at Argyle is that the iconic simplicity of a simple binary of opposites as represented in the dominant discourse of 'Argyle' does not fairly represent what has, and continues to happen, at Argyle.

That is, Argyle can be seen to represent a space where the simultaneous

co-existence of the Barramundi and (her) diamonds are mutually sustained and acknowledged in agreements and ritual performance by both Aborigines and Miners. And, what is significant is the detail of people's everyday lived lives, including their 'cultural practices,' which provides the critical research tool when attempting to better understand what it is that is happening in the broader context of Aborigines and Miners.

What happens at other sites of engagement between Aborigines and Miners will, of course, be different from this case. Nonetheless, the context of the bigger issue of Aborigines and Miners demands attention to the particular interplay between particular kinds of located Others, and as such demand serious attention to the culturally significant 'processes at work' in the creation and management of agreements, their implementation and the practical attributes of better outcomes rather than just theoretical ones.

As I have suggested above, a failure to take account of critical cultural practice in contemporary formal legal agreement-making processes fails to recognise and validate some of the important processes that are at work in the formulation and reformulation of relationships between Aborigines and Miners. That is, by rendering cultural practice as simply 'naïve,' 'remnant,' 'traditional,' 'paternalistic' or 'racist' adds to the continuing processes of colonisation and, to borrow from Cross (PhD in prep) the erasure of Aboriginal people as self-governing peoples in their own land and waters. Sullivan made a similar observation when he realised that "the question of culture never received prominence in negotiations between Aborigines and Europeans; it was an assumed yet unexamined subject" (Sullivan 1996:2). I am saying that culture matters and to ignore culture precludes 'better outcomes' for either or both parties.

In making these statements I am not ignoring the contemporary realities of Aboriginal community life and the continuing disadvantage experienced

by Aboriginal people today, nor am I suggesting that to take account of Aboriginal cultural practice is sufficient. Rather, I am insisting that to begin to conceptualise an operating mine site in an enlivened indigenous landscape as a site of hybridised co-existence (however fragile that might be) rather than one of iconic binaries of indigenous impotence and corporate dominance is a practical need and an intellectual challenge that could begin to lead to better outcomes. The challenge lies in being able, as researchers, negotiators and partners with Aboriginal people, or Miners, to see and think about other people's constructions of place and how they read their cultural landscapes in an effort to de-colonise the research / negotiation processes and emancipate the parties from simple binary frames. It is a challenge for all those engaged in attempting to create better outcomes for Aborigines and/or Miners.