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FOREWORD

Raparapa
Stories from the Fitzroy River Drivers

Edited by Paul Marshall

Foreword to Second Edition

The Hon. Michael Kirby AC CMG

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Magabala Books

FOREWORD To the Second Edition

The Hon. Michael Kirby AC CMG*

Most Australians have never visited Fitzroy Crossing. They have never visited Broome or Derby, Hall's Creek, Beagle Bay or any of the exotic townships and places mentioned in this book. Huddled around the coast, mostly on the south-eastern side of their continental country, for many Australians the stories collected in this book may appear to be tales from a different planet. The photographs, ancient and modern, are evocative. The text is haunting. This book will open eyes.

Occasionally, on their planes, these Australians will be told that landfall on the Australian coast will occur at Derby. Perhaps if the sun is up, they will cast a glance out the window towards the brown land beneath. The more curious amongst the travellers may then wonder what it must be like to live in such a remote area of the world. What life on a huge pastoral station must be like? And how much of the inner lives of the Aboriginal people have changed since the coming of the 'white man'?

* Justice of the High Court of Australia 1996-2009.

We should be very grateful to a Queenslander, Paul Marshall, for turning his experience as administrator for the Kimberley Land Council into the record of lives lived far away, and some long ago, before the chance of capturing them in words was lost forever.

Paul Marshall learned from his own experience in the Kimberleys of the amazing capacity of Aboriginal characters to tell stories and recapture lost times in a way as vivid, for their location, as were the stories of Marcel Proust on the salons of nineteenth century France. The language may be blunter and the environment ruder. Yet shining through these pages is a precious glimpse of life at the meeting point of civilisations in transition.

Although in one sense this book captures the raw reality of the interface of 'white' and 'black' worlds, every page shows the qualities, for good and bad, of both communities in the often harsh, yet frequently beautiful, circumstances that threw these people together. Some of the stories recounted here, and a number of the photographs that help to bring the text to life, describe life in the early twentieth century. Here are the sometimes painful recollections of harsh times, when the rule of law was less powerful than the rule of the pastoralist and other powerful caucasians (*Kartiya*) who sought to tame the traditional people of the land.

Many of the stories recall the time when Aboriginal drovers were treated as little better than horses. When they were whipped for standing up for themselves. When many were paid no wages for their arduous work. When they were given little more than clothing, a saddle and three meals a day. In those days, the government was far away. Its

institutions were virtually invisible. If a friend or fellow drover was shot, the pungent smell of death told the tale. Sometimes, the very people who were oppressing the Aboriginal drovers were designated their 'protectors'. This was not a time or place when there was much talk of human rights.

Yet slowly, gradually the voice of the law came to be heard in the land. The promise of medical care came first, although compensation for injuries and education for the children were long delayed. When a 1967 decision of the Arbitration Commission insisted on equal wages for Aboriginal as for 'white' workers, the consequences were sometime dire. Work became less plentiful. And, in any case, some of the narratives in this book question the value of education. They express a fear that Aboriginal culture, language and law will be destroyed by the dangerous new ideas of equality and entitlement planted in the minds of children who were being taught, wrongly, without regard to skin groups and traditional boundaries.

Most of the children of those days did not aspire to live as drovers. Many of the homesteads, shown in the photographs, surrounded by flower gardens lovingly tendered, returned to the desert when their owners abandoned them. Making a go of transferring ownership to the Aboriginal Land Council presented new and completely difficult problems, in an era when legal rights came to be increasingly spoken of. The drovers' stories captured in these pages recount the very hard lives they lived in order to receive those three feeds a day. The motive forces of their lives may have been much the same as Proust's heroes, transferred from the drawing rooms of Paris to the homesteads and shanties of Fitzroy River. They were tales of love and death. Of power

and fear. Of lust and loneliness. Of comradeship and rejection. Of tears and the ongoing clash between the *Kartiya* insistence on their ways and the Aboriginal desire for corroborees, and those three square meals that staved off the pangs of hunger in the arid surroundings.

This is an unusual book because it captures an aspect of life that was going on in a far corner of Australia - a modern, bustling and mostly prosperous country, but in circumstances basically unknown to the vast majority of its citizens. It assembles the recollections of drovers, all of whom were men. Some of whom were 'half-caste'. Most were living at the meeting point of the great racial templates.

Doubtless, a different book would have been written from the recollections of the women, both *Kartiya* and Aboriginal, who lived with the Fitzroy River drovers. Different again would be the stories told by the children of the pastoralists, invariably sent far south to expensive boarding schools where no skerrick of the inland dust or ochre could be found. Even those few Aboriginal students who were at first dragooned into compulsory schooling would have their own tales to recount: of curiosity and puzzlement as they endeavoured to reconcile the different worlds known to them: thrown together by fate.

Yet the abiding impression left by these stories is of the commonalities of human existence. Of the appreciation by the Aboriginal drovers that their overall powerlessness was wrong and unfair. Of their frustration that they could do so little to change things. Of how they were themselves fearful of some of the consequences of change. And of the search they shared with the *Kartiya* for comradeship, companionship, love, shelter, family and three square meals a day.

Far away from Broome, in the great court building on the lake in Canberra, in 1992, the High Court of Australia reversed 150 years of common law that had denied the Aboriginal people of the continent, recognition of their land rights. Then in 1996, in my first year on the Court, the principle in the *Mabo* decision was pushed a little further in the *Wik* case, with the holding that 'native title' could coincide with pastoral leases such as those familiar to the Fitzroy River drovers. Up there in the Kimberleys, nothing much would change at first. But, in due course, a re-adjustment of land and other economic rights can be expected. The distant voice of government at last began to be heard. No longer was the government only the friend of the owners and managers. Now, truly, it was embracing the basic notion of 'equal justice under law' for all.

For the doubters and critics of this legal evolution, it would probably be more useful to spend time reading the recollections collected in this book than all the learned judicial and parliamentary words that followed *Mabo*, *Wik* and the native title legislation that ensued. Here we find what life was *really* like for outback Australians. That Aboriginal drovers were not horses to be whipped and chained and shot with impunity, denied legal protections. That they were humans with human needs for shelter, food, opportunity and fulfilment. With aspirations for themselves and for their children. With memories and consciousness of their own lives and traditions. But with the need to succeed and to survive, including in the land and surroundings they know best.

The rest of Australia owes a special debt to Paul Marshall for his work in advancing human dignity for his fellow citizens. And for recording these

stories so that they will not disappear from the nation's collective memory. And to John Watson and the story tellers of this book must go a grateful acknowledgement for sharing their memories in words both sharp and wise, so that those who come later can know and reflect and learn and remember.

MICHAEL KIRBY

Sydney

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