

PUBLIC MEETING

NUMBULWAR — Wednesday, 3 May 1989

PRESENT:—

Committee:

Mr S. Hatton (Chairman)

Mr B. Ede (Deputy Chairman)

Mr C. Firmin

Mr W. Lanhupuy

Mr D. Leo

Mr R. Setter

Officers assisting the Committee:

Mr R. Gray (Executive Officer)

Mr G. Nicholson (Legal Adviser)

Appearing before the Committee:

Mr Samuel NUMAMURDIRDI

Mr Lindsay JOSHUA

Mr Mujiji NUNGGARRGALU

NOTE: This is a verbatim transcript that has been tape-checked. However, due to poor recording, or many people speaking at the same time, some of the recordings were inaudible and unable to be transcribed.

FINAL EDIT:14 MARCH 1991

Mr HATTON: My name is Steve Hatton and I am the chairman of this committee of the parliament of the Northern Territory. It is called the Select Committee of Constitutional Development and its job is to start work with all the Northern Territory people on writing a constitution for the Northern Territory. We have come here to tell you what we are doing, how we are going to do that job, and to try to explain why it is very important for you and for community to be part of this job and to make sure that you have your say in the writing of this law. This law is different from most of the other sorts of laws that you hear us talking about all the time because this law is the people's law. It is made by the people and it sits over the top of the government and becomes like a boss over it. This people's law tells the government what it is allowed to do and what it is not allowed to do. It contains those rights that are really important to people and which they do not want the government to be able to muck around with.

This law is one that the government cannot change. It sits over the top of the government and it is a boss over the government. The people tell the government what it can do and what it cannot do and the government cannot change that. The only people who can change that law are the people themselves. Do you remember that, last year, you were asked to vote on the federal constitution? You had to vote yes or no to 4 questions. That is when the federal government in Canberra wanted to change the constitution for Australia. But, it was not allowed to do it itself; it had to ask the people. When the people said no, it could not touch it. The law stayed the same.

All governments in Australia - the government in Canberra and the governments in Queensland, New South Wales, Western Australia, South Australia, Victoria and Tasmania - have a constitution over the top of them. But, the Northern Territory does not have one of those. We do not have a constitution. No one has ever asked the people in the Northern

Territory how they want the Northern Territory to work. They have never asked you that before; they have always told you. The government in Canberra or the government in Darwin always tells you to do this or that or something else. No one ever asks the people.

For the first time ever in the Northern Territory, we are going to the people and telling them that we want them to write this law. We want you to tell the government how you want this Northern Territory to work. That is what our job is. You hear talk about balanda law changing all the time, how it goes this way one day and, the next day, it goes somewhere else. You change the government and it changes the law. It goes backwards and forwards all the time. Many Aboriginal people say to us: 'Why do the white men do that all the time? Why can't they make the law like Aboriginal law which is there all the time and goes the one way all the time so that everyone knows where he is supposed to be and what he is supposed to do. Why can't the white men do that?'

This constitutional law is like Aboriginal law. It is there. It does not change. It keeps going ahead. It says how you live and work together and what your rights are that the government cannot touch. It sets out how you elect the government and that stays there. Through this law, you say how this Northern Territory is going to work for your children, for your grandchildren and for their children. If we do this job together and get it right, then we can say that we have made the Northern Territory a good place for our grandchildren and for people in 100 years time. That is what this is all about: making that sort of law.

It is not like the other laws. It is an important law which will be there for a long time and the government cannot muck around with it. That is the job that we have come here to talk to you about. We are not here to ask you what you think should go into this law. Today, we have come to ask you to start thinking about it. We want you to start talking among yourselves in the community, get your ideas together and, later on this year or early next year, after you have had time to think about it, we will come back and you can tell us what you think. We are not doing this only here; we are going all over the Northern Territory. We have been travelling everywhere. We have been to Kintore and Docker, down in Pitjantjatjara country, and across to Finke. We have been up to the VRD. We are coming across to Arnhem Land. We are going to Darwin, Alice Springs, Tennant Creek, Katherine, the Barkly and Borroloola. We are going all over the Territory saying the same thing, asking people all over the Territory to start to think about this. When we come back, we want all the different people to give us their ideas, which will be all different, and we will try to work out what we are going to do.

What we will do then - and we want you to think about this too - is that we will get a big committee of representatives of people from all over the Territory because we do not want to write this law for you. We want to bring together people who can speak on behalf of their communities. These people will come together and talk to each other. White people, Chinese, Aboriginals, men and women, will come together to talk about all the problems and how some things are really important to some people and other things are really important to others. They will talk it through and try to come up with some laws by which people can live together as equals, but each still keep his own culture. We will talk about that as the Northern Territory people.

When all those people have talked about and have written a law which they think will do that job, that will be put to the people to vote yes or no. If the people think that it is good, they will vote yes. If they are not sure, they will vote no. If the people say no, we will have to go back and start talking again and keep talking and working until we get something that the people can say yes to. Then, we will have a law to stand over the top of the government and make it go the way that the people want it to go. That is how we will make the Northern Territory a good place for our children and grandchildren.

But, I cannot do this job for you. You have got to do this job for yourself. You have a responsibility to your grandchildren and to your great grandchildren. You have a responsibility to work on this and to make sure that, when this law is written, it is a good law that will make a good place for your grandchildren. That is why we have come here to explain what we are doing and how we are going about doing it. We are asking you to take this really seriously and to really start thinking about this, talking about it in your community and getting some ideas together. If you are not sure what we are talking about or there is something in those books that you do not understand or want to know more about, give us a ring or write to us and tell us to come out here and explain it to you so that you understand. Then, you can go away and think about it again until you work out as a community what you think should go in this law. Then, you make sure that you have your say in writing this law.

We have come here to explain that to you. This book here has just a couple of things in it. If you look in the back, you will see some pictures of people. This committee is different from many of the things that you hear about in relation to the parliament and politics. It always seems as if the Labor party and the CLP are always fighting each other - it looks that

way sometimes, doesn't it? On this committee, there are 3 members from the CLP, the government side, and 3 members from the ALP, the opposition side. There are equal numbers. We are side by side this time.

Your own local member, Wes Lanhupuy, is a member of this committee and he is working with us on this job. We are working together. We are not fighting. All the Territory people - white, black and yellow - are going to work together to get this law right for all our people, to get some law that will determine how the Territory will be in the future.

If we do not do this job, our grandchildren will ask why we did not do this for them, why we did not make the Territory a good place for them to live in, where everyone can have an equal chance and go forward together, side by side as equals with respect for each other. If we do this job, they will look back and say that their grandparents were great people because they did this job for them. If we do not do it, they will look back and say that we failed them. That is why we must do this. We cannot walk away from it. You cannot walk away from it and I cannot walk away from it. I am asking you to make sure that you have your say on this one and ensure that your needs are looked after in this law. You must be involved right from the very beginning and build up with it. Thank you very much.

Mr NUMAMURDIRDI: (Kriol and Nunggubuyu languages)

We gotta take (unclear) this man bla speaking langa come up today. You mob bin understand what I saying here? Would you might ask him any question can ask him me another day. Because no use me explaining gurrur Wubuy because Wubuynga-malaladiyina somefella Wubuy. But I think he bin talk real plain um about this book na. This book we gotta start get together na like another mob community, we gotta get together. And we are going to talk about this thing now. Give ourselves a lot of talk, la caution we bingo. We have been getting a lot of letters from other mob communities like from Goulburn Island. That is the government here la Darwin they gotta, they gotta makim own government la this Northern Territory one eh.

So we gotta start talk about now, we gotta start ... we gotta have our say. We gotta purrum we own. We gotta make our own wani we wantim gotta happen bla we ... bla Aboriginal people bla this community bla all the community in the Territory. So that's the one we gotta, we gotta think of because you know it can't happen this year or next year, but it'll be coming in soon.

So start ngambuyambiynjina na. We gotta start talk about. But if you mob wantim askim any question iya.

We should thank (unclear) this man for coming up here today. You mob understand what I am saying here? You might like to ask him questions, or I can ask him another day. There is no use me explaining in Nunggubuyu because I don't understand Nunggubuyu. I think he's spoken clearly about this constitution. We have to start looking at this book together like other mobs have been in other communities. We have to get together, and we are going to talk about this (constitution) now. Let's talk about it a lot and talk it over very carefully. We have been getting a lot of letters from other mobs in communities like Goulburn Island. This government in Darwin now wants their own government for the Northern Territory.

So we have to start talking about it now. We have to have our say about this one. We have to make our own (unfinished sentence). We have to make up our own ideas about what we want to happen for us, all of this community and the entire Northern Territory.

This (constitution) can't happen this year or next year, but it will happen soon so let's start talking with one other now. Let's start talking about it.

Do you want to ask any questions?

Mr JOSHUA: (Kriol language)

I think I met Terry at Mataranka last couple of months ago, Steve sorry, and dijan iya we tok tok blanga Statehood, Statehood dijan Territory blanga we today. We im nomo langa Statehood today natjing. I'm still sit down meself. I can't talk Nunggubuyu, but I talk Pidgin. Pidgin ngi. You mob understand Pidgin English? Like they gottim now la Queensland?

Now look here. Almost 4 state now today, Queensland, Western Australia, New South Wales, that's a different - a state also. 4 bala im breakim meself like 4 corner they just sit down like a paddock like i jat. Other mob can they call it state

today state Australia. We sit down langa Territory. We nomo gotim that state. That's why today they come up is explaining bla blackfella. Tellim bout we what gotta happen. Not today or not tomorrow. This gotta come long time yet. Everybody gotta agree. Blackfella, Yellowfella, Chinaman gotta agree to help this Statehood langa Territory. They nomo pushim la we straight away dijan here. You mob gotta join in straight away tomorrow la Darwin. We got to have this Statehood straight away la Darwin. Now. They come on here to talk la we and explain la we.

Only thing, Terry Smith im nomo savvy talk Nunggu ... garri Wubuy him only talk, only talk English. That's all, because lot of our people don't understand him what him talking while I'm ... me talk now Pidgin English. I'm pretty sure that you must savvy Pidgin English. Thank You.

I think I met Terry at Mataranka a couple of months ago, Steve sorry, and we talked there about this matter of Statehood, Statehood for the Territory, which belongs to us. We haven't got Statehood yet. The Territory is out on its own I can't talk Nunggubuyu, but I'll talk Pidgin (Kriol). You know Pidgin (Kriol)? Do you understand Kriol? Like they have in Queensland.

Now look here, there's almost four states now, Queensland, Western Australia and New South Wales. That is a different (not clear) a state also. Those four are broken up into separate places, just like a paddock is divided up. Other mobs can call themselves states today. State Australia ... (not clear). We people who live in the Territory don't have Statehood yet. That is why they (the committee) have come here today to talk with Aboriginal people to tell us about what is going to happen. It's still a long way in the future. Everyone still has to agree, Aboriginal people, Aboriginal people of mixed descent and Asian people have to agree first before we get Statehood for the Territory. They are not pushing us but we've got to join in now with Darwin to get this Statehood started. They've come here to talk with us and explain this to us.

Terry Smith doesn't understand Nunggubuyu, he only talks English.

That's all. A lot of our people don't understand what he is saying. I'm speaking Kriol and I'm pretty sure you understand Kriol. Thank you.

Mr HATTON: Yes, I am not asking you the question about whether you think we should be a state or not a state. I am not asking that yet. How can you ask that when you do not know what you are going to have? How do you want it to work? How is this going to work? You do not know. We have not written the law. We do not know what we are going to have when we become a state. The first job you have got to do is to write this law. After you have written this law and everyone agrees with it, and I reckon that job will take maybe 3 or 5 years, then you can ask when you want to become a state. Will it be another 5 or 10 after that time? I do not know. It is the people who will have to say when but they cannot even start to think about that until they have this law because this law tells them what they are going to get. That is the first thing. You must take the time now to think about this.

There is only one point that I want to make. Okay, we are not saying statehood now. But, I want everyone to understand that one day - maybe it is in 5 years time or 10 years time or 20 years time - the Northern Territory will be a state like everyone else. I do not know when that will be, but I do know that we have got to have this constitution first. We must take the time now, because we do have the time, to do this job properly. That is why we are starting now on the job of writing this law that we will put over the top of the government. We have to get that one working properly first.

Mr NUMAMURDIRDI: Everybody understand? We are not talking about statehood business yet. We are talking about this law we have got to bring in, the people's law of the Northern Territory. That is the first thing we have got to worry about. We have got to have our say and we have got to put in what we want for this Northern Territory or community. That is the first one that we have got to think about. All this statehood business and all that can come later, not next year, not until 5 or 6 years or 10 years time, just like he has been saying here. Does anybody want to ask any questions about making this law?

Mr NUMAMURDIRDI: (Kriol and Nunggubuyu languages)

All right. That's the one now jaltu nganambuyambina warra-wurru-wurruj blanga dat. Nga-mburru-wijangayinyung and nga-mbuyambijina wurrugu long time yet, marri after tharran ja jiya, if we, if we setim up something. If we setim up or make a law bla we, we singout langa olabat gi-gin next time they come back. And they, the government talk la we gi-gin. Tharran now they bin talk. You want tok dijan?

All right? That's the one now I'm going to talk to all of these people about this constitution. First, we are all going to think about it and talk about it together for a long time. After that we will set something up. If we set it up or make a law for us, we will tell everybody to come back again for another meeting and the government will talk with us again. That is what they have been talking about now.

Mr JOSHUA: (Kriol language)

Right, I do not think we got enough time here this ... you mob munanga been come up today. Him only short time. I would not mind asking the Chairman now and the Town Clerk and ask one of these men to come back here and stay and talk to us here for 2 or 3 days and explain to us, explain what gonna happen. This is very, very important, all right. It might happen in 5 years time. Might be might happen when our children's children - maybe our children's children this thing will happen. I do not know lot of thing here to be honest because sometimes I do not agree with the Statehood. I can tell him that today. But I leavim la you mob because you don't know what's gonna happen and you mob don't know what really a Statehood mean. Thank you.

Anybody any more to say?

Right. I do not think we have enough time today to talk to you mob of Europeans who have come here. We only have a little time. I would not mind asking the Chairman, the Town Clerk and some of these men to come back here and stay and talk to us for two or three days to explain what's going to happen because this is very, very important. All right? It might happen in five years time, it might happen for our children's children. I do not know a lot of what is going on here. To be honest I sometimes do not agree with Statehood. I can tell you that today. I'll leave it up to you because you don't know what's going to happen and you mob don't know what Statehood really means. Thank you.

Does anyone have anything more to say?

Mr NUNGGARRGALU: (Nunggubuyu language)

I want to explain you people. I myself, I do not really understand anaani yamba. It is difficult for me to understand. So anaani today we are asking these people, these two here or whoever will come back to us ngambambi explainingdhi more. To explain more to understand what to start and anubani after what will come.

I want to explain to you people I myself do not really understand this one. It is difficult for me to understand. So here today we are asking these people, these two here and whoever to come back to us so they can explain to us more so we can begin to understand what all of this means.

Mr HATTON: I agree with that. We would be really happy to come back and spend time to talk about it properly over a day, 2 days or 3 days if need be, whether we all come or just one of us comes or whatever. Also, talk to Wesley Lanhupuy about it too when he comes here. He is on this committee. You should talk to him and get him to talk about it too. But, I would love to come back. I would love to come here and spend a couple of days talking about this. I really would.

First, you have a look at what we have given you there. Read about that and talk a bit so that, when we come back, we can build on that. Okay? But, I will come back. Okay?

Mr NUNGGARRGALU: But, we do not understand. My people do not understand what you are saying. We will sit down with you and you explain to us because this one is not only for 5 minutes. You tell me now I will understand in 2 hours. It cannot be, because we will be long, long way coming in the future. We need more story. You will explain to us more. If we understand, then we will tell you. Europeans do not understand the same thing like we would.

Mr HATTON: Europeans do not understand it any more than the Aboriginal people, I can tell you. It is a really hard job just to start. We are all starting right down there.

Mr NUNGGARRGALU: We cannot come up because we do not understand.

Mr HATTON: This sort of job has not been done in Australia for 100 years, not since the last century. Therefore we are all feeling our way on how to do it and trying to work it out. But, I say this: you know your law, the Aboriginal law, and you know that law is there and it keeps going the one way all the time, doesn't it?

Mr NUNGGARRGALU: I will ask you a question. This law is good one or what? Is it a good one or bad one to us, Aboriginal people?

Mr HATTON: It has got to be a good one for Aboriginal people and for white people. It has got to be a law that says how white people and Aboriginal people are going to live together and go forward together side by side. We have got to write it. There is not a law there. We have got to start thinking about what we want in that sort of law. How are we going to sort out these arguments all the time?

Mr NUNGGARRGALU: Nobody, you and me, want argument all the time.

Mr HATTON: No, we have to find a way that we can live together, haven't we? We have to sit down and talk about how we are going to live together and make a law that says we are going to live that way - together. And that is what this job is.

Mr NUNGGARRGALU: (Nunggubuyu language)

Yaaga gurruwaj. You mob understand nurru mabuy Anaani, this is not our way, everybody knows that. Not the blackfella's way. This is European and they making this visit to Australia roll im like a swag. We are rolling. All these laws. Law every year. Law every six months. Law. We have got to understand. Nurru mabuy. It's not fun. Naagi nanigi my son, my son, my son. This one will continue.

What we are saying here we are going to come up through two together whatever colour - red, white, black, blackfella will come one law together. Because that whitefella now, whitefella people you make law every year, every six months. Canberra make that. Canberra people making law all the time. We do not want this one good one. We chuck him away. We want that rubbish one to bring it back like that. We don't want that rubbish one. Bring it back. We want im that good one. Chuck it out ... good law out. That's the way they do. So we sit down.

What now? You mob understand? This is not our way, everybody knows that. This is not the blackfella's way, this is the European's way, and they are making this visit to Australia (not clear) 'roll im like a swag' (metaphor for 'always changing'). We are rolling. All of these laws. Laws change every year. Laws every six months. Laws. We have got to understand. You mob understand? It s not fun. My son, my son, my son - this will continue for generations, to come.

What we are saying here is that we have to come together on this one, whatever colour - red, white, black, blackfella - have to come together with one law. Because whitefellas make laws every year, every six months. Canberra makes them. Canberra people are making laws all of the time. We do not want it like this. We chuck them away. We don't want those rubbish ones (laws). We want good ones. They chuck good laws out. That's what they do, and we just sit and watch and let them go.

Mr HATTON: We've got to start somewhere. First step along a long road.

Mr JOSHUA: (Kriol language)

Okay Steve, just one thing more. We got photo bla him iya. One fella blekbala photo bla im here. He's a full-blood, Wesley Lanhupuy. Wesley bin there la Mataranka la melabat while we bin have a beeting. Steve, we bin have a meeting couple hours talk there langa Mangarrayi people. But now this place here, la Nunggubuyu people, different tribe again. Maybe a long time to understand. Maybe a long **time to follow you speaking English.**

Okay Steve, just one more thing. We have a photo of him here. This is a photo of a full-blood Aboriginal man called Wesley Lanhupuy. Wesley was at Mataranka with us when we have a meeting. Steve, we had a meeting for a couple of hours there and we were talking with Mangarrayi people. Now at this place here, these are Nunggubuyu people. They are a different tribe again. It may take a long time for them to understand this. It's difficult for them to understand when you are speaking English.

Steve and Wesley (inaudible) Wesley, we understand, most of us here understand Wesley's language. You got English. Your language is English. We got maybe 4 or 5 language that we talk. Some parts we follow your English, some parts we cannot understand. That is why I am saying now that it is better for you to bring a full-blood person here to talk to the blackfellow people here so that we can understand him. All right? You mob agree?

Mr NUNGGARRGALU: Whether we understand him or him going to tell the truth? You will tell us that or he will lie to us or trick us or what, whether he is full blood or what. But, he must tell us the truth. He is a politician too. That Aboriginal fellow is a politician fellow. Politics too much. We do not want politics.

Mr HATTON: We are all saying the same thing. He should be here now.

Mr JOSHUA: (Kriol language)

Yo, he should be here today because last couple of months we talked blanga Mataranka. They bin there langa Mataranka meeting. Garrim gottim these 2 fella here. That blekfella Wesley Lanhupuy, he been there. He bin talk la melabat blekbala and he bin talk there langa blakbala langa Mataranka langa Mangarrayi people. So please bring him down here next time you come here.

Yes, he should be here today because a couple of months ago when we talked at Mataranka, he was there at that meeting. We have only got these two people here. That Aboriginal person, Wesley Lanhupuy, he was there. He talked to us Aboriginal people and he spoke with all of the Mangarrayi people at Mataranka. So please bring him down here next time you come here.

Mr HATTON: He has business to do in Elcho. That is the problem.

Mr JOSHUA: Yes, big business over in Elcho.

Mr NUNGGARRGALU: The Aboriginal people do not want politics. We are one way. We talk one, we are one. We do not make laws. Law is one, is one. That is what we carry on years to years, to years. I know some political people, Aboriginal people.

Mr HATTON: Yes, I think it would be really good if Wesley Lanhupuy could come here and talk to you. He is on our committee. He will say the same thing to you that I am saying. It would be better if he says it too, then you will see that we are not playing politics with this one. This is not politics.

Unidentified person laughing loudly.

Mr NUNGGARRGALU: Why is ... laughing then? He does not understand. I have been with this way for so many years.

Mr HATTON: Okay, well I am not playing politics with this one. You get Wesley here to talk to you and he will say the same thing to you. I know that. He has been saying the same thing to other people all over the Northern Territory. And you say that he does not tell lies. I agree with you. He does not tell lies and he will not tell you lies.

But, we have come here today to say that this is going to be a long job which we have all got to do together. We have come here to give you some books about it. We will take that first step along a long road. Okay? The next step is that you have a talk about it among yourselves. Step 3 ...

Mr NUNGGARRGALU: (Inaudible).

Mr HATTON: Well maybe, you will decide that way. But, maybe the third step will be that I will come out here and we will talk again. Okay? We could spend a good time talking and get more and more into what it is about. The more and more you talk, the more you say what you want to go into that people's law. That is what we are talking about. I am asking you to do this to help yourself and to help protect your rights in making this law which is a law that will be there forever. It is not going to go away once it is made. It will keep going. It stays. It is a law that you have to get right and make sure that it is in your people's interests and that your people's needs are properly looked after in that law.

Mr NUNGGARRGALU: How long the 4 states been in now?

Mr HATTON: I do not know whether it will be 5 years or 10 years or 20 years. I do not know. How long is it going to take to do this job? I reckon it is going to take a few years to do this job.

Mr NUNGGARRGALU: I mean the 4 states now. How long have they been there?

Mr HATTON: They have been there over 100 years. Since before they made Australia one country.

Mr JOSHUA: That corner there. You mob got any questions?

Mr NUMAMURDIRDI: Okay, we are running short of time. If nobody has any more questions, we might as well close this meeting. Thank you all for coming.