

**NYIRRIPI — Monday 10 April 1989**

**PUBLIC MEETING**

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 Kevin JURRA (Translating)

Mr Tiger JAPALJARRI

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.

(Discussion in Aboriginal language with occasional English words).

---

Mr HATTON: Thank you very much. As you have been saying, my name is Steve Hatton. I am the chairman of this committee which has come to talk about making a special law for the Northern Territory called a constitution.

Mr JURRA: Constitution. They call him nganayi new law kalu ngurrju-mani government-rlu. Constitution nganayi new law-kurra kajikalu-ngalpa yirrarni, like kajilpanpa japu-mantarla might be walypali yaninjarni-kirra secret site and everything. Yangka new law kujalu ngurrju-manu government-rlu. That's why trying. They trying to make nyampupaturlu nganayirli nyampu kuj kalu committee-rla nyinami 8-pala, they trying to go tell people about new law government-kurlangu and we going listen.

**Constitution is what they call the new law that the government is making. Constitution is the new law that will make for us like they might stop white people from coming to the secret sites and everything. Like the government made that new law. That is why these eight people in the committee are trying to tell people about this new law of the government and we are going to listen.**

Mr HATTON: I guess you heard a lot of talk around about maybe one day the Northern Territory will become a state. Some people think it is a good idea, but other people are not very happy with that. They are worried at what it means and they are just not sure what to do. We are not here today to talk to you about becoming a state. We are here today to talk about something different. You cannot even think about becoming a state until you know what sort of a place you want the Northern Territory to be, how you want it to work and what sort of place you want it to be for everybody. To do that, the

people have got to write their own law. It is a very strong law. It is a law that tells the government what it can do and what it cannot do. It is a special law to protect people's rights, the things that are really important, that they want to stay there for always. They write them into a thing called a constitution. It is a law from the people to be there always.

Mr JURRA: Government-rlu kapulu ngurrju-mani new law, two side walypali-kirlangu, yapa kurlangu, manu think-jarrimi karlipa yangka ngaliparlu yungurlupa-nyanu law mardarni strong-juku yungurlupa-nyanu government-ku wangkami warrarda all the time kajilparlipajana yardarra parnkayarla government-ku jintangkalku nyinayarla, lawa they won't give us land right-pinki everything lawa kalakalu damage-mani yalumpuju secret thing all, everything. We gotta be strong, that's why they trying to make nganayi new law Government-rlu ngulakujaku because walypali-kirlangu law is nganayi weak, yap-kurlangu law is strong - ngalipa-nyanguju. (can't hear) Law-ku ngalipa-nyanguku let him go too far so kardiya can take over our land, we gotta be strong.

**The government is going to make a new law, one law for both sides, for black and white people. We are thinking about this law and we are going to keep it strong all the time. We are going to talk to the government all the time. If we go along with the government or if we all have the same law they won't give us land or other things. They might damage secret sites, cave and other things, to avoid this we have got to be strong. That is why the government is trying to make this new law, this law is going to be like that because white people's law is weak while black people's law, our law is strong. (can't hear) We let it go too far, the white man will take over our land so in that case, we have got to be strong.**

Mr HATTON: This law is the one where you say that there are things that the government cannot touch.

Mr JURRA: Law nyampurla yungurlupa wangka kuja, "Nuwu yungulu government-rlu touch-mani ngalipa-nyangu yangka - ngula."

**In this law we want to say to the government that they are not to touch anything that is ours.**

Mr HATTON: In this law, you might write that the government cannot touch your land. It protects your land rights, no matter which government.

Mr JURRA: Mining-rlangu, you know, kujakalu yanirni mining company-rlangu, ngulakujaku we gotta think about nuwulu yangka kujakalu-ngalpa nyampurlu government-rlu ngarrirni they trying to take over, they can touch any secret site, kalakalu damage-mani. Ngulakujaku, we want to say no - ngalipa yangka yapa. We want to be strong. They trying to make this law kuja-rnawu yungulu yiniwayilki yanirni government, mining people and Royalty something yangka oil kujakalu find-mani, ngula yungulu damage mani secret site yirni all ngulakujaku, we gotta say no - strong-juku.

**Like miners, you know, who come here, like those mining companies to avoid that we got to think about what the government is telling us. They are trying to take over. They will touch any secret site. They will damage them and to avoid that we want to say no. We Aboriginals, we want to be strong. They are trying to make this law, a law that is going to allow the government and the mining people to come into our land to look for oil or something and to do other things. They will damage the secret sites. To avoid that we want to say no and be strong.**

Mr JAPALJARRAY: Can I say something? I think this law, our land for the people been have a long time here, olden time people. That is why I am like the young people come as a man through this land. That is why people go and look after me. See I think I might want this place. It got to be blackfella law. This is what I think about. Because I make this law. We have the outstations before and they have grown up a little bit bigger. That is how I like when I have this place. They can look after them. All this place. That is our place. See, any one people come down, mining people, NT government. We going to be very hard to reach this place. They can come, mining people, check ... (Indecipherable) ...secret place. Just for old people. That is how I like. Want to keep them. There is a man, this young fellow here. He is still young. He is not old people like me here. He belong to this area .... (Indecipherable) ... George. And we had a lot of family here. Secret place, we can have them. That is olden time, can have old people there, but we can have them ... (Indecipherable) ... That is all I say.

Mr EDE: You all know me, Brian Ede, time I have been travelling around before every time we have been talking about land and sacred sites and house and school, water and all those sorts of things. If you want to talk about that after this meeting, we can talk about all those other things outside. But this one here is a special meeting for what we can call a

constitution. Now, I will just talk a little bit about that thing that is called a constitution. Because it is just another name for a special law. Kardias mob got all these laws. Council might make laws. It might be the Legislative Assembly that makes a law. It might be the federal government that makes a law. Everybody complains all the time because they keep changing them. You say: 'How come we follow this mob, this Kardias mob? They are always putting in laws and then changing them, changing them around all the time'. Everybody gets all confused.

But Kardias mob have got one lot of laws that they do not change, only little bit, little bit, they might change them. That is the one they call the constitution. Now constitution - that is that one that stands right there, like that ground. It is there all the time, that constitution. Every other place in Australia - New South Wales, Victoria, Queensland, federal government everybody - they all got constitutions. That constitution stands on top of that government. That government cannot break that constitution. If that government breaks that constitution, people can pick them up and take them straight into court and the court will say: 'Cut it out. That is no good. You can't do it'. The constitution is boss for politicians, boss for government. Federally, Western Australia, everywhere they have got that one. Here, we just got one little bit of something they call the Self-Government Act, given from Canberra. We have not got that constitution. If we do not have constitution, if they go for statehood or something, and they give them all this power, who is going to say how that power is going to be run? Is it going to be run the proper way for everybody or just going to be run for one mob or what is going to happen? People have got to get worried if that statehood goes and we do not have a good constitution.

We have got to have a good strong constitution first. We have got to have it there and we all agree and we say: 'Okay. This is that law. This is that law that says how government has got to go'. That is so that the government cannot come along and muck up people. It cannot come along and take things away from people. It cannot come along and take away land rights, muck up sacred sites, break that law, that strong law that I always talk about. Kardias law, Yappa law, 2 laws, have got to be like this. Two going together like that, one way, and the Northern Territory will be strong. If they are coming this way, we cannot be strong because we are fighting each other.

What we have got to do in this constitution is that we have got to write them up like this so that everybody understands each side and we can go together like that. Then, we are talking that same way and everybody can say: 'That is good way for our children, our grandchildren, everything'. So that is why we are coming out today. We are not coming out to say, 'Hey, we got a new law in our pocket here', and throw it out like that. No way. We are saying: 'Maybe next year, 2 years, 5 years, 10 years, 20 years, we have got to talk about how this law is going to be'. It is not something we can sit down and say: 'No, we are not going to worry about that one. We will let all them Kardias mob work them up, lawyers, smart fellas like that, work them up in Darwin'. We cannot do that. Can we do that? They are going to work up their own law, that one, and come back and then we turn and say: 'Hey, who did that. Who put up that new law? We did not want that one'. Too late. That is why now, when we are starting off, that is why we want to come out and talk to everybody everywhere. Every little place all around, corner place, big place, everywhere. We are travelling around, talking to everybody, just telling them first that this one is coming up.

That first book there, that is for everybody to start to look and say: 'Okay. What is in this constitution?' It has got to talk about things like voting. It has got to talk about how the court is going to work. It has got to talk about who can go and sit up there in parliament. It has got to talk about things like land rights, sacred sites, culture, language, schools - all those things. What can people do? Who has got the power after that statehood comes up?

That one there, that just puts part of the story. We got another one here. We are going to leave them behind. What we want is for people to read this one and, if they got anything that they are worried about, put them on a tape recorder or get somebody to write them up or whatever, send them away and say: 'We want to talk more about this one. We do not understand what you are talking about here'. Send them away to us. You have got an address there. Some people can come back and we can start talking, talking and talking. Like I said, we might be talking for 5 years. It might run really easy for 3 years. We might all agree on just about everything then, after a while, one little thing might start an argument. Like the Kardias mob, Top End mob, might be saying one thing, mob down in here in desert country another thing. We might have an argument about that. Well, when that comes up, okay we have got to sit down together and talk about it. How does your law work? This is how our law works. This is how we want it to go. In that way, we can all get them down nice and quietly and move ahead a little bit further, a bit more, a bit more.

When it is all fixed up and everybody says that we have got a good one, that is how we will go, then we can look around and we are all together like that. Then, we can start talking about this statehood business. We can talk about it afterwards. We do not want to talk about it now because it is too early. We can't look at it and say, 'What is statehood?' I do not know what statehood is. We do not know what it is until we have got a constitution first. That is why we are out here today, just

really to get everybody to start thinking now. That constitution in the Kardia way is the biggest law. It is my boss, Steve Hatton's boss, Administrator's boss, judges' boss - they all come under that constitution. So people, everybody, you mob, got to work out what we are going to have in that constitution because that is going to be how we are going to go together, our children, grandchildren, great grandchildren like that, 100 years, maybe 1000 years, I don't know. Okay?

The way we go about working this is that we go out this time. We just talk and tell everybody and then we get out all this information, all the stories about everything, and then we might come back again and people can start telling us what sort of thing they want inside this. They can say: 'This is how we want to look after our sacred sites. This is how we want to look after land rights. This is how we want that voting to go. This is how we want our culture'. All that sort of thing. And those things can start coming back in.

What we do is that we get all those stories in first. Then, we get what we think is right. We have a first go and put up what we call a draft constitution. We are not going to put that draft constitution straight into law. What we are going to try to do is get people from all over Northern Territory - not just politicians but ordinary people, people from Yappa mob, Kardia mob, lawyer mob, teacher mob, business mob - every different mob come together to have special big meeting. We will give them that one that we have been looking at and people can start working on that one. They can have a look, everybody. You can say: 'Is this right? That mob, were they listening to us straight? Were they listening straight when they went around all that time covering around our bush, were they listening to us straight?' If they say, 'No, it wasn't that us mob weren't listening straight; we got it wrong', they can chuck them straight back again to us or they can change them themselves. If they can get them so that they are happy, it is still not going for law.

After that one, what we are going to do is that we are going to have what we call a referendum. You remember last year that referendum where they asked yes, yes, yes, yes, and no, no, no, no, on that referendum? Right? Well, that is what we are going to do with this one when we get them there. When all that constitutional convention think it is okay, we will send them out and everybody will vote on them, right around, all around Northern Territory. If people say no, that we still have not got it right, okay we will start again and we will work and we will go again. We are not in a hurry for this one. We are not trying to rush this one through. If people say that something is wrong, we will start again, because this one we got to get right.

Another little law can come along and they can get it wrong the first time. Lots of times we have been arguing about which law has been right way and which law has been wrong way. That has been done up in the Legislative Assembly. Labor side might think the government did it wrong. They might think they got it right and we have argument about it now. But, we know that, next time around, if we get to be government, we can change them. The constitution is different. We have got to get them right first time. We do not want to go mucking around with the constitution changing them later on. If anyone thinks something is wrong, tell us. This not the government law. This is not the Labor Party's law. This is the people's law. The people say how they are going to be bosses for the Northern Territory, how they are going to make this work. The biggest thing is for everybody to read the book, think about it, talk about it so all you mob are going to be involved. You are the bosses for this one. You have got to think about it. What is inside, how is it going to work, what are we going to do? Think about it.

Mr HATTON: Talk about it.

Mr EDE: Talk about it. Talk to other mobs around other places about it. Talk to other people too like legal aid mob, land council mob, Tangentyere. Talk to Walpiri mob too. Everybody is talking about it because we are all Northern Territory. This is the one we talk together and we work out something that we can all be happy with.

Mr JURRA: Kujarnawulu-ngalpa ngarrurnu law-ngkaju, you know.

**This is what they told us about this law, you know.**

**Mr JAPALJARRI: Nganalpa wangkayarla yarda? (Who wants to say more?)**

Mr JURRA: Law waja kalu-ngalpa ngarrirni really strong one-nyayirni, ngarrirni constitution-rlu ngalipaku, nati yangka kujarlu ngaliparlu yangka two way nganayi ngurrju-mani, next year might be karlipa law-kari ngurrju-mani, next year karlipa law-kari ngurrju-mani, next year karlipa law-kari ngurrju-mani no. Nyampuju tarnnga-juku government-kurlanguju karrimirra law-ju. Tarnnga-juku kalu yirrarni. We just want to talk about it and think about it. Yuwayi, that's why we just want to listen carefully yapangku, walypalingki. You know, kajili-ngalpa ngarrirni because (can't hear) it's really hard for us.

**This law that they are telling us about, this constitution, it is a really strong for us. We are not going to make it two ways like it's not going to be like the law we used to have before. Like next year we make a law, and the next year we make another law, and the next year we make another law. No. This government law will stand forever. They will make it for good. We just want to talk about it and think about it. Yes, that is why we want to listen carefully Aboriginals and whitemen. You know, when they tell us because (can't hear) it's really hard for us.**

Mr JAPALJARRI: Ngakalu-jana ngarrika! Talk about little bit-kini. Wala yapakurlangu, yapa-kurlangu, we got no anything like, you know, white people (can't hear). They got lot of (can't hear) but only we got yapa law. That's only not enough, but we still might be, we talk for government-ku. Kuja-piya-kula, nyampu-piya, like when we have little bit meeting, see (can't hear). We not like rich, see, you know what I, what I mean. You know, back fella way, you know (can't hear) the one, but that's only I talk so far, you know, when I were sing we only rob him kardiya for everything, but yapa, we going be like a way we been having before.

**Talk to them later! You talk a little bit later. Well, us Aboriginal people haven't got anything, white people (can't hear), they have got a lot of things (can't hear) and we've only got Aboriginal law. It's not enough, but we still might talk to the government. It's like that. Like this, like when we have a little meeting, see (can't hear). We are not even rich, see, you know what I mean. You know, in the Aboriginal way, you know (can't hear) but that's all I can say, you know. When we sing (tribal song) to the white people they give us money we take from them, not only for that but for everything. But us Aboriginals we will go on living the same king of life we lived before.**

Mr EDE: who have been boss for this country, looking after ger, grading up all place here, Nyirripi, from back. I remember we use to camp the other side, just over there, just over that sand dune there. That is right. Well that is the same like this constitution too. First time now we coming up. You cannot see anything there, just like that sandhill was before.

Mr JAPAJARRAY: Yes that is right.

Mr EDE: But, we are going to stick with it, the same as you been sticking with your country and growing up this place here. Gradually, we talk about it, come back, go to every little place, talk a little bit more about it and suddenly you start to see him after awhile. You see a little bit here and a little bit there and you can talk about them: 'Oh no, that should be moved around there and that should be a bit over there'. We grow him up like that. People boss for the constitution. You mob boss for constitution. Every mob can talk about them, what sort of thing you like in them. Give them to Paul to write down to send down off to us or somebody can put them on tape recorder and send them off to us. Okay?

Mr JAPALJARRAY: Okay. Yes.

Mr EDE: We close off this meeting and we will talk about things.