

# POSTCOLONIAL CULTURES

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*Postcolonial Cultures Studies and Essays is a peer-reviewed journal published in France showcasing research on Commonwealth and English-speaking postcolonial societies. Using an inter-disciplinary approach (sociology, political science, cultural studies, economics, cultural history), the journal publishes articles on contemporary issues affecting Commonwealth societies (19th- 21st c.), regions having a historical link with the British Empire as well as postcolonial cultural studies and theory.*

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# Thoughts on Native Title, culture and coexistence in Australia.

Interview with David Trigger

January 31, 2022.

In January 2022, I interviewed anthropologist David Trigger on questions of Native Title legislation and the wider community in Australia. Through his research David Trigger has studied differing and overlapping senses of place across cultures in Australia, and he has also worked as an expert in Native Title claims. In the context of the French *agregation d'anglais* exam question on writer Alexis Wright's novel *Carpentaria*, his experience and research can contribute to several debates raised by the novel. While *Carpentaria* is set in the fictional mining town of Desperance, it is clear that the novel is a reference to the mining activities in the real-life Gulf of Carpentaria. The mine whose role in the novel is capital, is very similar to the Century mine near Mount Isa in Queensland, that was the largest open-cut zinc mine in the world and whose operations were made possible through negotiations with Indigenous groups through one of the first Future Act Agreements under Native Title legislation in 1996. The friction between families in the novel reflects some of the realities of Indigenous groups who can sometimes be divided by their agreement with or opposition to economic development on traditional lands. The novel also evokes both Indigenous and non-Indigenous visions of land and sea that coexist as multiple realities in the town of Desperance.

David Trigger worked directly with Indigenous groups responding to mining in the Gulf area and has studied both Indigenous cultural notions and pro-resource development discourses, as well as mapping out the governance involved in land use agreements. He has written a number of articles on the Century mine and mining and indigenous groups in general, and we have added some of these publications at the end of the interview for further reading. There is also the link to a short film on Indigenous reflections on the 20 year history of Century mine.

Deirdre Gilfedder

**Deirdre:** *You have argued that the legal concept of Native Title in Australia, originally inscribed into law in 1993, is essential not only for Indigenous Australians but for non-Indigenous Australians as well. Can you explain what you mean by this?*

**David:** The significance of native title in addressing the legal rights in land for Aboriginal and Torres Strait Islander people across Australia is clear. In the words of Indigenous anthropologist Marcia Langton, delivered in an influential national address in 2012, the legislation enabled an Indigenous bargaining position that had been ‘unimaginable a quarter of a century ago’.<sup>2</sup> The regime of claims and legal outcomes is impressive though hardly perfect and has many complexities common enough in the legacies of settler colonial societies.<sup>3</sup>

In my view there are also two aspects of the significance of native title for Australians who do not have any Aboriginal or Torres Strait Islander ancestry. The first is practical: native title rights necessarily mean Indigenous coexistence with the majority wider society. A minority of some 3% of the national population, Indigenous people everywhere live with many kinds of everyday relationships with other Australians. These relationships variously permeate co-residence, intermarriage and parentage of children, working lives and in many cases overlapping family histories. It is important to note that the majority of those identifying as Indigenous, 80%, reside in cities and regional towns. Those in more remote settings live more separately in Aboriginal and Islander cultural domains; however, there is no sense in which those domains can be regarded as completely independent of the wider society, government and economy. Native title outcomes thus entail coexistence between holders of legally recognized traditional rights and other Australians living and working on or near the same land and waters.

The second aspect of significance for the broad national population concerns senses of place and belonging among people descended from settlers and more recent migrants. Indigenous culture is replete with rich identifications with land and waters, or ‘country’, as this term has come to be embraced to denote material and spiritual connections with the great diversity of environments and ecologies across the continent. It is clear enough that Indigenous spiritual beliefs differ from the traditions of Australians from a multitude of global religious backgrounds and worldviews. Indigenous beliefs also differ from the secular beliefs so common now among the citizenry. However, there is potential for emplaced Indigenous identities to inform cultural connections with land and location, on the part of the wider society. One way of saying this is that a settler society cannot and will not remain ‘non-Indigenous’ forever.

<sup>2</sup> Langton, M. 2013. *The quiet revolution: Indigenous people and the resources boom*. Boyer Lectures 2012. Harper Collins: Sydney, p.19.

<sup>3</sup> Brennan, S., M. Davis, B. Edgeworth and Leon Terrill eds 2015. *Native title from Mabo to Akiba: a vehicle for change and empowerment?* The Federation Press: Annandale, New South Wales.

Considering such potential overlaps does not foreshadow cultural appropriation on the part of the broad society though there are obvious risks of that occurring. My view is more positive. Increasing knowledge of Indigenous culture, beyond both ethnocentric and overly romantic simplistic stereotypes and tropes, can contribute to location-based learning about ways of identifying with Australian landscapes, cityscapes, streetscapes and historically significant events. Such openness to cultural overlaps can complement Western science and imported historical consciousness arising from the diverse ethnic backgrounds of the wider society.

**Deirdre:** *Do you believe it is possible to return to some Indigenous concepts of land tenure and place, considering the history of colonization, agricultural and industrial development in Australia?*

**David:** In my research experience there is potential for a much more genuine learning about Indigenous cultural connections to land and place. However, this does not and cannot mean any sense of ‘return’ to modes of living prior to the arrival of Europeans and Asians to the continent. It hardly could mean any overturning of the legal system of land tenure embedded in the legacy of British colonization. Australians’ participation in and dependence on the modern economy encompasses sectors that include agriculture and many forms of industrialism. Australia is also firmly globalized through impressive trade and creative cultural links with increasingly diverse other nations across the globe.

Furthermore, Indigenous people hardly reject productive engagement with many industries and with economic aspirations seeking to ensure futures for young people beyond poverty. Aspirations of many include ceasing dependence on government welfare benefits.<sup>4</sup> While not universal, this must be recognized as an aspiration among a significant proportion of the Aboriginal and Islander population. It is indicative that for some years there has been developing an Indigenous middle class whose leadership is realistic about living with and through cultural and economic coexistence with the wider society. Against strategic traditionalism that at times mobilises an overly rigid ideological separatism, a vision encompassing legitimate overlaps is likely to hold greater promise of both receptiveness across the population and resulting beneficial outcomes.

**Deirdre:** *You have spoken of ‘overlapping’ ideas on place in Australia between Indigenous native title holders and others – at what point do these ideas overlap?*

**David:** This depends on where across this huge continent of Australia we have in mind. In the rangelands where pastoralism is a predominant industry there has been historical engagement of Aboriginal men and women in the subculture of work on cattle and sheep stations. In part, this has involved working

<sup>4</sup> Pearson, N. 2009. *Up from the mission: selected writings*. Black Inc: Melbourne.

jointly with Whitefellas, as non-Indigenous people have come to be known, and sharing aspects of lifestyles and expertise. In agricultural farming communities there can be senses of place that inform where non-Indigenous people live and work that overlap with the ways Indigenous traditions mark locations where significant events have occurred. Remembered persons, their forms of invested labour and residence, their births and deaths, are all aspects of overlaps between Indigenous and other connections to significant locations.

In cities and regional towns there is much overlap in the celebration of sporting achievements among both Indigenous residents and others. Aboriginal and Islander people work alongside other Australians, attend religious institutions including Christian church congregations, and similarly celebrate marriages and family life among the achievements of their young people.

The overlaps in my view are significant despite the settings where social interaction may be limited or at least where there are private life domains for Indigenous families that are not shared with outsiders. However, it is also not uncommon for individual Whitefellas to be incorporated into Aboriginal and Islander families as spouses, and hence engaged in co-parenting and the routines of everyday family life.

**Deirdre:** *There are many questions involved in the issues of native title- political, economic and social. Does anthropology contribute to help native title claims? What can you say about the place then of culture in these legal arguments?*

**David:** The Native Title Act, following a High Court decision recognizing traditional land rights in the Torres Strait in far north Queensland, enables Indigenous groups to claim rights in country based on traditional law and custom. The courts recognize there will have been adaptation of customary connections to country on various scales depending on differential histories of impacts from the colonizing settler society. However, to be successful, a claim must satisfy the court that there has been a continuity of connection that derives from the system of customary beliefs and practices that operated among Indigenous occupants of the country at the time of establishment of British sovereignty.

Since the passing of the legislation in the early 1990s, Indigenous and other parties have engaged the services of anthropologists to carry out research on this matter, and prepare reports that contain expert opinions about cultural continuity, change and connection to land and waters. Many anthropology graduates have taken jobs in the sector working particularly for Indigenous organisations such as land councils and providers of legal and related services to claimant parties. Anthropologists have also been engaged by governments and private sector interests usually not so much to carry out primary empirical or fieldwork inquiries but to peer review the reports of anthropologists engaged by the claimant parties.

This involvement of the discipline of anthropology in the practical legal matters and priorities of Indigenous groups has been both celebrated and critiqued by academics.<sup>5</sup> In the end it is an individual decision by an anthropologist whether they wish to work in the sector. In summary the positives include opportunities to contribute to real world outcomes beyond the academy. Some academics and activists regard the work negatively because it is said to involve a form of ethical ‘complicity’ with ‘the settler state’ by engaging with the legal system. Those critics suggest that their own writings and political activism are somehow morally superior to those anthropologists and other professionals addressing actual native title claims and resulting management of achieved rights and interests.

My own position has been that anthropology’s work in this sector has been and remains a critically important aspect of the profession in Australia. To withdraw research expertise from the legal cases would amount to a gesture that has meaning only among the small number of theorists and academics whose careers remain aloof from the achievable interests of Indigenous people and the opportunities for reconciliation across the broader Australian society.

**Deirdre:** *Can you tell me quickly about your work studying mining companies and their culture of ‘development’*

While much of my research and writing has focused on Indigenous culture in the context of intercultural relations across a variety of settings, I have also investigated other Australians’ senses of place and belonging in the domains in which they work and live.<sup>6</sup> One sector for those inquiries has been the mining industry which is not only economically important but in my view a fascinating sociocultural social field of considerable historical significance.

I have sought to address the imaginative life of mining alongside its everyday work that both directly and indirectly facilitates income and certain lifestyles for a proportion of the Australian society. In studies that addressed the signifiers seemingly used in the industry to voice what the work means I found great pride in the achievements of large-scale development. I was particularly engaged with analysis of the language of mining as it celebrates the culture of development ideology.<sup>7</sup>

<sup>5</sup> <https://www.youtube.com/watch?v=08oveKt3atU>

[http://www.nntt.gov.au/Information%20Publications/25\\_YEARS\\_NATIVE\\_TITLE\\_ANTHROPOLOGY\\_PROGRAM.pdf](http://www.nntt.gov.au/Information%20Publications/25_YEARS_NATIVE_TITLE_ANTHROPOLOGY_PROGRAM.pdf); Trigger, D. 2011. Anthropology Pure and Profane: The Politics of Applied Research in Aboriginal Australia, *Anthropological forum* 21:3, 233-255; Austin-Broos, D. et al. 2012. Responses to David Trigger’s Article Anthropology Pure and Profane: The Politics of Applied Research in Aboriginal Australia (previous issue), *Anthropological Forum* 22:1, 67-93

<sup>6</sup> Trigger, D. 2013. Rethinking nature and nativeness. In *Anthropologists Up Close and Personal: Works and Lives that Are Shaping the Discipline*, C. Shore and S. Trnka eds., pp. 140-157. Berghahn Books, Oxford & New York.

<sup>7</sup> Trigger, D. 1997. Mining, landscape and the culture of development ideology in Australia. *Ecumene [Cultural Geographies]: a journal of environment, culture, meaning* 4 (2): 161-180.

Since some of my work was completed there has been greater attention in large scale mining paid to environmental issues as well as Indigenous rights.<sup>8</sup> Nevertheless, the industry remains controversial in terms of whether it sufficiently addresses climate change. The material and symbolic value of mining for Australian society remains highly significant for many Australians though opposition to its environmental consequences is also substantial.

**Deirdre:** *Alexis Wright's novel 'Carpentaria' paints a more or less negative picture of mining in Queensland from the point of view of the Indigenous characters. Do you feel that mining in Queensland (such as Century mine) was exploitative or is the mining question more complex?*

It is my view that there are both potentially positive and negative outcomes of mining for Indigenous groups. As much writing has documented, including the novel *Carpentaria*, there can be reasons arising from traditional connections to country that mean people will oppose mining because it disturbs the spiritual properties of the land. I have worked to assist that kind of case to be made in negotiations including Century Mine in northwest Queensland.<sup>9</sup> Where the sacredness of the land is perceived as inconsistent with mining developments Indigenous groups are generally assisted by the Native Title Act. However, that does not mean they will always win the case.

On the other hand, in most mining settings I have observed, there will usually also be an Indigenous position seeking to maximise financial and related benefits from mining projects.<sup>10</sup> There are cases where the proposed mine is one of the few substantial chances for hope to find ways out of intergenerational poverty. A recently produced short film regarding Indigenous reflections on the 20-year history of Century Mine is indicative of the range of views about this development<sup>11</sup>.

<sup>8</sup> Forrest, A. 2020. Oil vs Water: Confessions of a carbon emitter – Andrew Forrest's first Boyer Lecture. ABC Australia, see: [https://www.youtube.com/watch?v=GwfS3A\\_IXYc](https://www.youtube.com/watch?v=GwfS3A_IXYc).

<sup>9</sup> Trigger, D 1998. Citizenship & the logic of resource development: indigenous responses to mining in the Gulf Country. In *Citizenship and indigenous Australians: changing conceptions and possibilities*, N Peterson & W Sanders eds. Pp. 154-166. Cambridge: Cambridge University Press.

<sup>10</sup> Trigger, D. 1997. Reflections on Century Mine: preliminary thoughts on the politics of indigenous responses. In *Fighting over country: anthropological perspectives*, D. Smith & J. Finlayson eds., pp. 110-128. Research Monograph No.12, Centre for Aboriginal Economic Policy Research, The Australian National University, Canberra. [available at: [https://openresearch-repository.anu.edu.au/bitstream/1885/145209/1/CAEPR\\_Mono12.pdf](https://openresearch-repository.anu.edu.au/bitstream/1885/145209/1/CAEPR_Mono12.pdf)

<sup>11</sup> Mowarin, T. and Holcombe, S. 2021. "Waanyi Voices: Century Mine". Weeriana St, Media, Roebourne Western Australia, and the Centre for Social Responsibility in Mining, University of Queensland. Available on line at: <https://vimeo.com/672612231>

## More reading on mining and Indigenous issues.

Blowes, R., & Trigger, D. (1998). North West Queensland case study: The Century Mine Agreement. In M. Edmunds (Ed.), *Regional Agreements: Key Issues in Australia (Volume 1 Summaries)* (Vol. n/a, pp. 23-29). Australian Institute of Aboriginal & Torres Strait Islander Studies.

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