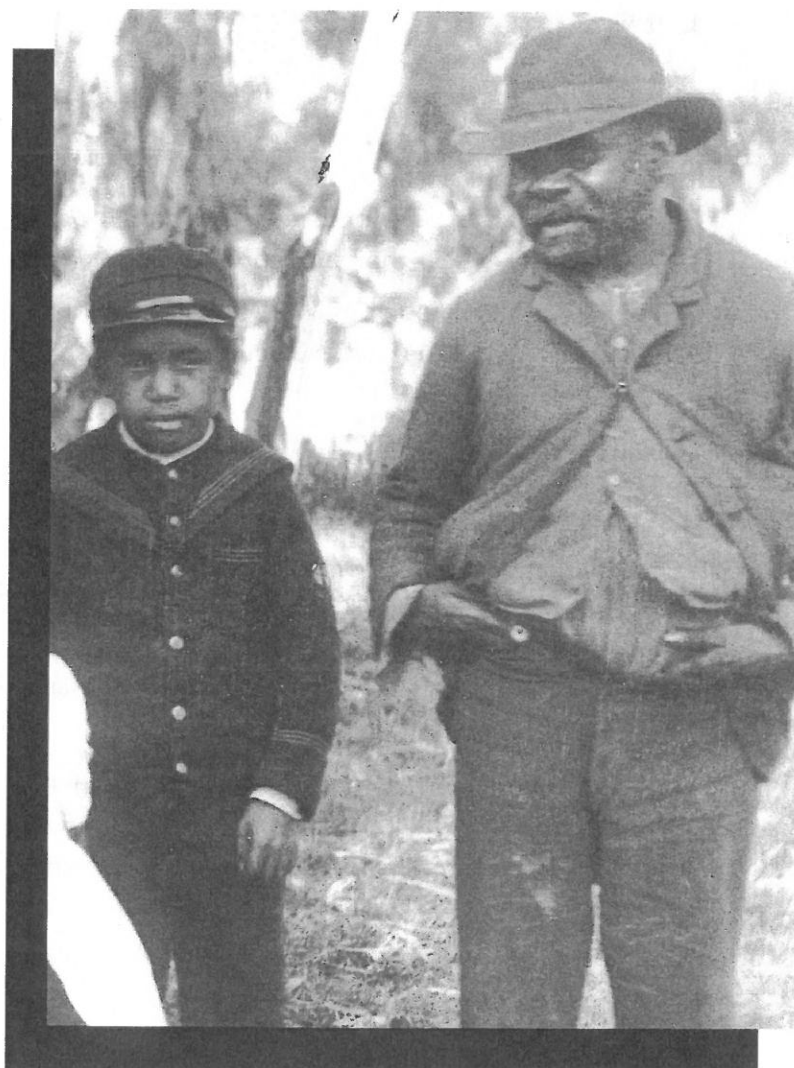


Part III

The Kamberri's re-emergence as the Ngunnawal: 1930s–2001



8 Kamberri descendants, government administration and the Ngunnawal, 1930s–2001: an historical overview

Aboriginal affairs and government administration in the ACT and surrounds, 1932–1971: a brief historical overview

The administration of the Federal Capital Territory by the Federal Capital Commission continued until 30 April 1930, when the *Seat of Government (Administration) Act 1924–1929* was repealed and the powers and functions of the Commonwealth reverted to the Commonwealth Government. From April 1932, the general control of the Territory was exercised by the Minister for the Interior.¹

The *Seat of Government Acceptance Act 1909–1938* provided that the Federal Capital Territory would be known as the Australian Capital Territory (ACT) from 1938 onwards.

In 1932, the New South Wales Board for the Protection of Aborigines, which was still administering Aboriginal people in the ACT² on the Commonwealth's behalf, reported that 'Aborigines' generally were the first to be affected by the worldwide depression. The services of able-bodied men and women, formerly employed on stations and farms throughout New South Wales, had been dispensed with, which compelled them to turn to the Board for necessary sustenance. Housing was also inadequate due to the Board's lack of funds. The Board decided to employ able-bodied men on the reserves to build the necessary housing in return for rations.³

The demand for Aboriginal housing forced the Board to consider purchasing land to acquire more Aboriginal reserves or stations at a time when they had been closing down Aboriginal missions and reserves (including Warangesda) for almost a decade. Yass Aboriginal Reserve – later referred to as Hollywood – was opened in Yass in 1932 and local Aboriginal people slowly moved, or were moved, from their

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1. Official Year Book of the Commonwealth of Australia, No 38, 1951.
 2. Jervis Bay is part of the Australian Capital Territory as the port required for a capital city.
 3. Report of the Board for the Protection of Aborigines, *New South Wales Parliamentary Papers [NSWPP]*, 1932.

various camps around Yass on to the reserve.⁴ The previous reserve, Edgerton, opened near Murrumbateman, south of the Yass River, in 1910; had been a dismal failure. Edgerton had been established at the request of Yass residents of European descent, who constantly complained about the behaviour of local Aboriginal people – particularly the men. Some Aboriginal families living local to Yass were forced on to Edgerton. Consequently, a core group forced on to the Reserve complained constantly about their incarceration and about the inadequacy of the manager and eventually persuaded others to join them in walking off.⁵ Many of them moved on to Erambie Aboriginal Reserve at Cowra, north of Boorowa and the Lachlan River in Wiradjuri country, which was unmanaged. The Edgerton lease was revoked in 1919. Yass families re-established their camps around the town until the Yass reserve was opened in 1932.

Kamberri families had joined other Aboriginal families local to Yass at Edgerton. When the lease was revoked, some of them stayed in the Yass district. The children and grandchildren of Black Harry Williams and Ellen Grovenor were among those who moved to the Yass reserve in the 1930s.⁶ The men tended to leave the women and children at the reserve while they went off to find work.⁷ It was not easy trying to compete with workers of European descent for the few jobs available at that time.

The worldwide depression was not the only reason for Aboriginal unemployment. After the Workers Compensation Act was passed in 1928, the Board noted that large numbers of Aboriginal people were thrown out of employment due to the need to pay them award wages.⁸ It was through his experiences as a shearer and union member that Bill Ferguson from Darlington Point became the voice of protest for Aboriginal people in New South Wales against their poor living conditions, employment discrimination and racism.⁹ His voice became louder and even more articulate after the Aborigines Protection (Amendment) Act was passed in 1936 to give the Board more power. He also became one of the first Aboriginal representatives on the Board for the Protection of Aborigines. Ferguson joined other Aboriginal civil rights campaigners, including Bill Cooper, formerly of Cummeragunja, who had sent a petition to King George V in 1933 asking for federal control of Aboriginal Affairs and an Aboriginal parliamentary representative in the House of Representatives, to campaign for Aboriginal rights and representation. Together with Pearl Gibbs, Jack Patten, Doug Nicholls, William and Eric Onus and others, Ferguson and Cooper demanded an official parliamentary inquiry into the conditions of Aboriginal people

4. Aboriginal Stations and Reserves, Hollywood, Aboriginal Schools, Yass, 5/18262.2, AONSW. Local legend suggests that the reserve was named after the home of Herb Phillips, the owner or manager of the local cinema. This was ironic, since discrimination against local Aboriginal people was more public at the cinema than anywhere else in the district: Aboriginal customers were required to sit in a special roped-off section.

5. For a more detailed account of Edgerton, see Read, Peter, 1983.

6. Aboriginal Stations and Reserves, Hollywood, Aboriginal Schools, Yass, AONSW 5/1862.2.

7. *Ibid.*

8. Report of the Board for the Protection of Aborigines, 21 November 1927 – 30 June 1928, NSWPP, 1929.

9. Horner, Jack, 1994.

and the administration of the Board. Their demands were successful. The Select Committee of Inquiry into the administration of the Aborigines Protection Board was held from 17 November 1937 to 17 February 1938 with few results, but it did bring Aboriginal civil rights campaigners closer together.¹⁰

The same Aboriginal civil rights group organised the National Day of Mourning, an idea of Bill Cooper's, on 26 January 1938, the 150th anniversary of the landing of the First Fleet. On the secretariat was the well-educated Helen Grovenor, daughter of Tracker Sergeant Ike Grovenor of the New South Wales Police Force, and step-granddaughter of Black Harry Williams. Ike's family was then living in Redfern, Sydney. They were neighbours of the Fergusons. Another daughter of Ike's, Therese, married Bill Ferguson's son, William Junior. Henry Noble was also a member of the secretariat. Henry was the son of 'Marvellous', the elderly Wiradjuri man from Cootamundra who had been present, with Jimmy Clements, at the opening of the provisional Parliament House in Canberra.

By 1940, the Aborigines Protection Board was replaced, in name more than substance, by the Aboriginal Welfare Board.¹¹ On the new Board was the anthropologist Professor AP Elkin, who headed a subcommittee to investigate the possibility of assimilating Aboriginal people who were no longer subject to tribal laws into the mainstream Australian community.¹²

Policy discussions at an Aboriginal Welfare Board meeting on 17 September 1940 centred around the possibility of removing small numbers of 'the most suitable families' from the stations into homes in the general community. The main aim of this policy was the gradual assimilation of Aboriginal people into the economic and social life of the general community. This policy was designed as a move away from 'institutionalisation' whereby Aboriginal people received housing, food, clothes, medical and dental attention 'without any exertion on their part'. The aim of Aboriginal station management was to make them more self-reliant and to lean less on management so they would 'think and act for themselves'. 'Suitable families' at Cowra, Yass and Brungle were among those being selected for homes in the general community.¹³

The experiment began in Yass in the early 1940s, but a few of the Hollywood residents, including the descendants of Black Harry Williams, fought to remain on the Reserve. Harold 'Lightning' Williams, Black Harry's son, refused point blank to leave. Although the Board was anxious to revoke the lease for Hollywood, and although most other people on the Reserve had left by the mid-1950s, the bulldozers remained idle on the Reserve until Lightning Williams passed away in 1959.¹⁴

10. *Ibid.*

11. *NSW Government Gazette* no 88, 14 June 1940.

12. Minute Books of the Aboriginal Protection Board and the Aboriginal Welfare Board, AONSW Reels 2791-4, [restricted].

13. *Ibid.*

14. Yass - Hollywood Reserve, AONSW, 2927, Box 8.



Plate 24: Harold 'Lightning' and May Cissie (formerly Hickey, nee Freeman) Williams at Hollywood, circa 1940

Photos reproduced courtesy of Matilda Williams House.

Lightning's son, Harry Douglas Williams, had been forced off the Reserve in the mid-1940s and took up residence with his wife, Pearly, nee Simpson, and other Walla-balooa families at Erambie Aboriginal Station at Cowra.¹⁵ Doug and Pearly left their three eldest children, Matilda, Harry and Arnold, in the care of their grandparents at Hollywood so they could work. When Lightning passed away in 1959, Doug and his elder children reoccupied his father's cottage for a time. Cissy, Doug's mother, had nowhere else to go. Finally, the Board forced Cissy to find alternative accommodation with the families of Pearly and Doug at Cowra and his brother, Robert, and his family at Brungle. Cissy also stayed with Doug's sister, Rosemary Connors, and her family at Cowra and alternated between the homes of these three of her children until she passed away in the 1960s.¹⁶

In 1940, Norman Tindale published the initial results of the Harvard-Adelaide Universities Anthropological Expedition, 1938-39,¹⁷ which was the seminal research that would eventually be published as *Aboriginal Tribes of Australia* in 1974.¹⁸ Tindale and others had interviewed 2450 Aboriginal people from Cairns down the east coast and along the south coast as far as Perth as part of his fieldwork but, although he

15. Jackson-Nakano, Ann, 1994a, interview with Pearly Williams, nee Simpson, Erambie Aboriginal Station, Cowra.

16. *Ibid.*

17. Tindale, Norman, 1940.

18. Tindale, NB, 1974.



Plate 25: Harry Douglas Williams, circa 1960

Photo reproduced courtesy of Matilda Williams House.

spent much time in Canberra, he only briefly visited Hollywood. After a visit to Cummeragunja on the Murray River, he stayed the night at Albury and then travelled by road on the Hume Highway to Yass for tea. As far as I know, he did not call in at Brungle, near Tumut, which would have only been a slight detour near Gundagai. He saw 'the native station' at Yass, but apart from commenting that the people seemed pleased with their houses he did not interview anyone in depth.¹⁹ If he had interviewed Harry 'Lightning' Williams and other Kamberri descendants who were then on Hollywood, he might have had reason to review his thoughts on the relevance of linguistic boundaries to communities like the Kamberri whose identity he helped to suppress.

The 'Aboriginal Census for the ACT for the Year Ending 30th June 1944' included one 'full-blood' and 75 'half-castes'²⁰ who were in the supervised camps at Wreck Bay. An additional 26 people were in employment, bringing the total to 102.²¹ The 'Census for the Aboriginal population of Australia for Year Ending June 1947' showed 100 'half-castes' living in the ACT, 58 males and 42 females (which included Wreck Bay). The total general (i.e. non-Aboriginal) population in the ACT was 15 156 in Canberra, 1389 in rural areas and 360 in Wreck Bay.²²

The transfer of control of 'Native Affairs' to the Commonwealth was raised at the Aboriginal Welfare Conference held in Canberra in 1948. That year, formal recognition of the citizenship status of 'Aborigines' was enshrined in the *Nationality and Citizenship Act 1948*, which declared all 'Aborigines' British subjects and Australian citizens. The Board was supportive of Commonwealth control of Aboriginal Affairs and also

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- 19. Tindale, Norman, Manuscripts, journal and notes for the Harvard and Adelaide Universities Anthropological Expedition, Australia, 1938-39, entry for June 6 1939. South Australian Museum Archives.
 - 20. This is an offensive term. I use it only in its historical context to demonstrate contemporary official attitudes towards Aboriginal people of mixed heritage.
 - 21. Official Year Book for the Commonwealth of Australia, No 38, 1944.
 - 22. Official Year Book of the Commonwealth of Australia, No 39, 1953.

for full Department of Social Services benefits for 'all Aborigines except full-bloods living in primitive or nomadic conditions'.²³

At a further conference in 1951, a draft Ordinance relating to 'Aborigines' and the authority of the ACT (which included the Wreck Bay community) was discussed and sent to the Board for approval. This became the *Aborigines Welfare Ordinance Act 1952*, which was amended many times.²⁴ The first amendment was almost immediate. Late in 1952 the Secretary of the Department of the Interior expressed his desire to redraft the ACT Ordinance so that it would be similar to the NSW *Aboriginal Protection Act 1909-1943*. This would also allow the Minister to delegate all or any of his powers and functions thereunder to the Aboriginal Welfare Board of New South Wales. Under the 1953 Ordinance, the *Aboriginal Protection Act 1909* ceased to apply to the ACT. The amended Ordinance, *An Ordinance Relating to Aborigines, No 20 of 1953*, was notified in the *Commonwealth Gazette* on 24 September 1953.

Following the New South Wales model, the new Ordinance gave the Minister great powers over Aboriginal peoples in the Territory. He could order an Aboriginal person on to a Reserve or could order him off; he could also demand that 'undesirable' Aboriginal people who were originally from elsewhere go back to their own State or Territory. On application from a parent or guardian, he could admit a child to his control and provide for the child's maintenance, education and training. He could authorise the police to have access at all reasonable times to an Aboriginal person at any place where he was residing or employed for inspections or inquiries as the police saw fit. If the Minister believed it was in the interests of the family, he could direct an employer of an Aboriginal person to pay the employee's wages to a person authorised by the Minister. All articles issued to Aboriginal people were considered to be on loan. In cases of doubt, a judge, magistrate or coroner could determine whether a person was Aboriginal or not. The Minister could also issue Exemption Certificates, which he could cancel at any time.²⁵ Aboriginal people could not consume alcohol. These provisions were not repealed until 1965.

One could be forgiven for thinking that the ACT had more ordinances than Aboriginal people, but this was not the case. The 'Census for the Aboriginal Population of Australia for Year Ending June 1955' counted a total of 100 'Aborigines' living in the ACT (including Wreck Bay), 58 men and 42 women,²⁶ the same as in 1947.

From 1952 to 1957, the Commonwealth was still not entirely sure of the extent to which Aboriginal people in the Australian Capital Territory had citizenship rights. In 1952, changes to the citizenship status of 'Aborigines' were proposed by the Commonwealth Government, but the Aboriginal Welfare Board deferred the proposal until after the Native Welfare Council Conference (the Canberra Conference men-

23. Minute Books of the Aboriginal Welfare Board, Reels 2791 - 2794, 18 May 1948, AONSW [restricted].

24. *Aborigines Welfare Ordinance Acts, 1952 - 1965*, Australian Archives A432/81, 1952/1169.

25. *Ibid.*

26. Year Book of the Commonwealth of Australia, No 41, 1955. An updated census might not have been conducted.

tioned above) in 1952.²⁷ The issue re-emerged when the ACT Advisory Council sent a Question on Notice to the Department of the Interior asking to what extent in the ACT, including Jervis Bay, were citizen rights enjoyed a) by 'Aborigines' and b) aliens less than those enjoyed by white Australian citizens. The Department of the Interior passed this question to the Attorney-General's Department for advice and it was the Secretary of that Department who finally responded as follows:

As a general rule, aborigines, unless expressly excluded, are entitled to full benefit of Australian law. An aboriginal native born in Australia is, by virtue of the National and Citizenship Act, an Australian citizen. Nevertheless, there is in both State and federal spheres considerable legislation dealing specifically with aborigines. S. 39 (s) of the Commonwealth Electoral Act provides that no aboriginal native in Australia shall be entitled to vote. One exception, which would apply to the ACT, is where the aboriginal is or has been a member of the Defence Force.²⁸

In the same file is a draft, dated July 1957, on the subject of Disability of Aliens and 'Aborigines' in the ACT. It says 'Aborigines' had no right to vote at elections for the House of Representatives or for the Advisory Council for the Territory unless they were members of the Defence Force. They were also not qualified to serve on juries.

The effect of international pressure for human rights for Aboriginal Australians on Kamberri descendants in the ACT

Back in 1948 Australia's Attorney-General Dr HV Evatt was elected President of the United Nations. When he expressed his concern about human rights behind the Iron Curtain, the Czechoslovakian delegates – representing the Eastern bloc countries – exposed Australia's hypocrisy by raising counter-questions about Australia's treatment of 'Aborigines'.²⁹

As a result, in 1966 Minister for External Affairs Paul Hasluck signed on behalf of Australia the International Convention on the Elimination of all forms of Racial Discrimination. Prime Minister Robert Menzies had agreed in 1965 that it would be necessary to repeal s.127 of the Constitution, which excluded Aboriginal people from the National Census. On the other hand, he was not in favour of removing the words 'other than the Aboriginal race in any State' from s.51 (xxvi), which related to the power of the Commonwealth Parliament to make laws with respect of people of any race.³⁰ Menzies' successor, Prime Minister Harold Holt, put the question of the need for these constitutional amendments to a referendum in May 1967. Ninety per cent of the Australian voting population supported the changes in the Constitution. As a result, the *Constitution Alteration (Aboriginals) Act 1967* was proclaimed on 10 August 1967.

27. Minute Books of the Aboriginal Welfare Board, Reel 2793-4, AONSW [restricted].

28. Exchange of letters between the Department of the Interior and the Attorney-General's Department regarding Citizen Rights of Aborigines and Aliens in the ACT and Jervis Bay, Australian Archives, A432/77, 57/3197.

29. Griffiths, Max, 1995, p 71.

30. Year Book of the Commonwealth of Australia, No 64, 1980.

Matilda Williams House recalls the day the results of the referendum were announced:

Even my neighbours, who had kept their distance from us before, were congratulating us. I thought, what the hell's going on? We stared at the News on the telly and we stared at the writing in the newspapers. I think it was then that I realised that we didn't have to hide anymore. There weren't many Aboriginal people in Canberra or Queanbeyan at that time so the Williams and House families stuck out like sore thumbs. There we were, Aboriginal people in our own country, the country of my grandfather and great-grandfather, and I think we still felt that defeat and shame before white people that our ancestors felt. With the support of the people around us, especially our neighbours, we suddenly felt empowered. It was an amazing feeling, like we'd been in the Dreamtime and we'd suddenly woken up!³¹

The three eldest children of Harold 'Lightning' Williams — Matilda, Harry and Arnold — had returned to the country of their great-grandfather, Black Harry, two years after the death of their grandfather at Hollywood in 1959. The 'Census for the Year Ending 30th June 1971' supports Matilda House's statement that 'there were hardly any Aboriginal people in the Canberra district when we came back to our country in the early 1960s'.³² Ten years later, there were still only 255 'Aborigines' in the ACT (including Wreck Bay).³³ Fifteen years later, in 1976, there were 827 (including Wreck Bay),³⁴ which represented a dramatic increase in the number of Aboriginal people from other areas arriving and settling in the ACT. Why such a dramatic increase?

Aboriginal Affairs and government administration in the ACT and surrounds, 1971–1989: a brief historical overview

From 1971 onwards, the country of the Kamberri became the focal point for Aboriginal policy and Aboriginal protest. The spark that ignited this development was the statement by Prime Minister William McMahon [Liberal] on the Commonwealth's policy and achievements vis-à-vis Aboriginal Australians. The Commonwealth Government's policy had been reviewed following the decision of the Supreme Court of the Northern Territory on 27 April 1971 that Australian law did not recognise Aboriginal title to land. As a result of this review, the Government adopted a five-point Statement of Objectives designed

to assist Aboriginal Australians as individuals or as groups to hold effective and respected places within one Australian society with equal access to the rights and opportunities of other Australians while, at the same time, encouraging and assisting them to preserve and develop their own culture, languages, traditions and arts.³⁵

Understandably, this did not satisfy Aboriginal civil rights campaigners who wanted self-determination and land rights — not more condescension and patronage. In response to McMahon's statement, Aboriginal peoples began protesting on the lawns directly across the road from the front entrance of the provisional Parliament

31. Jackson-Nakano, Ann, 1995b, Interview with Matilda House, Canberra.

32. *Ibid.*

33. Year Book of the Commonwealth of Australia, No 64, 1980.

34. *Ibid.*

35. The PM's Statement on Policy, *The Canberra Times* January 26 1972.

House. First on the scene were four protesters who sat under a beach umbrella and declared themselves an 'Aboriginal Embassy'. Three of the original group later pitched a tent each on the site. A few days later, a fourth tent was set up as more Aboriginal people joined 'the protest for land rights'. According to the *Canberra Times*, the protesters claimed they were owners of the land they were camped on.³⁶ The Minister for the Environment, Aborigines and the Arts, Mr Howson, observed that the ACT was a curious place in which to canvass for ownership of Aboriginal 'reserves': 'for all land granted in the ACT for any purpose is leasehold with the remaining pockets of freehold land to be acquired'.

Australian Labor Party Opposition Leader Gough Whitlam and Kep Enderby (Member for the ACT) visited the Aboriginal Tent Embassy and listened to Aboriginal concerns. According to an article in the *Canberra Times*, Mr Whitlam allegedly promised that a Labor Government would grant full freehold title to Aboriginal tribes and clans.³⁷ In a follow up article a couple of weeks later, the *Canberra Times* reported Mr Whitlam told the protesters that 'If there is a historical connection between a tribe or clan and land, then the ownership of that land by that tribe or clan should be recognised'.³⁸

This would have been good news to Harry 'Crow' Williams, great-grandson of Black Harry Williams, who, according to fellow Aboriginal land rights campaigner and Pan-Aboriginal leader, Lyle Munro, played an active role in supporting the establishment of the Tent Embassy.³⁹ Of all the Aboriginal protesters gathering in Canberra at that time, it was Crow and his extended family who had the strongest claim to 'traditional ownership' of the ACT and surrounds. Yet Crow's main concern was to assist his fellow Aboriginal Australians achieve recognition of their 'national sovereignty'. According to Munro: 'Harold "Crow" Williams's commitment to the [land rights] cause was as effective as it was selfless. Crow was one of the last to leave the tent embassy he helped establish on the lawns of Parliament House in 1972, but would invariably be the first to give other people credit for whatever he was involved in'.

In April 1973, following his party's success in the 1972 elections, Prime Minister Gough Whitlam announced the Australian Government would assume full responsibility for Aboriginal Affairs Policy. Negotiations began concerning the transfer to the Commonwealth of policy, planning and coordinating functions previously exercised by the States (which, with the exception of Queensland, agreed to the transfer). Offices of the Department of Aboriginal Affairs were progressively established in each State, including the ACT. Whitlam's main aim was:

36. 'Aboriginal protest gets more support', *The Canberra Times* 1 February 1972. Presumably this was a statement in support of Aboriginal Sovereignty in the context of Aboriginal ownership of Australia and it is assumed no disrespect was intended to the traditional custodians of the district, many of whom supported the protest movement.

37. *The Canberra Times* 8 and 9 February 1972.

38. *The Canberra Times* 23 February 1972.

39. Munro, Lyle, 'Leader in land rights' struggle', obituary for Harold 'Crow' Williams, the *Australian* 18 July 1994.

to help Aborigines become self-managing and self-sufficient while, at the same time, to preserve and develop their own distinctive culture.⁴⁰

In 1982, Harold 'Crow' Williams, with Lyle Munro, established the Aboriginal Legal Service in Queanbeyan.⁴¹ The following year, Dr Josephine Flood, an archaeologist and author of *The Moth Hunters*, then currently senior conservation officer with the Australian Heritage Commission, published an article that focused on Aboriginal sites around Canberra.⁴²

Aboriginal camps are numerous along rivers ... The many camp sites along river banks probably represent the traditional winter quarters of local Aborigines. The prehistoric inhabitants of the Canberra region stayed in the area in winter. Wrapped in their voluminous rugs of possum skin, they built themselves warm weatherproof huts out of large sheets of bark. Probably the bark of *Eucalyptus macrorhyncha*, the red stringybark, was the main species used. This is still found in areas of dry sclerophyll forest along the Murrumbidgee, Molonglo, and Cotter Rivers, as well as elsewhere ...

In winter possums would have provided the main food, together with the starchy tubers of the daisy 'yam', *Microseris scapigera*, which was much more common and widely distributed before European settlement. In spring the Aborigines trekked to the mountains to feast on bogong moths ...

There are a few material traces left of this annual trek to the mountains. In high valleys, such as Tidbinbilla, Orroral, Gudgenby, Naas and the Cotter, some open air camp sites have been found, and some signs of occupation in rock shelters. These are Yankee Hat, Rendezvous Creek and Nursery Swamp shelters, all in Gudgenby Nature Reserve ...

Further traces of moth hunting are small camp sites high on the ranges, such as on Mounts Gingera and Bimberi. It seems the whole tribal group camped in montane valleys such as Gudgenby and held corroborees there. Then the tribal elders took adolescent boys up to ceremonial grounds for the initiation ceremonies ...

Youths underwent a further ceremony when they were aged 18 to 20, and beginning to sport beards. This Wahu ceremony turned them from hunters into warriors. The tribal elders took them up to a high point to carry out certain rituals, including singeing all the hair off their heads, to instruct them in their relations with neighbouring tribes, and to point out the different parts of their own tribal territory ...

In the Canberra region there is still a surprising amount of wilderness country, untouched by plough or bulldozer, where traces of the rich Aboriginal heritage survive.⁴³

Flood's idyllic descriptions made it all seem so long ago, yet some of the places she mentioned were only vacated relatively recently by Black Harry and Black Dick. It was certainly a culture, a place, a land and a dream worth holding on to and fighting for.

The *Aboriginal Land Rights Act 1983* created a three-tiered structure of local, regional and State Aboriginal Land Councils that held freehold title to land (approximately 190 square kilometres). Under this Act, the Land Councils could make claims to Crown lands not occupied and not needed for essential purposes. The Act also pro-

40. Year Book of the Commonwealth of Australia, No 64, 1980.

41. Munro, Lyle, 1994, *op. cit.*

42. Flood, Josephine, 1983.

43. *Ibid.*



Plate 26: Mt Gudgenby
Photo by Reg Alder.

vided payment into a fund of 7.5 per cent of State land tax revenue over the ensuing 15 years, half of which was set aside as capital for future years, with the balance meeting the costs of Land Council administration and land purchases.⁴⁴

Under the terms of the *New South Wales Land Rights Act 1983*, the New South Wales Aboriginal Land Council in Sydney assisted with the establishment of the Onerwal Land Council in Yass and the Ngunnawal Land Council in Queanbeyan. Members of the Bell, Brown, Carroll, Wallace⁴⁵ and other Aboriginal families local to Yass have each been administrators of the Onerwal (Ngunawal) Land Council over the years and the Williams and House families have administered the Ngunnawal Land Council since its establishment. No Land Council could be established in Canberra because the Territory Government did not recognise land rights as land was (and still is) leasehold. Michael Williams, great-grandson of Black Harry and the brother of Crow, Arnold and Matilda, was the first Chair of the Ngunnawal Local Aboriginal Land Council in Queanbeyan.

Why the names Onerwal and Ngunnawal? Arnold Williams, who helped administer the establishment of both Land Councils, explained in an interview:

The Yass Land Council was registered by families who identified back then [in 1983] as Wiradjuri and they chose to call it the Onerwal Land Council, a name they got out of a white person's book.⁴⁶ Back in 1984 we were all calling ourselves Wiradjuri, even those of us who knew we were only part Wiradjuri. The Williams family founded the Land Council at Queanbeyan, which served the small region left after the Wiradjuri had claimed most of the area north of the Yass River. We had been told by our Elders that we were descendants of the Pialligo and Red Hill mobs from the Canberra district as well as having connections to the Ngunnawal and the Wiradjuri. We weren't sure what to call ourselves, to tell you the truth.

There's a park in Bowning called Ngunnawal Park, which was dedicated to the Aboriginal people of the Yass region in the 1960s. According to the sign, we all died out in 1848! My parents got moved off the Hollywood Mission at Yass before I was born and had to live at Erambie Aboriginal Reserve in Cowra, where my mother's people were. Dad always identified with Yass and my paternal grandfather said we were from the Canberra district, but neither of them ever told us the name of our original tribe. The name on the sign at Bowning Park suggested the people of the Yass district were Ngunnawal — it was spelled Ngunnawal, with the double 'n', not

44. Year Book of Australia, No 73, 1990.

45. Helen Wallace and her children are descendants of Black Harry Williams and Ellen Grovenor via Harold 'Lightning' Williams and his daughter, Rosemary Connors, but, back in 1983, had chosen to maintain a consistent identity with Ellen's country rather than with Harry's, as was their right.

46. Arnold did not say which book, but the Chief Protector of Aborigines, George Augustus Robinson, who passed through the districts southwest and northwest of Weereewaa in 1844, said in his diaries that the 'Yass Blacks' were designated 'Onerwal' and the 'Limestone Blacks' — that is, those living in the district southwest of Lake George where the modern capital of Canberra is now — were designated Koroinal. Extracts from Robinson's diaries, including this statement, were edited and published by George Mackaness in 1941. A number of histories about the area west of Lake George had been published by 1984, some of which quoted this statement by Robinson. See Mackaness, George, 1941. Of course, Robinson's rendition of 'Onerwal' was probably how he heard 'Ngonawal' pronounced, so the Onerwal and the 'Ngonawal' were still the same group. His reference to the 'Koroinal' is less clear. The important issue here is that he clearly distinguished the Yass and 'Limestone' 'blacks' as two separate groups.

Ngunawal, so that's the spelling we adopted when we established the land council at Queanbeyan.⁴⁷ It doesn't really make any difference how you spell it, since the original name was heard by some white person and was written down as they heard it.

Since the boundaries of the Ngunnawal Land Council were restricted to areas that were within my Grandfather's country, it didn't seem to matter then that we'd chosen the name Ngunnawal, especially since the land council area linked us with our grandfather's and father's country.⁴⁸ As such, even though, under the Act, we couldn't claim land rights in the ACT, our family, as traditional custodians of that area, represented Aboriginal interests in the ACT because it was our ancestral country. It was only later, when the Native Title Act was passed, that we realised our mistake in calling ourselves Ngunnawal because then ... all hell broke loose and we were faced with all these people racing over our borders claiming they were Elders of our country.⁴⁹

It was, and is, not unusual for Aboriginal families to identify with more than one group. The Williams family identified with the Blakney Creek community and, later, with the Wiradjuri at Cowra through their mother, Pearly Simpson, although Pearly herself was a member of the Pajong group and grew up at Blakney Creek. They identified with the Tumut and Brungle districts through their grandmother, Cissie Freeman. They identified with the Yass district and Hollywood Aboriginal Reserve through their father, Harry Douglas Williams, and their grandfather, Harry 'Lightning' Williams, whose mother, Ellen Grovenor, had belonged to the Ngoonawal-speaking Wallabalooa community. These multiple identities were forged mostly through the experiences of their immediate ancestors. They claim their strongest sense of country, however, is with the Canberra, Queanbeyan, upper Murrumbidgee, Brindabella, Goodradigbee and Wee Jasper districts, an ancestral identity they shared with their father and grandfather along their paternal line through their Grandfather Lightning and his father, Black Harry Williams.⁵⁰ Says Arnold Williams:

Those other places where we lived were not really our country. We never felt we belonged there because the local people told us we didn't. We were like foreigners in most of those places. Dad didn't want us to go to Cowra. I think he missed out on learning a lot about his history and culture because everyone had to work hard when he was a kid and he didn't get the time with his father that he should have had. He wanted us to learn from our grandfather and grandmother and that's why Matilda, Crow and me spent most of our early years living with our grandparents. Grandfather Lightning always told us we were from here (ACT-Queanbeyan). He told us

47. Ironically, this must have been a simple mistake made by Mr Bob Wade, who manufactured the sign, because in the write-up of the dedication published in the *Yass Tribune*, 18 December 1967, the reference to both the park and the 'tribe' was spelled with one 'n'. On the other hand, maybe the *Yass Tribune* got it wrong. Either way, most of the information on the sign was incorrect. At the time of writing (October 2001), the sign is no longer displayed at the park.

48. Arnold's grandfather, Harold Lightning Williams, was the son of Black Harry Williams of the Kamberri and Ellen Grovenor (nee Howe) of the Wallabalooa. According to the Williams family, Lightning had rights to both his father's and his mother's countries. Lightning resided mostly in Yass but spent much time with his father, brother and stepbrothers in Kamberri country when he was younger and also in the Tumut district where his wife's people were. His wife was Matilda May 'Cissie' Freeman, daughter of Fred Freeman and his wife, Sarah Broughton.

49. Williams, Arnold, personal comments to Ann Jackson-Nakano, Canberra, 1999.

50. Jackson-Nakano, Ann, 1999, interviews with Arnold Williams and Matilda Williams House, Canberra.

about the Red Hill camp and our Uncle Roddy. Auntie Tiny [Rosemary Connors, nee Williams] used to visit Uncle Roddy out at Red Hill and so did Dad. The old people were threatened with having their kids taken away if they tried to teach us the old ways, so they kept quiet. Our grandparents spoke the language but they stopped talking whenever we went near them and said we had no business listening in on secret stuff. When I was a young feller I travelled a lot between Cowra, Yass and Brungle because I've got family there now. That's where they were all sent to, see? When I was 15, Mick [House — Matilda's husband] brought Matilda and me back to Canberra and we felt immediately that we were home. We're still learning about some of our history, but you can't learn it all in books. It's all around us. We're reclaiming our heritage. Where we can, we'll also reclaim some of our land. I want that for my kids, and their kids, and on down the line. White people took everything from us. Now it's time for them to give a little of it back so we can maintain our ancestral identity.⁵¹

Matilda Williams House also explained:

Ngunnawal was a language spoken by our great-grandmother's people. As Arnold said, we got the spelling off that sign at Bowning, but it's really irrelevant how it's spelled. We can spell it how we like and we can call ourselves what we like. Back in 1985 we were still a bit lost and confused. We didn't know what to call ourselves — we had so many choices, when you think about it. Now we're piecing everything back together and, if we want to, we might call ourselves Kamberri-Ngunnawal or something similar. It's not what we're called but who we are that's important.⁵²

In August 1985, the Commonwealth Government announced its intention to amend the *NSW Aboriginal Land Rights Act 1983* on the basis of a preferred national land rights model that the government wanted to see adopted in all States. This model proposed claims to unalienated Crown land on the basis of traditional entitlement, historical association, long-term occupation and to meet specific needs. This description fitted the association of the Williams family with Namadgi National Park which, the year before, had been so declared. In 1986, the former Gudgenby Nature Reserve (62 000 hectares) and part of the Cotter River Catchment (32 000 hectares) were combined to form the Namadgi National Park, which covers 40 per cent of the ACT. It now shares a common boundary with Kosciuszko National Park and other reserves in neighbouring New South Wales⁵³ — all areas frequented by Black Harry Williams, Black Dick Lowe, Onyong, Noolup and their communities. Other ACT reserves include the Tidbinbilla Nature Reserve, Black Mountain Reserve and Jervis Bay National Reserve.

In March 1987, the Commonwealth legislated to provide inalienable freehold title to 403 acres of land at the Wreck Bay Aboriginal Community in Jervis Bay territory. The *Aboriginal Land Grant (Jervis Bay Territory) Act 1986* came into effect on 16 January 1987. The title was handed over to the community in March 1987. The Act was amended in 1995 to make it possible to grant the Wreck Bay Aboriginal Community Council joint management of Jervis Bay National Park and Jervis Bay Botanical

51. Williams, Arnold, personal comment to Ann Jackson-Nakano, Canberra, 1999.

52. Jackson-Nakano, Ann, 1999, interviews with Arnold Williams and Matilda Williams House.

53. Year Book of Australia, No 72, 1989.

Gardens, which are leased back to the Director of National Parks and Wildlife. The Council may also make by-laws.⁵⁴

The Wreck Bay community is a quiet backwater of the ACT compared to Canberra. By 1986, the number of Aboriginal and Torres Strait Islander peoples in the ACT region had risen to 1220, a major increase of 823 since the 1981 census, with only 248 people listed in the 1971 census. This was due to the establishment of the Department of Aboriginal Affairs in Canberra and the fact that Canberra had become the focal point for Aboriginal decision-making. The breakdown of the census between Aboriginal and Torres Strait Islander peoples between 1971 and 1986 was as follows:

1971: Aborigines, 248, Torres Strait Islanders, 7

1976: Aborigines, 769; Torres Strait Islanders, 58

1986: Aborigines, 1160, Torres Strait Islanders, 60⁵⁵

In December 1987, the Federal Government announced a major restructuring of Federal Aboriginal organisations following extensive consultation with Aboriginal peoples. The Government established the Aboriginal and Torres Strait Islander Commission to take over the role and functions of the Department of Aboriginal Affairs, the Aboriginal Development Commission, Aboriginal Hostels and the Australian Institute of Aboriginal Studies.

In 1989, the ACT was established as a self-governing Territory by the *Australian Capital Territory (Self-Government) Act 1988* and related legislation. The Legislative Assembly of 17 members makes laws for the 'peace, order and good government of the Territory' and an ACT Executive consisting of the Chief Minister and three other Ministers exercise executive power. Jervis Bay Territory remains under Commonwealth control. Under the legislation, the Commonwealth transferred most of its powers and responsibilities concerning the administration of the Territory to the new ACT Government. Elections for the first ACT Legislative Assembly took place in March 1989 and the formal transfer of power from the Commonwealth to the ACT Government followed on 11 May 1989 with the election to the Assembly of the Territory's first Chief Minister, Rosemary Follett (ALP).⁵⁶ Under Ms Follett's administration, an ACT Aboriginal and Torres Strait Island Advisory Council was established to represent 'the broad and diverse interests of the ACT Aboriginal and Torres Strait Islander community, including those of the Ngunnawal people'.⁵⁷

Aboriginal Affairs and government administration in the ACT and surrounds, 1989–2001: a brief historical overview

The first major issue for Kamberri descendants is the struggle to retain their distinct identity as the original inhabitants of the ACT region. The other major issues relate to the establishment of an Aboriginal Keeping Place or Cultural Centre, native title claims and regional agreements.

54. *Acts of the Parliament Commonwealth of Australia* 1995.

55. Hugo, Graeme, 1991.

56. Year Book of Australia, No 73, 1990.

57. Follett, Rosemary, Letter to Ann Jackson-Nakano, 15 April 1993.

Since the establishment of the ACT Government in 1989, the Ngunnawal claim they have been battling the increasing power and influence of the general 'Aboriginal and Torres Strait Islander community' in the ACT. This community is composed of individuals and families from all over Australia whose numbers rose considerably after the Aboriginal and Torres Strait Islander Commission (ATSIC) and other Aboriginal organisations were established in Canberra after 1989. Following the passing of the *Native Title Act 1993*, the Ngunnawal community allege their 'rights to country' have been challenged by groups and individuals from areas surrounding the ACT and Queanbeyan district. Among these groups are members of their own extended family who are related to them through kinship networks other than their direct ancestral line to Black Harry Williams. To date, the Ngunnawal have tried to resist the alleged pressure placed on them by ACT Government authorities to 'unite as one group' with other families or competing groups or to recognise the authority of the ACT Aboriginal and Torres Strait Islander Advisory Council.⁵⁸

When the ACT Legislative Assembly's Standing Committee on Planning and Infrastructure undertook the Inquiry into the Possible Use of the \$19 Million Casino Premium, it received two submissions from the local Aboriginal and Torres Strait Islander community. The submission for a Keeping Place was put forward by the Aboriginal Education Consultative Group and the submission for a Cultural Centre came from the Bogong Regional Council. These groups did not necessarily support arguments by the Ngunnawal that the focus for such a centre should be on the 'traditional culture' of the ACT and surrounds.

According to Follett, 'In accepting the Committee's recommendations in relation to the Keeping Place/Cultural Centre, the Government was aware of the special role of the Ngunnawal people in the Keeping Place. However, the [Aboriginal and Torres Strait Islander Advisory] Council will be the body best placed to provide advice on the common elements of the Keeping Place/Cultural Centre'.⁵⁹

After protracted negotiations, the Cultural Centre or Keeping Place will, in the near future, be housed in the building recently vacated (in 2001) by the National Museum of Australia at Yarramundi Reach. The new National Museum of Australia complex, opened in March 2001 on Acton Peninsula, features Aboriginal and Torres Strait Islander cultural exhibits from all over Australia. The cultural and history of groups local to the ACT will be represented at the Cultural Centre.

The various native title claims to Namadgi National Park have been more difficult issues to resolve. Nurri Arnold Williams was the first to apply, on behalf of the 'Ngunnawal People', for a determination of native title in respect of crown land in the Australian Capital Territory, predominantly focused on Namadgi National Park, in October 1996.⁶⁰

58. House, Matilda, Canberra, 1997, personal comment to the author.

59. Follett, Rosemary, Letter to Ann Jackson-Nakano, 15 April 1993.

60. Native Title Tribunal (NTT) application no AC96/2.

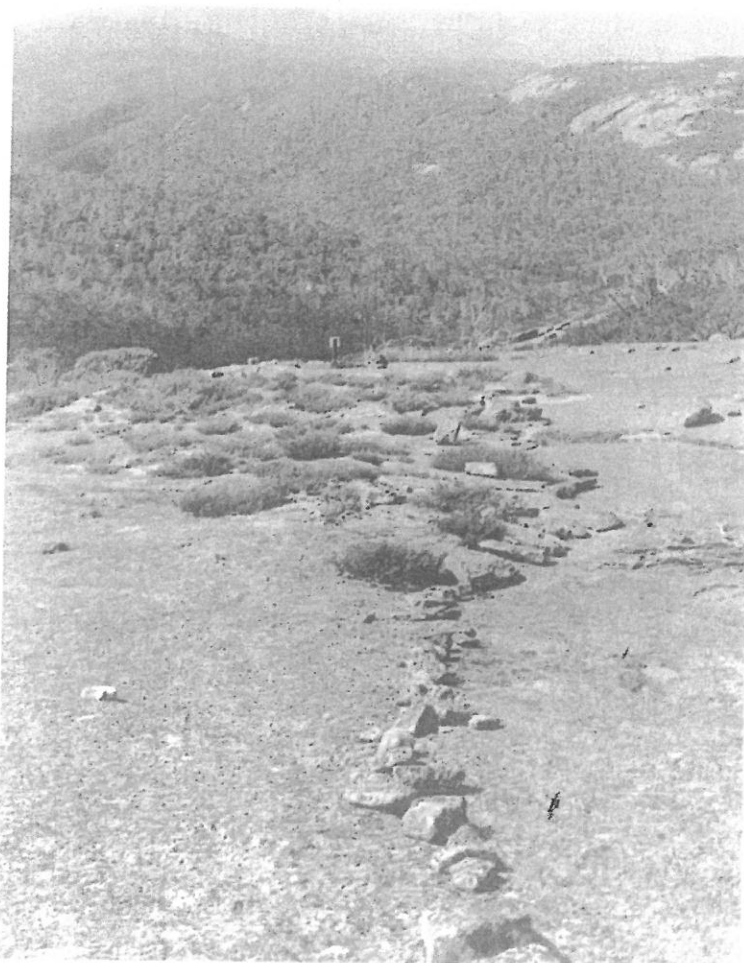


Plate 27: Ceremonial stones, Mt Namadgi

Photo by Reg Alder.

Soon after Williams lodged his claim, a Native Title Committee, on which all 'Ngunnawal' and 'Ngunawal' (Onerwal) families were represented, was established. Almost as soon as it was formed, however, the Ngunnawal Native Title Committee began to crumble. In July 1997, while still a member of the Committee representing the Yass-based Carroll and Bell group, Phillip Carroll lodged a counter-claim to that of the Ngunnawal.⁶¹ This claim was later taken over by his younger brother, Don Bell, and is now represented by Bell's family group, the Ngunawal

ACT and Districts Aboriginal Council of Elders. Bell lodged a further native title claim in 1998.⁶²

Mrs Agnes Shea (nee Bulger) registered as a party to both the above claims on behalf of a third group, the Ngunawal and District Indigenous Peoples Aboriginal Corporation. Arnold Williams, as the main native title claimant, still represents the 'Ngunnawal People'. Since the establishment of these three interest groups, the ACT Government and other agencies have been referring to the groups collectively as the 'Ngun(n)awal'. Mrs Shea has since united with the Williams and House group⁶³ and the Ngunawal and District Indigenous Peoples Aboriginal Corporation now represents various traditional and non-traditional families, including Bruce Merritt, a descendant of Black Dick Lowe and Sarah Duncan, who resides in Yass.

61. NTT application no AC97/1.

62. NTT application no AC 98/1.

63. Mrs Shea is related to the Williams and House family through the Freeman line and has been invited by them to be a part of their group.



Plate 28: Smoking ceremony at Acton Peninsula, 31 July 1998

Aggie Shea (left), Paul House and Matilda House host the smoking ceremony at Acton Peninsula. The smoking ceremony depicted was part of the healing of the land process before building of the new National Museum of Australia and Australian Institute of Aboriginal and Torres Strait Islander Studies commenced. Photo by Loui Seselja as part of the Indigenous Peoples and Culture of the ACT and Region Project, National Library of Australia. Photo reproduced courtesy of Loui Seselja and the National Library of Australia.

Following the lodgment of Carroll's counter-claim, the ACT Government, under its then Chief Minister, Kate Carnell, expressed its interest in negotiating a regional agreement outside the native title process with all 'Ngun(n)awal' people. Allegedly, Mrs Carnell's approach to her government's counter-offer of a Regional Agreement was that the so-called 'three groups' should be encouraged to unite.⁶⁴

In July 1999, then ACT Attorney-General Gary Humphries made public his Government's offer of legal title over Namadgi National Park to the 'Ngun(n)awal'. He acknowledged at that time that the offer was but a small gesture on the long road to reconciliation and that the 'Ngun(n)awal' had yet to respond.⁶⁵ His offer was to lease Namadgi to the 'Ngun(n)awal' on condition that it would be leased back again.

Namadgi would remain a National Park under the control of the ACT Government with the 'Ngun(n)awal' enjoying joint management.

This historic agreement, which was concluded in April 2001, at which time Humphries had replaced Carnell as Chief Minister, contained the ACT Government's contention that it was unlikely that native title continued to exist in much, if any, of the Australian Capital Territory. Nevertheless, said Humphries, the absence of native title did not preclude the Territory from making an agreement with Aboriginal people 'who have an historic association with the Territory'. Under the Humphries Government, all Ngun(n)awal parties were required to demonstrate their historic association with the land in question. According to the relevant documents, the Territory expressed its wish to make such an agreement in the spirit of reconciliation and in recognition of the dispossession and dislocation that many Indigenous Australians have suffered.⁶⁶

Under the Agreement, the Territory offers to grant a lease over those portions of Namadgi National Park that may lawfully be leased to the Indigenous Parties. The offer is subject to all native title claims being either finally determined or withdrawn in a manner agreed between the Parties.⁶⁷ The Indigenous Parties will be incorporated as a statutory corporation for the purposes of holding any lease over Namadgi National Park. The lease is conditional on a lease back to the Territory to allow Namadgi National Park to be run as a National Park for the use of all Canberrans and Australians. No rent will be payable by the Territory for the lease back. The term of the lease is 99 years with an option for renewal at the end of that time. An Interim Namadgi Advisory Board was initially established, comprising five Indigenous members, most of whom are descendants of 'Black Harry' Williams, and five non-Indigenous members appointed by the Chief Minister. Matilda House and Ian Fraser are the first co-chairs of the Namadgi National Park Joint Management Committee.

Pending any finding of the Federal Court on the existence or otherwise of native title in the Australian Capital Territory, the Parties agree that the Territory will, at any official function or event, acknowledge members of the Indigenous Parties as 'representatives of the regional Indigenous people with an historical association with the ACT'.

64. Peterson, Nicolas, Canberra, 1998, personal comment to the author. Peterson was asked by the Carnell government to critique the historical evidence and draft genealogical database I submitted to the NSW Land Council to support the application by Nurri Arnold Williams on behalf of the 'Ngunnawal People' for a determination of Native Title for land in the ACT, NTT AC96/2. See Jackson-Nakano, 1997d personal papers, and Williams, Nurri Arnold, 1997 (under Native Title Records in Bibliography). For the reference to Peterson's report, in which much of my original draft genealogical database is reproduced, see Peterson, Nicolas and Carr, Felicita (also under Native Title Records in Bibliography).

65. Armitage, Liz, 1999, 'Much to resolve in offer,' the *Canberra Times* 24 July 1999.

66. Draft Agreement between the Australian Capital Territory and ACT Native Title Claim Groups, February 2001, copy courtesy of the Ngunnawal Local Aboriginal Land Council.

67. Although the Carroll-Bell claim was not withdrawn, this Regional Agreement subsequently went ahead.

At the end of the 19th century, the white Australian authorities in the Canberra-Queanbeyan district were declaring the 'local Queanbeyan tribe' to be extinct when the community's 'last full-blood member', Nellie Hamilton, passed away in 1897. Just over a hundred years later, the ACT Government and the Queanbeyan City Council are acknowledging publicly that this was not the case. At the commencement of the 21st century, the ACT Government required proof from those claiming to have a long historical association with the region, and the descendants of Black Harry Williams and others were able to provide it. At least few people, Indigenous or non-Indigenous, are claiming any more that the community local to the ACT-Queanbeyan district and surrounds is extinct. It is a big step in the right direction to achieve true reconciliation, but there is still a long way to go and still many battles to be fought. Who is going to fight them?

When Europeans arrived in their country in 1820, most of the Kamberri, for understandable reasons, fled to other districts or hid in the mountains. It was left to the braver among them, such as Onyong and Noolup, to develop strategies to keep their community's identity alive. Each subsequent generation, including Bobby Hamilton, Black Dick Lowe, Black Harry Williams, Harold Lightning and Roddy Williams, Doug and Harry Crow Williams, and Arnold Williams and Matilda House, had to adapt to the ever-changing circumstances to maintain the Kamberri's connection to their traditional country. It is important to pay tribute also to their non-Aboriginal contemporaries who played a role in ensuring, by committing information about them to print, that the memory of the earlier generations of above-named leaders would not fade in our hearts and our communal consciousness.

In the year 2001, all residents of the ACT stand together on the brink of a new and exciting beginning. It is now up to the younger generations of Kamberri and Camberrans to work together to ensure the Kamberri fire and this group's unique connection to the ACT will never be extinguished. Thanks to the actions of your ancient and immediate ancestors, you, the younger generation of Kamberri today, no longer have a reason to hide. For the sake of generations of future Camberrans, of all colours and creeds, who are all depending on you to take up the Kamberri torch lit by Onyong and Noolup, please do not let this opportunity pass.