

# KELLEHERS AUSTRALIA

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## AUSTRALIA DAY 2022

The passage of another Australia Day marks another occasion to remember the many invasions since Sydney Cove in 1788. Invasions of Country, of legal systems, of knowledge systems – and languages.

We reflect on the calls we receive from Aboriginal Australians across the nation, whose common concern is caring for Country and People and maintaining access to renew culture on Country. The legal issues that they confront impede their ability to protect these precious resources.

Like all our clients, legal assistance and increased legal knowledge ensures they can have confidence in their own decision-making. No caller seeks to make money or personally advantage themselves. Their concerns range from mining activities, to hunting rights and internal disputes.

Invariably, the callers state that Native Title is not working. They are suspicious of membership lists, proxies, vote stacking and whitefella meeting procedure. They speak of ongoing disrespect to traditional owners and Elders, which undermines traditional ways of Aboriginal decision making and ancient knowledge systems.

Likewise, Indigenous writers tell stories of the wider ignorance. Stories of Country at Gundagai – far from ‘The Dog on the Tucker Box’ – where Wiradjuri Elders warned first settlers against dwelling too close to the banks of the Murrumbidgee River:

*‘Not a good place to live, Boss, too flat!’*

When the Murrumbidgee flooded, the Wiradjuri People had already moved to higher ground, but not the settlers. The newcomers were stranded on rooftops and in trees. Senior Aboriginal men saved their lives, at grave personal risk, floating canoes out on the flooded river.

Wiradjuri poet, Associate Professor Jeanine Leane, considers the river, the ancient knowledge, and the settlers in her poem ‘Tracks Wind Back’. We thank Professor Leane for allowing us to reproduce it.

### **Tracks Wind Back**

Gundagai is the bend, the curve,  
the turn in the Murrumbidgee River  
ebbing and flowing – the ancient mother  
of Wiradjuri children.

Settlers were awestruck by your beauty,  
your promise. You were *their*  
Garden of Eden almost undiscovered.  
They slid in like snakes to the apple to  
this place where  
Wiradjuri knew no wants.

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This fact sheet is intended only to provide a summary and general overview on matters of interest. It does not constitute legal advice. You should always seek legal and other professional advice which takes account of your individual circumstances.

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Strangers came with wagons of wire,  
steel axes, muskets, diseases and bibles  
full of their original sin. They scarred, raped  
and built over deeper tracks that wind  
back to a time that knows no fall  
of man, or woman or child.

They wrote their new histories of  
triumph and progress – songs and poems  
of lovers, larrikins, sheep, profits, droughts,  
floods, fire, pioneers, bushrangers, troopers,  
war – the stuff of colonial dreams.

They thought we'd gone. But Wiradjuri  
Mother Country remembers all her children,  
holds all our stories – keeps our Dreaming.  
Centuries beyond this short history we are  
still here to say at Gundagai  
deeper tracks wind back.

'Tracks Wind Back' by Jeanine Leane © Jeanine Leane, 2018.<sup>ii</sup>

For a nation strangely hardened to these Indigenous memories, Australia Day is a time to reflect on what service we might bestow to our Community.

## **KELLEHERS AUSTRALIA**

26 January 2022

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<sup>i</sup> Heiss, Anita, *Bila Yarrudhanggalangdhuray* (Simon & Schuster, Cammeray, NSW, 2021), p.1.

<sup>ii</sup> Leane, Jeanine, *Walk Back Over* (Cordite Publishing Inc, Carlton South, Victoria, 2018), p.23. See also Leane, Jeanine, 'Tracks Wind Back' *Red Room Poetry* <<https://redroompoetry.org/poets/jeanine-leane/tracks-wind-back/>> (accessed 27 January 2022).