

Report on the Aurora Project

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The land does something to people up here. I don't just mean the way that the red soil, made bold and cheeky by monsoonal rains, gets in your shoes and between your toes, making them slip and squelch amongst the Spinifex-lined paths. I also don't just mean the way that the towering hills, topped with Boab trees, entreat you to crane your head upwards at the black cockatoos above, who fly ever onwards, leaving nothing behind them but a blaze of black and orange and a squawk that echoes endlessly amongst those very same hills. What I'm talking about is something deeper, a hold that the land has on people; on time itself, really. My supervisor laughed about this hold as she reflected one night that she had only meant to come to the Kimberley for six months; and yet, had never quite got around to leaving 15 years later.

I was fortunate enough to do my internship in Kununurra, in the East Kimberley. The first Australians, the native title holders of the region, are the Miriuwoong and Gajerrong people. These people have maintained their culture, language and land for the last 40 000 years and continue to do so. The 'gardia', or white folk, were slow to recognise the sacred connection between the land and the Miriuwoong and Gajerrong people - their native title rights not being determined until 2003, after over 10 years of legal proceedings. Further orders for native title were made in 2006 over the remainder of Miriuwoong and Gajerrong lands.

As a legal intern with the Aurora Project living in Kununurra for six weeks, I was able to witness some of the impact of such findings on the Miriuwoong and Gajerrong people. It is only in retrospect that I realise how privileged such a position was. Indeed, it calls to mind something that the Office Manager of the Corporation I worked at said to me as soon as I arrived: 'Whenever I have done work for Indigenous communities in the past, I have always found that I have got more back from them than that which I have given.' Whilst I began my time as an intern expecting to see both the personal and the political implications of native title, my expectations were soon exceeded; or perhaps, more accurately, they were rendered naive. For, what I took away from my experience, above all else, was that the personal and the political implications of native title are inexorably linked. That is, the political becomes the personal and the personal, the political, to an extent that is perhaps only fully palpable to those who have seen the plight of the Indigenous first-hand.

Perhaps nowhere did this sentiment become more clear to me than during Kevin Rudd's Apology speech, which I watched in solidarity with many Indigenous community members in the Kununurra Community Hall. This Apology, bearing all the signs of an unequivocally political act, nevertheless had an impact on every person in the hall in a manner that was, more than anything else, deeply personal. As I read articles in the newspaper the next day dissecting Rudd's speech in painstaking detail, I recall thinking how each one, whilst profound in its

own way, could not quite come to terms with the personal quality of the speech that I had experienced the day before.

Similarly, the personal effect of a finding of native title cannot fully be explained in any text book; and it was only through my experience with the Aurora Project that I was able to appreciate its human dimensions. I met senior Miriuwoong and Gajerrong elders who are working hard to bring about social change for their community, and the recognition of native title brings with it a passion to maintain their law and culture while building a strong future for Miriuwoong and Gajerrong people.

Going hand in hand with native title, is the ideal of 'self-determinism'. By this it is meant that the Miriuwoong and Gajerrong people will determine their own direction, make their own decisions, and support themselves financially, through self-run economic development programs. With such an aim in view, the Yawoorroong Miriuwoong Gajerrong Corporation, where I worked as a legal intern, was established. The MG Corporation, established under a major native title Indigenous Land Use Agreement (ILUA) has key strategic objectives to build a strong Governance structure, to take up opportunities to build sustainable economic development projects and partnerships and to lead social change to improve the lives and opportunities for Miriuwoong Gajerrong children.

As a legal intern for this Corporation, I helped to redraft the corporation's constitution, bringing it into line with a new piece of legislation, *The Corporations (Aboriginal & Torres Strait Islander) Act 2006*. In addition, I drafted a 'Procedure Manual' for the corporation, to ensure that the corporation's activities and procedures are in compliance with the new act. Whilst it is one thing to sit in an office digesting a piece of legislation handed down from Canberra, it is quite another to explain the contents of the Act to the very people it most affects. Accordingly, one of the most challenging, as well as one of the most rewarding, aspects of my work was giving a power-point presentation to the Governing Committee of the corporation. The committee is made up of 32 representatives of Miriuwoong and Gajerrong people. My task was to advise the Committee about the most significant implications of the Act for the corporation. In doing so, yet again, I was able to assess the impact of this piece of legislation in human terms, not just as a blunt political instrument that affected corporations made up of faceless members. The corollary of this was that I was in a position, in turn, to reassess the utility of corporate law as an instrument for serving those most in need, giving it a quality that I would never have otherwise contemplated.

For all the success that native title and corporate law are capable of bringing about, however, the current living conditions of Aboriginal people make it clear that they are far from a panacea for all the intractable problems that Aboriginal people face. I had, of course, read in newspapers and text books about poor housing conditions, medical services, poor literacy levels and endemic racism that Aboriginal people encounter on a daily basis. The fact that so many Indigenous communities are so removed and remote from comfortable, suburban

life, however, makes such statistics seem less real. To live and work in such close proximity with the people experiencing these problems, then, gives them an urgency that arguably cannot be gleaned from any text book.

Clearly, such a sentiment is shared by many, as, throughout my internship, I continually met inspiring people, including lawyers, health workers and councillors, who work with communities to find solutions to some of the most dire social problems. All my observations confirmed, however, the extent to which many of these professionals were overworked. In this sense, it is, on a personal level, very satisfying to realise that, even in the smallest way, you can help to relieve some of the burden and contribute much needed skills and expertise. Accordingly, I would recommend the Aurora Project to anyone with even the slightest interest in native title law or working with Indigenous communities more broadly.

For my part, I can only echo the words that the Office Manager of the corporation said to me on the day I arrived in Kununurra - that is, that when you work with Indigenous communities, you often get back more than you give. Certainly, I felt amply repaid for my work on my penultimate night in Kununurra, as some of the local children came over for dinner, throwing their arms around my neck and flashing me smiles so white that it was easy to forget for a moment how different their childhoods were to what my own had been. I felt amply repaid, moreover, as I listened to tales with which some of the Elders regaled me about hunting for turtles and fishing in crocodile-infested waters. But, above all, what I felt that I took away most from my experience was a new appreciation for the magnitude of the problems that constantly plague Aboriginal communities, and the fact that these are simultaneously political as well as personal issues. Or, to put it another way, even six weeks is enough time to equip one with a richness of experience and understanding that no text book can hope to provide. Yes, indeed, the land does something to people up here.