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**SELF-DETERMINATION DISCOURSES OF
ZENADTH KES PEOPLE THROUGH TIME**

Thesis submitted by

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in November 2022

**For the degree of Master of Philosophy
in the College of Arts, Society and Education
James Cook University**

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I first acknowledge my God, my Heavenly Father, from where all good things in my life come and where I find guidance and direction every day.

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Statement of Original Authorship

The work contained in this thesis has not been previously submitted to meet requirements for an award at this or any other higher education institution. To the best of my knowledge and belief, the thesis contains no material previously published or written by another person except where due reference is made.

Signature: _____

Date: _____

Statement of the Contribution of Others

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Primary supervision for this thesis was provided by Associate Professor Theresa Petray, College of Arts, Society and Education. Secondary supervision was provided by Associate Professor Felecia Watkin, Indigenous Education and Research Centre. Critical friends of the thesis project are Professor Martin Nakata, Dr Ailie McDowall, Frank Loban and Dr Janine Gertz.

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Abstract

The people of Zenadth Kes (Torres Strait) have always followed the principles of Ailan Kastom, which is their assertion of self-determination. However, the discourse on Islanders' history has not been investigated to determine how Islander actions are positioned as self-determination. This thesis studies the self-determination discourse of Zenadth Kes people's history through six key moments between the 1936 Maritime Strike and the Greater Autonomy era in the 2000s. First, this research aims to examine how self-determination is discussed in the literature regarding these key events and, second, to identify how Islanders are positioned in that discourse regarding self-determination.

Using an interpretivist approach, this qualitative study is a critical discourse analysis that seeks to explore Islander self-determination language, positioning and how Islander's agency is described within six key moments in Zenadth Kes' history in the post-colonisation period. These key moments are the 1936 Maritime Strike, the Army Time Strike, the post-war out-movement of Islanders to mainland Australia, the Border Not Change campaign, the *Mabo v Queensland Land Rights Case*, and the Greater Autonomy era. These events are pivotal moments of resistance and change in the history of Islanders. The literature for this thesis was selected from various academic, historical and government writings that date between the 1960s and the present and specifically discussed the key moments.

This thesis argues that the term 'self-determination' was not used as the primary key description of Islander's actions in the discourse of the key moments analysed in this thesis. The main findings of this study reveal that the discourse generally does not recognise Islander resistance as an act of self-determination, and Islanders were rarely given agency within the literature. The exception was Islander writers, who firmly positioned Islanders at the centre of

their writings. Further, the building of the regional identity of the Zenadth Kes people was a key outcome of the ongoing resistive actions by Islanders.

Very few articles analysed in this study explicitly used the term ‘self-determination’. However, when the term ‘self-determination’ was used in the literature, there was little reference to its relationship with the definition given by the United Nations Declaration of Rights of Indigenous People 2007. Emphases for self-determination were placed in other adjectives and synonyms, such as freedom, self-reliance, self-management and Greater Autonomy. In the discourse, Islanders were portrayed as both acting as ‘agents’ and the ‘other’. When Islanders were not at the centre of the discourse, others, such as the government and their employees, law and legislation, or other people, were centred throughout the literature. Again, Islander contributors to the discourse positioned Islanders strongly with agency and acted proactively through their writings. The lesser social standing of Islanders through key moments was a key factor from which their resistive action against colonisation’s oppressive regimes began.

This discourse on Islanders through colonisation must be interrogated to bring new understandings of Islander’s history to the surface to educate our future generations of Zenadth Kes and the Australian community. I hope my thesis will spark more research on Islander history from our local researchers to bring about the prapa (proper) history of the Zenadth Kes people.

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Chapter 1: Introduction

1.1 A Personal Account of Self-Determination

As a young man on Thursday Island, Zenadth Kes (Torres Strait), in the 1990s, I regularly heard discussions of ‘Greater Autonomy’. Greater Autonomy was a major point of discussion in Torres News on Torres Strait Islanders Media Association (TSIMA) Radio, workplace discussions, and private homes. It became a catch phrase and was associated with complex discussions that consisted of political ‘white papers and green papers’. Greater Autonomy was the movement of Islanders towards obtaining greater regional governance and control of Islander affairs (Lui, 1994; Sanders, 2000).

My recollections of Greater Autonomy throughout the 1990s consisted of heated debates by leaders regarding rights, entitlements, positions, and structure. I remember being somewhat confused by Greater Autonomy and the political jargon. I recall discussions with my immediate family, including the fear of the impacts of cutting ties with Australia on Islanders. My confusion was not just purely around the terminology used, but it was also pointed at a deeper concern: ‘What were Islanders trying to achieve by Greater Autonomy?’ Many others shared the same confusion as I did, not understanding what Greater Autonomy was and how it would impact Zenadth Kes.

As I look retrospectively through my personal experiences, I can now see that throughout Islanders’ struggle for Greater Autonomy, self-determination was the underlying basis. Self-determination was not a phrase that I had heard very much. Rather, what I heard consistently through the main news media of Zenadth Kes (Torres News and the TSIMA’s 4 MW radio programs) was ‘Greater Autonomy’. Self-determination and autonomy are different by definition yet they overlap in meaning and usage when considering Zenadth Kes historical forms of self-determination. Hilpold (2017, p. 6) states that “Autonomy is both an

alternative to self-determination as well as an expression of it” and that that there are various ways that autonomy may present itself. This appears to be the case in Zenadth Kes history where autonomy has been presented as self-determination or vice versa. This thesis has revealed that self-determination has been the central focal point of Greater Autonomy throughout that period. As I then considered other key events in Zenadth Kes’s history, I realised that all other assertions by Islanders throughout colonisation were our form of self-determination and to live our way or life as we know it.

1.2 Zenadth Kes

Zenadth Kes (Torres Strait) constitutes over 200 islands in northern Australia. It is the name adopted by the now united original inhabitants (Islanders) of the region. The name comes from an acronym that describes the place between the North and South Coastlines and the passageway of water, i.e., Zenadth Kes. The late Adhi Ephraim Bani described Zenadth Kes as follows:

From the coast of Papua New Guinea to the northern shores of the great continent of Australia. We are in command of this geographical area. This region is the home of Meriam, Kulkalgal, Maluylgal, Guda Maluylgal and Kaiwalagalgal. This is Zenadth, our Torres Strait, our home, our islands, our seas, our treasure from the past into the distant future, and into the cosmos. (Torres Strait Regional Authority, 2018).

The Zenadth Kes region lies between the tip of Australia (Cape York Peninsula, Queensland) and the southern coastline of Papua New Guinea. The latitudinal expanse stretches east to the northern beginnings of the Great Barrier Reef and west to approximately 141°E near the Carpentaria Shoals (F. Loban, 2007). Known to all else as the ‘Torres Strait’, it was named this because of Luiz Vaes de Torres, the Portuguese explorer who charted some of the regions in 1606 in search of the Solomon Islands (Singe, 1979). The geographical

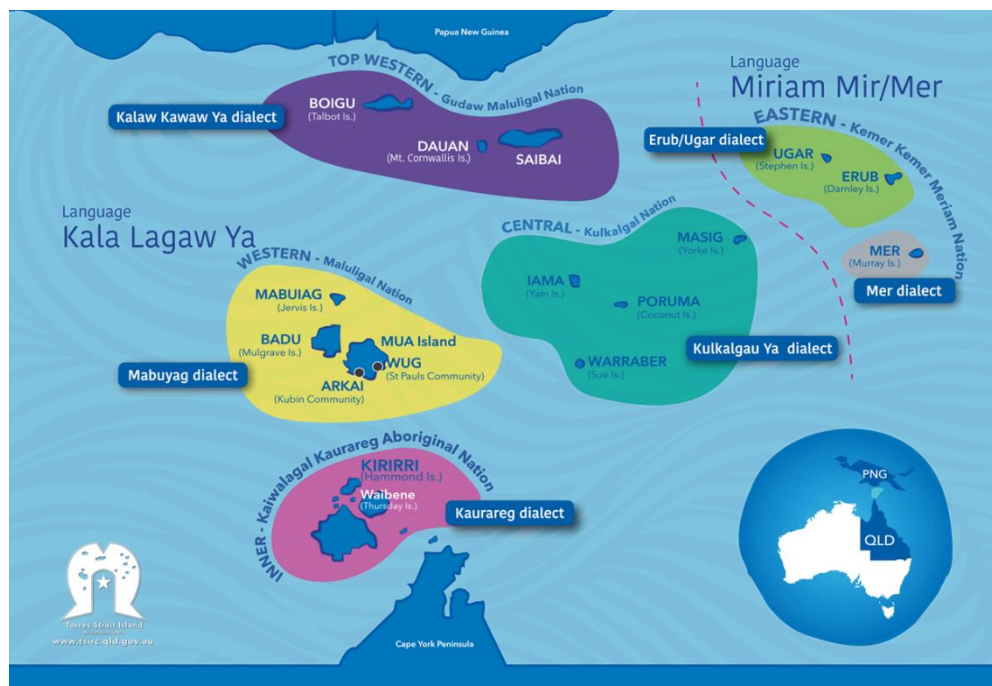
location of the Torres Strait also served as a historical passageway for early explorers and travellers navigating Asia and the Pacific Islands.

Zenadth Kes people are not homogenous and differ in their languages, traditions and customs across the region. The identity of Zenadth Kes people is intrinsically connected to their islands, waters, clans and totems, thus creating a differentiation between populations across the region. The islands are grouped into five regions: the Gudaw Maluligal, Maluligal, Kulkalgal, Kaiwalagal Kaurareg Aboriginal, and Kemer Kemer Meriam nations. Table 1.1 and Figure 1.1 show the islands in these cluster groups.

Table 1.1

Islands in the Zenadth Kes (Local and English Names)

Nation / Island Language Name	English Name
Gudaw Maluligal Nation	
Boigu	Talbot Island
Dauan	Mt Cornwallis Island
Saibai	Saibai Island
Maluligal Nation	
Arkai	Kubin – Mua Island
Badu	Mulgrave Island
Mabuyag	Jervis Island
Wug	St. Pauls Community
Kulkalgal Nation	
Iama	Yam Island
Masig	Yorke Island
Poruma	Coconut Island
Warraber	Sue Island
Kaiwalagal Nation	
Kirriri	Hammond
Muralag	Prince of Wales
Horn Island	Horn Island
Waibene	Thursday Island
Kemer Kemer Meriam Nation	
Erub	Darnley Island
Mer	Murray Island
Ugar	Stephen Island

Figure 1.1*Islands in Zenadth Kes*

Source: About Us (2022).

Islanders also co-existed with neighbouring populations in Koey Daudai (mainland Australia) and Migi Daudai (Papua New Guinea). Trade routes linked them to the peoples on the two landmasses bordering Zenadth Kes, creating trading routes between them and Zenadth Kes, which were vital to their existence. Their regional economy was structured around their needs, such as survival, thrift and independence, ascending towards power and dominance.

1.3 Ailan Kastom

Ailan Kastom (Islander customs and practices) is the central part of life for Zenadth Kes people and is 'Our Way of Life', lived by Islanders since time immemorial. Ailan Kastom, as defined in the Aboriginal and Torres Strait Islander Act (2005), states that it is:

The body of customs, traditions, observances and beliefs of some or all of the Torres Strait Islanders living in the Torres Strait area, and includes any such

customs, traditions, observances and beliefs relating to particular persons, areas, objects or relationships. (Aboriginal and Torres Strait Islander Act, 2005)

Ailan Kastom is knowing our identity and freely exercising our rights within our traditional knowledge and lore for our people. This knowledge encompasses everything that enables Islanders to independently live and thrive in their domain and even extends to ecological understanding, astronomy's relationship with our environment, marine life and survival, horticulture, the arts, economic commodities and relationships, and warfare.

Ailan Kastom is ongoing in Islanders' lives through various forms and practices, including arts, language, traditional knowledge, artistic representations, cultural rituals and a lifestyle that is unique to Islanders. Our way of life is looking to our past and carrying forward traditional ancestral ties with land, sea and all things, with respect to being the key element central to Ailan Kastom. For Zenadth Kes people, Ailan Kastom is our self-determination.

Ever since the colonial imposition on Zenadth Kes, our Ailan Kastom has been disrupted forever, limiting, suppressing and removing Ailan people's ability to self-determine through the methods described. This has caused great changes in the evolution of Islanders' lives. This thesis examines the discourse of Ailan people's history of self-determination and exercising their freedom to practice Ailan Kastom.

1.4 Self-Determination and Indigenous Peoples

Self-determination is the innate right of all people to control, govern and make decisions freely about their political, economic, social and cultural status without any obstruction (Cambou, 2019; Guibernau, 2015; Gunn, 2012). Self-determination, as a regular terminology, began to emerge around the late eighteenth century and has three broad definitions. First, a 'collective right of a defined ethnic, linguistic, cultural or religious

group’; secondly, a ‘right of a population to decide how they will be governed and who will represent them’; and lastly, that ‘all nations have the right to decide their own political destiny, economic and social institutions’ (Guibernau, 2015; McWhinney, 2007). In the early 20th century, then United States (US) President Woodrow Wilson used the expression in international political discourse by creating 14 points of self-determination that were behavioural guidelines for warring countries (McWhinney, 2007). These points were also statements of peace and a call for the general associations of nations to be formed. In today’s political discourse, self-determination is largely about people rather than nation-states. The United Nations International Covenant on Civil and Political Rights (United Nations (UN) General Assembly, 1966) states: *‘All peoples have the right of self-determination. By virtue of that right, they freely determine their political status and freely pursue economic, social and cultural development’*.

The current literature suggests that the themes of self-determination often relate to Indigenous peoples who have undergone the process of colonisation. Indigenous peoples and settler governments have contrasting paradigms and view self-determination differently (Corntassel, 2008; Davis, 2020). Murphy (2008, p. 186) argues that “self-determination is usually understood as a means of gaining distance or protection from rather than inclusion in state institutions... which carry the stigma of colonial domination”. Tensions have emerged from settler-government agendas to subjugate Indigenous peoples and exercise control over their lands, rights and resources (Cowan, 2013; Davidson, 2019; Ganter, 2006; Laing, 2020; Mörkenstam, 2015). As such, this tension between Indigenous peoples and settler governments has resulted in limited opportunities for Indigenous peoples to self-determine (Davidson, 2019). This tension has also resulted in mistrust between the two groups (Murphy, 2008). When settler governments do not acknowledge self-determination for Indigenous peoples, they have protested, campaigned and lobbied for control of their rights and a voice

in the nation-state's progressive agenda (Broderstad, 2011; Laing, 2020; Lothian, 2005). Guibernau (2015, p. 541) has argued that "self-determination acts as the mechanism to provide a democratic response to the questions "who decides?, Who is the demos?, What are the balances of power between the majority and minority within a society?".

Partnerships between Indigenous peoples and settler governments have become the norm for achieving mutually beneficial results (Czyzewski & Tester, 2014; Jarvis et al., 2018; Ohlson et al., 2008; Weinstein, 2014). However, most of these partnerships depend on government funding and imperatives, which often lack local consultations (Coombs, 2018). Governments also use rigid criteria that do not empower Indigenous people with control and full autonomy, and local Indigenous people generally do not contribute to the design and planning process (B. Arthur, n.d.; Cornell, 2007). Governments in Canada and Australia have used terminology such as self-determination or self-government to describe self-management (Cornell, 2007). Non-indigenous policymakers fail to understand the key issues regarding the impoverished position of Indigenous people and, therefore, create ineffective policy solutions (Synot, 2019). Governments have responded to the assertions of self-determination by Indigenous people through local self-management programs (Coombs, 2018). Recently, the 2020 Closing the Gap initiative by the Australian Federal Government has been labelled a recycled policy of self-management by Indigenous academics (Davis, 2020). There are suggestions that the government is destined for another decade of parliamentary elegies to 'not closing the gap' (Davis, 2020). The Uluru Statement from the Heart is a call by multitudes of Indigenous Australians asserting greater self-determination (Uluru Statement from the Heart, n.d.):

We seek constitutional reforms to empower our people and take a rightful place in our own country. When we have power over our destiny our children will flourish. They will walk in two worlds and their culture will be a gift to

their country. We call for the establishment of a First Nations Voice enshrined in the Constitution.

1.5 Zenadth Kes Self-Determination

Islander aspirations for self-determination are similar to those of other Indigenous peoples. A wide range of literature about the Zenadth Kes has been written discussing culture, identity and colonialism by anthropologists, archaeologists, political commentators, scientists and historians. This literature captures much about the culture, traditions and significant historical events in the colonisation of Islanders from the mid-1800s (Beckett, 1987; Bird, 1995; Finch, 1977; Mullins, 1992c; Schug, 1998; Sharp, 1993; Shnukal, 1995; Singe, 2003). More recent literature on Zenadth Kes analyses Islanders' active involvement in politics and governance, industry and economic development (Altman, 1994; B. Arthur, 2001; Ganter, 1994; Lawrence, 2004; Loos & Mabo, 1996; Mosby, 2015; Mullins, 1992c; M. Nakata, 2003; Osborne, 2009; Schug, 1998; Sharp, 1993; Shnukal, 1995; Watkin Lui, 2012; Wetherell, 2004; White, 2011). Islander academics also lend their voices to the knowledge corpus. Islander knowledge brings different perspectives and new understandings of what spectators have viewed as 'Islander truth' (Cheer et al., 2020; F. Loban, 2007; Loos & Mabo, 1996; Mosby, 2015; M. Nakata, 1997; Taylor, 2017; Watkin Lui, 2012). M. Nakata (2007) is particularly a pioneer of the Indigenous Standpoint Theory. Nakata argues that positioning the Islanders at intersections with non-Islanders explains the non-representation of Islanders in their history (M. Nakata, 2007).

Islanders' literature shows that there have been forms of self-determination throughout history, even if one must read between the lines. Beckett (1987) displays one of the most comprehensive collations of Islanders' lived experiences through colonisation, detailing Islanders' challenging European authority and seeking a better place in Australian society. Sharp (1981) reveals the stories of Islander narrators describing how they attempt to

live in a balance between old and new world conditions of cultural change. Ganter (1994) recounts Islanders' struggles and resistance by introducing the pearling industry and a new economy. Other literature by Osborne (2009) discussing Islander voices asserting their rights provides the closest analysis to describing self-determination in the Torres Strait. Osborne's (2009) book, *Throwing off the Cloak*, examines Islanders' assertions for greater control of their lives through the history of colonisation in the Torres Strait.

Comparatively, Osborne's writings appear to be similar to those of my project; however, there are some key differences. First, I am studying the self-determination discourse by Islanders from various secondary sources, in contrast to Osborne, who conducted a qualitative study through interviews and other sources to understand Islander resistance to colonisation. Second, I also have an Islander standpoint on this project that will bring a different perspective to my analysis of the literature, in contrast to Osborne, who is a non-indigenous person seeking to foreground Islander voices through literature. Lastly, Osborne's research was undertaken some years ago, and much has changed for self-determination internationally, within Australia, and for the Torres Strait. Despite the literature, no complete research looks at positioning the Zenadth Kes people in the discourses of self-determination over time. My research project will seek new understandings in the knowledge corpus of self-determination for the Zenadth Kes people and will weave a narrative over time about the insights of Islanders' assertions for rights and recognition.

In August 2022, Islanders announced a regional plan to achieve self-determination for Zenadth Kes, known as the Masig Statement: Malungu Yangu Wakay 'The Voice from the Deep' (Jenkins & Elu, 2022). This statement outlines a path to self-determination and regional autonomy for the Zenadth Kes. Torres Strait Islander Regional Council Mayor Philemon Mosby asserted, '*Our message was quite clear from day dot, we're not talking*

about something new, this conversation has existed since 1937... Torres Strait Islanders wanted more control and self-determination' (Jenkins & Elu, 2022).

1.6 The Research Question

The literature suggests that the Zenadth Kes people lamented the degradation of Ailan Kastom, including the lack of control to govern their affairs. In 1936, Islanders went on strike from working on pearling boats because of unfair wages and conditions. When threatened with the removal of Islander-owned boats from local communities, Islanders told Local Protector McLean, 'You take him... We lived before the boats come here' (Osborne, 2009). This is a clear assertion of Islander sovereignty and independence from settler-government support.

Many years later, the Inaugural Torres Strait Islander Regional Council's Mayor, Fred Gela, expressed dismay and frustration regarding government bureaucracy, which absorbed much-needed government funding to support high Islander unemployment (Gela, 2016). As time passes, there appears to be a change in the assertions by Islanders regarding self-determination, yet the desire and intent are still evident in public discourse. More recent conversations around progressing the self-determination agenda appear to be largely based on a remittance economy and a form of self-management (Beckett, 1987; Lui, 1994; Osborne, 2009).

Currently, no research investigates the positioning of Islanders in the discourse on self-determination in Islanders' colonial history. The positioning of Islanders in the discourse of self-determination over time is key to understanding Islanders' struggles to obtain self-determination and learn lessons from the past. This project will ask the following question: *How are Zenadth Kes people positioned in discourses of self-determination over time?*

To address this question, this project aims to:

1. Critically examine how self-determination is discussed in academic and government discourses about Zenadth Kes people.
2. Identify Islander agency in the discourse and its position regarding self-determination by focusing on six key moments in recent Torres Strait history.

In current Torres Strait regional government discussions, there is no clear differentiation between self-determination and self-management (Torres Strait Regional Authority, 2018). Islanders' progress towards establishing a Torres Strait Regional Assembly of governance needs to clearly define what they assert. It is critical for Islanders to understand the differences between asserting self-management and self-determination. Learning these past lessons from the shifts in what Islanders assert will help provide a clear pathway towards a future for Islanders. This study will also articulate more clearly what Islanders seek.

1.7 Thesis Chapters and Data

Chapter 2 discusses the literature surrounding self-determination and Indigenous people from a global perspective, narrowing down to Australia's history through colonisation. This chapter will also explore a snapshot of Zenadth Kes' self-determination through history. Chapter 3 provides the methodological background on how this topic was approached, including the critical interpretivism theory employed, the Indigenous/Zenadth Kes standpoint taken, and the technique of critical discourse analysis. This chapter also outlines the six key moments in Torres Strait history selected as the six data chapters to ascertain how self-determination was described and how Islanders were positioned through the discourse.

Chapter 4 presents the first data chapter on the 1936 Maritime Strike. For the first time, Islanders united regionally and went on strike against the mistreatment by the Queensland Government within the fishing industry and over their 'protection'. Chapter 5

examines Islanders' involvement in World War II and focuses on how the discourse describes them as acting in self-determination. At this moment, Islanders conducted industrial action due to unfair conditions between them and non-indigenous soldiers. Chapter 6 looks at the Islander's movement to mainland Australia in the immediate post-war period as a form of self-determination. Islanders moved south looking for work and better conditions and also to escape continual oppression by the government. Chapter 7 considers the Islanders' influence on the Border Not Change movement and the negotiations to divide Zenadth Kes between Australia and Papua New Guinea. Islanders successfully lobbied and campaigned against the Australian Government's attempt to divide the region, eventually overturning the decision and keeping Zenadth Kes as one united region.

Chapter 8 analyses how self-determination is discussed in the *Mabo v Queensland* Land Rights Case. The limitations of this chapter are that it focused only on how Islanders were positioned as acting in self-determination within the discourse and how the term self-determination is used. Chapter 9 is the final data chapter and analyses the Greater Autonomy era, which moved Islanders closer to self-determination than any other key moment. Islanders achieved agreement from the Australian Government to start moving towards a new regional governance structure design; however, Islanders could not finalise a model for the governance of Zenadth Kes, and the movement ended.

In the last chapter of this thesis, I analyse the themes arising across each chapter as an overall discourse. Several recurring themes in the literature show that self-determination as a term was not used a lot within the discourse and certainly not to describe Islander actions as expressions of self-determination. The positioning of Islanders in the discourse also describes them as the 'other' most of the time. The exception is that when Islander academics write, they give paramount agency to Islanders as they speak from their standpoint. Islanders were also described as acting most of the time proactively, taking matters into their own hands.

This research has also opened the door for other important studies on Zenadth Kes' future development in the space of self-determination.

Chapter 2: Literature Review

2.1 Introduction

Self-determination for Indigenous people worldwide has eroded over time through the colonisation of their native lands and sovereign rights. The Indigenous people of Zenadth Kes in Far North Queensland have felt the impact of a degraded ability to self-determine for nearly 200 years. The introduction of Western lifestyles has eroded the traditional lore systems of Ailan Kastom. This literature review intends to identify the understanding of self-determination and the challenges in the relationship between Indigenous nations and settler governments.

A wide range of literature has been published on self-determination, particularly regarding Indigenous people worldwide. Literature regarding Zenadth Kes discusses topics such as culture, identity and colonialism and has been written by anthropologists, archaeologists, political commentators, scientists and historians. This literature captures much about the culture, traditions and significant historical events in the colonisation of Islanders from the mid-1800s (Beckett, 1987; Bird, 1995; Finch, 1977; Mullins, 1992c; Schug, 1998; Sharp, 1993; Shnukal, 1995; Singe, 2003). Recent literature on Zenadth Kes Islanders' active involvement in politics and governance, industry and economic development (Altman, 1994; Arthur, 2001; Ganter, 1994; Lawrence, 2004; Loos & Mabo, 1996; Mosby, 2015; Mullins, 1992c; Nakata, 2003; Osborne, 2009; Schug, 1998; Sharp, 1993; Shnukal, 1995; Watkin Lui, 2012; Wetherell, 2004; White, 2011). The literature used in this review was sourced from the JCU library in hard- and soft-copy formats and online databases. Governmental reports regarding Torres Strait were sourced from the organisation's websites.

The literature was examined for evidence of Indigenous people. A key focus on changes in self-determination discourse was also applied to the assertions of Zenadth Kes

People. The literature review identified six key moments in Islanders' colonisation that discussed these assertions for self-determination. This includes examples of resistance, protests and other forms of Islanders asserting against oppression.

The major themes emerging in this literature review relate directly to the self-determination, self-management and autonomy of Indigenous people, particularly the Zenadth Kes people. It was noted that there were potential shifts in Islanders' assertions of self-determination over the six key moments. The discourse on self-determination by Islanders should be investigated to understand these transformations and their effects on continuing assertions by Islanders today regarding self-determination. It is also hoped that this understanding will clarify contemporary discussions on self-determination.

2.1.1 Defining Self-Determination

Self-determination appeared in popular terminology around the late eighteenth century (McWhinney, 2007) (see section 1.4 for a full definition). However, it was not until the early 20th century that expression emerged in the international political discourse during World War I by then-US President Woodrow Wilson. He created 14 points of self-determination (McWhinney, 2007), which included behavioural guidelines for warring countries, statements of peace and a call for general associations of nations to be formed.

The terms' self-determination and autonomy must also be distinguished as separate and independent yet as previously mentioned, they overlap in meaning and intent. Self-determination is now largely focused on 'peoples' rather than nations as stated in the International Covenant on Civil and Political Rights, Article 1 (see section 1.4 for a full definition). For Indigenous people, self-determination is the right to 'control their own destiny... identity and livelihood' (Cambou, 2019). Similarly, autonomy has been described as "the right of indigenous peoples to determination the way in which they live and control

their social, economic and political development (Arthur, 2018, p.2). If self-determination is a process, then autonomy could be considered as an outcome.

In 2007, the UN Declaration on the Rights of Indigenous Peoples (UNDRIP) was launched to recognise the principles of non-discrimination and equality in international law (Gunn, 2012). This set the platform for self-determination: ‘individually and as groups are equally entitled to be in control of their own destinies’ (Gunn, 2012).

2.1.1.1 Paradigms of Self-Determination

The paradigm through which people view self-determination directly shapes their attitudes and actions. Indigenous peoples’ paradigms have generally controlled and directed their affairs prior to western colonisation. This freedom has been severely affected by colonisation. The literature suggests a binary relationship of tension between nation-states and Indigenous peoples directly attributed to the paradigm through which both parties see. This binary tension has both championed and prevented the advancement of indigenous self-determination. In this section, I describe the various paradigms in which self-determination is understood in the academic literature.

2.1.1.2 Self-Determination and Government

Established electoral systems in nation-states have also demonstrated how government institutions can serve the interests of Indigenous peoples towards self-determination. Since 1989, the Sami Parliament of Norway has created a relationship between the government and advancing the self-determination of the Sami people (Broderstad, 2011). The Sami have carefully worked with the nation-state as an opponent and co-partner to assert Sami rights such as ‘self-government, autonomy, territorial integrity and exclusive enjoyment of land and resources’ (Broderstad, 2011). Sami and the Norwegian nation-state have made advances and improvements in political relationships and are key to

building trust and relationships that will continue to benefit Sami self-determination (Broderstad, 2011).

In contrast, mistrust and misrepresentation have a historical relationship with the electoral representation of other Indigenous peoples. Exclusive policies in Australia, such as the political exclusion for being Aboriginal, denied Aboriginal people's admission to Australian society between 1890 – 1940 (Murphy, 2008). Similarly, the Māori people from New Zealand were not permitted to vote or stand for elections until 1967 (Murphy, 2008). These policies of marginalisation against Indigenous peoples demonstrate the legacy of suspicion and hostility regarding electoral representation (Murphy, 2008). Murphy (2008) argues that Indigenous representation in the nation-states' electoral system is not likely to significantly advance the self-determination agenda on its own, but it will play a role in a larger strategy of 'mutually reinforcing... Indigenous empowerment'. This provides the opportunity for Indigenous people to increase their influence from a marginal perspective within nation-states' parliamentary systems of governance.

2.1.1.3 Limiting Opportunities for Self-Determination

Colonisers have subjugated Indigenous peoples through violence and the dispossession of native lands, and varying levels of control in strategic efforts to reduce their self-determination. The Macassan people have a long relationship with the Yolngu people in the Northern Territory (NT). Maccassans were believed to have been commercially harvesting trepang from Yolngu since the 1720s for the Chinese market (Ganter, 2006). In 1803, Matthew Flinders recorded this relationship and brought it to the knowledge of the British Government. In response, British colonisers moved quickly to populate the NT coastline, building outposts in two locations to connect with the lucrative trepang trade (Ganter, 2006). Tax revenue collection and the official harassment of Maccassan fishers ensued as the colonisers rushed to settle in these northern outposts (Ganter, 2006). This

pressure on the Maccassans resulted in a trade decline until it was finally forbidden by the South Australian Government in 1906 after nearly 200 years of operations. Ganter (2006) argues that the Yolgnu people were linked with market trade with China through Macassan fishermen long before British colonists arrived. This could have continued if government policy was inclined to encourage increased indigenous participation in trepang trade and thus enable mutual benefits from the ongoing market.

When government policy is positioned towards Indigenous self-determination, the paradigms of its leaders guide the government's direction. In Australia, during the 1970s, the official government policy of managing Indigenous affairs changed from assimilation to self-determination. Prime Minister Gough Whitlam worked to return autonomy to the Indigenous peoples in Australia. Whitlam began this work even before he became PM by proposing to amend the 1961 Commonwealth Electoral Act to include Indigenous peoples in the electoral process (Hocking, 2018). Whitlam's work to progress Indigenous affairs in the country was based on two points of resistance: voting and land rights for Aboriginal people (Hocking, 2018). Whitlam's experience working with Aboriginal communities in remote parts of the NT during World War II shaped his paradigm and led to his unique and radical push for Indigenous self-determination.

Whitlam's vision for the Australian Indigenous people was indicative of his tireless campaign 'to restore to the Aboriginal People of Australia their lost power of self-determination in economic, social and political affairs' (Hocking, 1973, p. 8). At the beginning of Whitlam's tenure as Australian Prime Minister in 1972, he and then Deputy Prime Minister Lance Barnard held all 27 ministerial portfolios (Hocking, 2018). Shortly after becoming Prime Minister of Australia, Whitlam called a Royal Commission into Aboriginal Land Rights, the first land rights enquiry ever held. Later as PM, Whitlam created the first separate Ministry of Aboriginal Affairs, created land councils and incorporated

community-based Indigenous organisations, and established the National Aboriginal Consultative Committee, along with many other path-breaking policies (Hocking, 2018). In doing so, Whitlam became synonymous with Indigenous self-determination in Australia, as he worked to empower Indigenous peoples and place control of their affairs into their own hands. Upon Whitlam's sacking as prime minister in 1975, Liberal Party leader Malcolm Fraser was appointed prime minister. He wound back many of Whitlam's advances in legislation and policies and effectively wiped out self-determination from government vocabulary (Hocking, 2018).

The paradigms of the government and Indigenous people regarding what constitutes self-determination are often binary opposites. In the 1970s, Aboriginal cattle stations in the NT, federally supported by subsidies, viewed this as self-determination by looking after the country, maintaining cultural ways and kinship, social structures, religion and ceremony; caring for the country; and maintaining sacred sites (Phillipot, 1990, as cited in Rowse, 2019). In contrast, the Northern Territory Government saw this system as unprofitable and not as self-determination because it was not commercially viable (Rowse, 2019). Rowse (2019) argues that this is a story of 'public policy failure' with continuing dependency on government subsidies and Aboriginal success in '*perpetuating government support*' by allowing Aboriginal people to look after the country according to their customs in their lands. This also shows that compromises between Indigenous and settler-colonial states in using subsidies to support self-determination can exist through understanding each other's paradigms.

However, compromises between Indigenous and nation-states can also be ignored or challenged, as seen more recently. The Australian Government ignored the UNDRIP in 2007, as evidenced by its bad treatment and racially biased policies towards Indigenous self-determination. The declaration was described by Cowan (2013) as 'the first international

legal instrument... to recognise that Indigenous people have the right to self-determination’.

However, Australia initially ignored Article 3 of the UNDRIP, which states:

Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions. (Hocking, 2018).

Although the declaration is sometimes considered a soft law instrument, it still promotes the involvement of Indigenous peoples in practising their rights to govern their affairs (Ohlson et al., 2008).

In 2007, the year that the UN ratified this document, the Australian Government began the Northern Territory Emergency Response, also known as the Intervention). Self-determination was effectively removed from Aboriginal people during the NT Intervention in 2007. Australian laws protecting Indigenous peoples against racially biased discrimination and harassment were suspended to implement the intervention. This process of suspending those protections was flawed according to human rights perspectives (Cowan, 2013). The intervention was prompted by the *Little Children are Sacred* report on child abuse, social breakdown, and living conditions in remote Aboriginal communities. Findings from investigations led to compulsory income management based on race in specific locations, regardless of proven inability to financially self-manage or evidenced issues with child sexual abuse, alcoholism and gambling (Cowan, 2013). Enforcing these provisions required suspending the Racial Discrimination Act of 1975 to directly discriminate against Aboriginal people without consultation (Cowan, 2013). Issues involving Indigenous people will never be fully resolved without genuine empowerment, input, commitment and partnerships with Indigenous Australians (Cowan, 2013).

Some states have formal reconciliation processes, but these are arguably attempts at redirection rather than genuine partnerships. Since 1991, in Australia, Canada, Guatemala and Peru, truth and/or reconciliation commissions were established to assess the effectiveness and hold nation-states accountable for historical injustices against Indigenous peoples to establish a clean slate (Corntassel & Holder, 2008). In these countries, none of the commissions achieved the intended outcomes for which they were designed. Rather, the governments of these countries sought to limit government liability and offered alternative methods to avoid a full account of past Indigenous people's injustices (Corntassel & Holder, 2008). These symbolic gestures neglect opportunities for a transformational relationship to neutralise a history of wrongs towards Indigenous peoples and move them beyond human rights abuses to acknowledge the inherent power of self-determination (Corntassel & Holder, 2008).

2.2 Self-Determination or Self-Management

There is a distinct difference between self-determination and self-management. Self-determination involves the ability to determine the best outcome when planning future development (Champagne, 2013). Self-management allows people the right to administer programs with little to no input in the design (Cornell, 2007). Governments often use the term 'self-determination' to describe what is, in reality, self-management (Cornell, 2007). This section contrasts self-determination with self-management and analyses the tensions found in the academic literature when discussing Indigenous people and nation-states. Indigenous people are historically and naturally autonomous yet have become subjugated to domination from colonisers, losing the freedom to self-determine without any external hindrance. Today, Indigenous peoples seek to reclaim their self-determination ability in various ways to regain forms of traditional autonomy.

2.2.1 Autonomy and Land

Over many years, the lack of progress in Indigenous people's self-determination has left little choice for them but to protest to win back their self-determination. In 2011, the Bolivian Government planned to build a road through a national park and Indigenous territory to facilitate hydrocarbon extraction. The Bolivian Government showed little regard for the territorial sovereignty of local Indigenous communities, thus delegitimising any alternative views of territory, sovereignty and development. This act resulted in serious tensions between the Indigenous people and the Bolivian Government (Laing, 2020). Indigenous protestors sought to de- and re-territorialise political spaces to drive their agendas for self-determination and autonomy (Laing, 2020). Indigenous representatives have argued for a specific understanding that a collectively owned territory is key to Indigenous culture, identity, history, territorial protection, Greater Autonomy and a fully constituted plurinational state with the right to decide on issues affecting their communities (Laing, 2020).

A resurgence of Indigenous reserves in urban settings within Canadian cities promotes Indigenous resistance and place-making themes since 2013. In doing so, the reserves seek to disrupt settler-colonial states' attempts to use urban reserves to delegitimise First Nations' jurisdiction and authority (Tomiak, 2017). Tomiak (2017) argues that, first, the settler state continually attempts to limit Indigenous sovereignty to land through policies and discourses that undermine Indigenous advancement in urban settings. Second, urban reserves are symbols of decolonisation and transformative place-making for First Nations' self-determination and reclamation as Indigenous places.

Traditional rights to self-determine are innate to Indigenous peoples and should be based on ontologies defined by ancestral lands, kinship, governance, economic trading networks and well-established legal orders (Daigle, 2016). Daigle (2016) argues that the Cree way of life, such as looking after land, learning and speaking a traditional language,

participating in ceremonies, harvesting and sharing traditional food, leads people towards a ceremonial regeneration of the Achikamaw people and is a form of demonstrating self-determination.

The literature shows that much of the impasse between Indigenous peoples and nation-states has emerged from the desire to control, obtain or regain land entitlements. Land rights appear to be central themes that cause tensions between Indigenous peoples and nation-states. This conflict has also been described as a power imbalance (Mörkenstam, 2015). This power imbalance between the nation-state and Indigenous peoples is often used to show the superiority of the coloniser and the inferiority of the colonised, creating an inequality to overrule Indigenous claims by domination. For true progress in Indigenous self-determination, the power imbalance needs to find an equilibrium between Indigenous peoples and nation-states. Without it, colonial history and domination would continue (Mörkenstam, 2015). Control and rights are an underlying concern driving ongoing tensions at the intersections between nation-states and Indigenous peoples' rights to self-determine their affairs.

Barriers to rights and access to land still exist and hinder political and economic autonomy for Indigenous peoples in the United States of America (USA) and Canada, including many other settler-states since the 1970s (Davidson, 2019). This is shown in the US in attempts made by states to undermine the federal recognition of sovereign Indian tribes. Native lands are undermined by states' aggressive assertions over Indian territory, causing serious tension between Indigenous peoples and various levels of government (Davidson, 2019). Further, US state governments continually show little regard towards Indigenous territorial autonomy for Indigenous communities and occur by de-legitimising any alternative views of territorial sovereignty and development (Davidson, 2019). Even though these issues exist, many Indigenous nations still have considerable governing authority; however, self-

determination within the US and Canadian governments remains inconsistent (Davidson, 2019).

2.2.2 Partnerships for Autonomy

Indigenous peoples have found avenues for self-determination by partnering with established institutions to improve outcomes that serve their interests. The Native American Tribe Nez Perce and the US Fish and Wildlife Service have collaborated in managing and recovering the endangered gray wolf in central Idaho since 1995 (Ohlson et al., 2008). This was the first time a US native tribe took such a lead role in an endangered species recovery program undertaking key management and monitoring responsibilities as part of an intergovernmental agreement outside their reservation boundaries (Ohlson et al., 2008). The lack of trust and opportunity from government agencies towards native Indian nations independently operating programs like this has been a barrier to increasing institutional capacity and opportunities for self-determination (Ohlson et al., 2008). Endangered species protection, Indigenous self-determination and autonomy are all mutually connected. The Nez Perce example is a model for both groups to co-manage their natural resources (Ohlson et al., 2008).

Partnerships that focus on community building between Indigenous nations and settler-states have also been developed. In 2014, social workers in Canada utilised a participatory action research model to employ Inuit women in Qamani'tuaq to explore the impact on women and families from a nearby gold mine. This supports the Inuit women in understanding the 'whys and hows' of the gold mine on Inuit land towards self-determination and autonomy over political, social and cultural development without any interference from the state (Czyzewski & Tester, 2014). This type of support for self-determination could give greater autonomy to Indigenous people, help them understand their perspectives, and bring informed decision-making in future progress.

Another partnership initiated by the Cook Inlet Tribal Council (CITC) sought to address the low graduation rate of Alaskan native students in Anchorage District public schools. The Tribal Council teamed up with the Anchorage School District to develop a strengths-based best-practice program to support Indigenous students (Weinstein, 2014). This program was the driver of systemic change at Bartlett High School, resulting in academically rigorous, culturally responsive, engaging and empowering opportunities (Weinstein, 2014). Studies on Indigenous experiences of this school system have identified issues such as insufficient support, poverty, homelessness, the relevance of subject material, staff teaching ability, relationships with non-native students, and a lack of resilience (Weinstein, 2014). Strong partnerships between the CITC and Bartlett High School developed multifaceted, long-term approaches to educating students, which resulted in graduation rates for native students in the region improving from 46% in 2010 to 100% of students involved in the CITC program (Weinstein, 2014). This partnership, led by the CITC, demonstrates how self-determination can lead to lasting change when programs are community led.

2.2.3 Social and Community Autonomy

When partnership opportunities are not forthcoming, Indigenous people seek ways to self-determine their issues and community needs. In the 1970s, the Black Panther Party in Australia, inspired by the US Black Panther philosophy, motivated Indigenous people in Australia towards passionate campaigning for better entitlements such as land rights, self-determination, pride, control and refusal to tolerate oppression (Lothian, 2005). Inspired by a program in Oakland, California, responding to police brutality, the Australian Black Panther Party set up patrols in Redfern to record police brutality. Attracting the attention and assistance of Professor Hal Wootten (University of New South Wales), the first Aboriginal Legal Service of New South Wales was established to help Aboriginal people in legal matters (Lothian, 2005). Shortly after that, the legal service became federally funded, and other states

in Australia established similar services. A short time later, Aboriginal Medical Services was created to provide free health care to many Aboriginal people suffering from poverty, malnutrition, and other health-related problems found in third world countries (Lothian, 2005). This demonstrated that concerned Indigenous people established community organisations to control and fix these issues. This is self-determination in action.

More recently, organisations largely dependent on public purses have limited self-determination because of strict funding agreements. Regulated government spending on specific aspects of Indigenous communities allows self-management but limits their ability to meet the needs of Indigenous people. The Australian Government funding framework for the Primary Health Network (PHN), which began in 2015, disempowers and delegitimises Indigenous sector organisations that fund Aboriginal Community Controlled Health Services (ACCHSs) and also demoralises the sector's self-determination of health for Indigenous People (Coombs, 2018). ACCHSs are community-based organisations that elect board members, are generally owned and run by Indigenous people and are argued to be the 'practical embodiment of Indigenous self-determination' (Coombs, 2018). PHNs employ the government doctrine of contestable funding based on a competitive service market that does not understand the challenges in Indigenous healthcare. This negatively impacted Indigenous autonomy and self-determination in health services. The opportunity for self-determination in Aboriginal medical services has diminished greatly in recent times and is a type of self-management that arguably does not serve the best interests of the community.

2.2.4 Self-Determination vs Self-Management

Despite not realising autonomy in some circumstances, Indigenous people can self-manage and turn it into self-determination. Between the early 1970s and the mid-1980s, Aboriginal people in the NT were provided with the opportunity to manage cattle stations for commercial viability. However, Aboriginal station owners used the freedom to spend more

time caring for the country and living in traditional ways on their land (Rowse, 2019). The Aboriginal station owners turned self-management into self-determination by managing their country through customary lore and using the land in whatever way they felt.

Remote Indigenous communities may face economic challenges in self-determination but also have greater opportunities to convert self-management to self-determination because of the distance between themselves and the government. Altman's (2007) hybrid economic model was proposed to achieve greater autonomy using a livelihood approach to better address poverty in regional and remote Australia. Altman (2007) argues that the mainstream market approach ignores both the limited market opportunity and the impact of colonisation (e.g., historic underspending) and would not be suitable for Indigenous people in remote communities. Instead, enhancing livelihood options, such as engagement in ranger programs and environmental natural resource management issues, could provide services, income and customary rights (Altman, 2007). In this way, the self-determination of autonomy may be a reality for Indigenous people in remote communities.

Another way that self-determination can be exercised is by intertwining initiatives from the government with remote Indigenous communities. In northern Australia, government-funded Indigenous land and sea management programs provide an economic basis for remote Indigenous communities. These programs have spill-over contributions to Indigenous businesses and communities that are not engaged in land and sea management and contribute to economic benefits when coupled with the self-determination of Indigenous people (Jarvis et al., 2018). This partnership of using traditional rights to care for the country, together with funded land and sea management programs, can affect a self-sustaining change towards economic independence (Jarvis et al., 2018). A program designed for self-management by Indigenous people can also support traditional ways of caring for the country and thus has the potential to lead to self-determined practises.

2.3 Zenadth Kes Self-Determination

Themes of self-determination are evident throughout the literature on Zenadth Kes people; however, not all studies use specific terminology, such as self-determination. Other expressions that describe this term include self-governance, self-reliance, greater autonomy, strikes, protests and resistance. The language in the literature on self-determination varies between authors and events. Although these terms are used interchangeably, they all refer to Islanders' aspirations for more control over their rights, resources and future. However, I also acknowledge that these terms also overlap with self-determination and following Hilpold (2017), these are "both alternatives to and expressions of self-determination".

Since colonisation, Islanders have always been persistent in asserting self-determination over Islander affairs. Anthropologists and historians have discussed a large range of literature on Islander cultures, identities and colonialism by capturing the general history of Zenadth Kes (Beckett, 1987; Bird, 1995; Finch, 1977; Mullins, 1992; Schug, 1998; Singe, 2003; Sharp, 1993; Shnukal, 1995). Other more recent writings on Zenadth Kes politics and government, industry and development, and economic challenges have shed light on Islanders' struggles through colonisation (Altman et al., 1996; Arthur, 2001; Ganter, 1994; Lawrence, 2004; Loos & Mabo, 1996; Mosby, 2015; Mullins, 1992a; Nakata, 2003; Osborne, 2009; Sharp, 1993; Shnukal, 1995; Schug, 1998; Wetherell, 2004; White, 2011).

As discussed above, the ability to self-determine is an innate right of all people to control, govern and make decisions freely about their political, economic, social and cultural status without obstruction (Cambou, 2019; Guibernau, 2015; Gunn, 2012; Whitlam, 1973). Zenadth Kes people's assertions have been for greater self-determination in economic, social and political domains against the settler government's controls and limitations on the freedoms of Islanders (Altman et al., 1996; Ganter, 1994; Nakata, 2003; Osborne, 2009; Sanders, 2000). These include the key moments studied in this thesis such as the 1936

Maritime Strike, the Army-Time Strike, the Out-Movement of Islanders to mainland Australia, the Border Dispute with Papua New Guinea, *Mabo v QLD*, and the Greater Autonomy Era.

2.3.1 Pre-colonial

Before colonisation in the early 1800s, traditional trading between the various inter-Islander communities, Aboriginal nations towards the Australian mainland, or Papua New Guinea peoples via established trade routes was vital to sustaining life and lifestyle, and they connected Islanders in a wider webbed economy (Lawrence & Varjola, 2010).

Anthropologist A. C. Haddon recorded that Islanders travelled as far as the Forbes Islands, south of Shelburne Bay on Queensland's east coast, and even further south towards the Pascoe River to trade specific stones used for clubs and weapons (Lawrence & Varjola, 2010). Islanders also used these stones to trade with Papua New Guinea people to outrigger canoes (Beckett, 1987). This historical regional economy was structured around Islanders' survival needs, lifestyle resources, independence, power and dominance over other communities (Lawrence, 2011) and was effectively a fully autonomous regional economy.

The geographical location of Zenadth Kes also served as a historical passageway for early explorers navigating Asia and the Pacific Islands. Many interactions between Islanders and voyagers were recorded, as well as Islanders' ability to quickly adapt to trading practices and technology seeking iron from passing ships (Beckett, 1987; Osborne, 2009; Sharp, 1993). Islanders demonstrated their ability to learn, adapt and determine their affairs in their natural surroundings.

2.3.2 Initial Colonisation Period

The earliest known colonial occupation of Zenadth Kes is suspected to be around the 1830s and 1840s (Beckett, 1987). Others suggest that this occupation began in the 1860s (Mullins, 1992a). All the literature points to the initial settlement of Zenadth Kes that

occurred by beche-de-mer fishers. This was also the most violent phase of colonisation in the Zenadth Kes. Islanders had little choice but to adapt quickly to forces that were prepared to forcibly take control of their resources and limited Islanders' ability to resist (Mullins, 1992b).

In the 1860s, the valuable mother-of-pearl shells was discovered in Zenadth Kes, which sparked an international trade frenzy and created an industry that would span one hundred years. This new economy brought many immigrants, colonial government forces seeking to exploit their natural resources, and a government ready to regulate taxes (Ganter, 1994). Islanders were invaded from places such as the Pacific, south-east Asia, Japan, China and ultimately lost their free autonomy status, leading to eventual pushbacks from Islanders seeking to reclaim their rights to self-determination (Ganter, 1994).

The annexation of Zenadth Kes occurred in 1879 by the Queensland Government. The Queensland Government was not very interested in the islands before this, and their motivations for annexation were questionable (Mullins, 1992c). These motivations were not driven by political will or humanitarian desire but rather a quest to annexe Papua New Guinea. This annexation brought unwanted control and government interference to Islanders' lives, in contrast to the free autonomous lives Islanders previously had. Islanders had to deal with the increasing pressure of colonial occupation and had no choice but to adapt to their lives (Mullins, 1992c).

The introduction of the London Missionary Society (LMS) in 1871 ushered in sweeping changes to self-determination among Islanders. Within 20 years of missionary occupation on the islands, missionaries ran island communities, and Islanders were coercively reconciled to the colonial order (Beckett, 1987). Missionaries also denied Islanders rights to their sacred religious practices, desecrated their shrines and threatened anyone practising traditional spiritual lore (Sharp, 1996). Islanders were stripped of the

ability to self-determine their own lives under the guise of the newly instituted Christian faith.

2.3.3 1936 Maritime Strike

Islanders adapted quickly to the new economic, spiritual and political changes but became weary due to the constant abuse of rights by colonisers. Frustrated by this continual oppression by the colonisers, Islanders coordinated strategic industrial action. Known as the 1936 Maritime Strike, this was the first regionally unified collective act by Islanders on self-determination (Osborne, 2009). The strike was against the domineering patronage towards Islanders and the lack of control Islanders had to manage their work on the boats. Islanders also resented being used as cheap labour for self-serving administrations, masking it as sustainable development in the pearling economy that was not profiting Islanders (Osborne, 2009). The strike served its purpose, with the government making concessions to several Islanders' demands. These changes included removing the 9 p.m. curfew, giving Islanders the freedom to move between islands, greater Islander control of operating Islander-owned boats, the institution of the Islander Councillors Conference to discuss the advancement of Islander affairs, and eventually recognition as distinct people from Aboriginal Australians with the creation of the Torres Strait Islanders' Act 1939 (Osborne, 2009). These allowances by the government to Islanders appear to be providing Islanders with self-management while still maintaining controls such as heavily managing Islander wages.

Leading up to the 1936 Maritime Strike, Islanders continually sought to operate more autonomously by operating smaller boats to fish for a living, such as the 'passenger fishing' methods. Between the early 1900s and the mid 1930s, passenger fishing allowed Islanders who did not want to work under restrictive lugger boat conditions greater freedoms. Hence the passenger fishing methods were used as a means of resistance from company boats and oppressive taxing measures by the government towards an alternative entrepreneurial

engagement with colonialism (Mullins, 2012). Islanders tried to break from self-management to greater self-determination and autonomy.

Some influential people, such as Bishop Stephen Davies of the Anglican Church, sympathised with these calls for increased self-determination. In 1935, Bishop Davies, a long-time supporter of Indigenous human rights, heavily criticised the Queensland Government's treatment of Islanders, calling for the government to be stripped of its ability to manage Indigenous affairs (Wetherell, 2004). Partnerships with advocates pushed Islander assertions to cause pressure on the government to alleviate conditions for Islanders.

2.3.4 World War II Strike

During World War II, many Zenadth Kes men were enlisted in the Australian Army, forming the Torres Strait Light Infantry Battalion (TSLIB). Islanders were stationed on various islands in Zenadth Kes and patrolled the northern borders of Papua New Guinea and Indonesia for incursions by enemy forces. Islanders were enlisted as a means to seek support from the Australian Government and Army for their plight for greater self-determination (Osborne, 2009). During this time, Islanders learned new skills and trade that were not freely provided under the Queensland Government's restrictive measures. Indeed, Islanders were preparing for post-war opportunities to work (Osborne, 2009). However, because of unequal pay and conditions, Islanders again initiated industrial action and protested inequality in wages from non-indigenous personnel. The Maritime Strike gave Islanders confidence in asserting themselves against inequality. Over time, Islanders' wages and allowances increased but not at the same rate as their non-indigenous counterparts. Even though protesting inequality does not exactly meet the definition of self-determination, as stated previously, it forms a broader narrative of Islanders' resistance to oppressive conditions, limiting their self-determination ability. Other examples of resistance from Islanders occur throughout the key moments of this study, which need to be investigated further.

2.3.5 Post-War Movement of Islanders to Mainland Australia

Following the end of the war, Islanders became increasingly dissatisfied with the ongoing paternalistic conditions of their lives and communities (Osborne, 2009; Sharp, 1993). Equipped with new skills, Islanders petitioned the government for opportunities to move southward to mainland Australia to work in new industries. This was a key moment for Islanders as they began to move away from their homes and communities to develop their skills and better support their families (W. Arthur & Taylor, 1995; Beckett, 1987; Mosby, 2015; Watkin Lui, 2012). This can also be seen as a form of self-determination by Islanders to escape the restrictions they have lived in their Islander communities.

2.3.6 Border Not Change

In 1972, the Commonwealth Government supported Papua New Guinea in claiming nine islands in Zenadth Kes as part of drawing border boundaries for their newly established independent country (Beckett, 1987; Osborne, 2009). Angry Islanders quickly mounted a campaign against the proposal and made their voices and wills known to all levels of the government (Robertson, 2010; Rowse, 2020). The Queensland Government also intervened in opposing border plans against the Commonwealth and its leaders (Rowse, 2020). Islanders lobbied successfully, and the plan to divide Zenadth Kes was dismissed as Australia claimed all of the regions under its jurisdiction (Beckett, 1987). Yet again, Islanders displayed the ability to adapt and respond to inequality and injustice, signalling Islander aspirations for self-determination.

2.3.7 Mabo and Self-Determination

One of the greatest displays of self-determination by Islanders is found in the land rights judgment of *Mabo v Queensland*. Eddie Mabo from Murray Island exemplified the qualities of Islanders seeking full freedom over land, resources and rights to economic, social and political independence under a traditional pre-colonial governance structure (Sharp,

1996). The Mabo Case also demonstrates Islanders' claims of their right to self-determination. Mabo refused to accept the continual colonial administration's suppressive actions that destroyed the Islander agency (Loos & Mabo, 1996).

This event occurred in the historic ten-year battle through the Australian legal system for Mabo's land on Murray Island. Mabo died shortly before the final judgment that ruled in favour of the Islanders, destroying 'Terra Nullius' (no man's land) and awarding land rights back to Indigenous people (Loos & Mabo, 1996). The judgment over the Mabo Land Rights restores Islanders to what essentially existed in pre-settlement times and is a model case for understanding self-determination anywhere (Loos & Mabo, 1996; Osborne, 2009; Sharp, 1996).

2.3.8 Greater Autonomy

The Greater Autonomy era spanned between the 1980s and the mid-2000s and describes Islanders' efforts to establish greater political, economic and cultural self-determination (Altman et al., 1996; Lui, 1994; Osborne, 2009; Sanders, 2000). Frustrated by over-governance by federal, state and local governments in the region, Islanders lobbied the Commonwealth to establish a single governance model known as the Torres Strait Regional Assembly (Altman et al., 1996; Nakata, 2003; Osborne, 2009; Sanders, 2000). This model would merge the existing 18 Council structures administering Islander affairs (M. Nakata, 2003; Osborne, 2009). These agencies include the Torres Strait Regional Authority (TSRA), Islander Coordinating Council (ICC), and Torres Shire Council (TSC).

The Commonwealth House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs (HRSCATSIA), was tasked with consulting for the design of the Torres Strait Regional Assembly. The HRSCATSIA made generous recommendations that included amalgamating the TSRA, ICC and TSC; funding from state and federal governments would be redirected to the Assembly; a Cultural Council would be organised;

and government agencies currently operating in Zenadth Kes would have to work with the Assembly to improve service delivery to Islanders (Australia Parliament House of Representatives Standing Committee on Torres Strait Islanders & Lieberman, Louis, 1997).

However, the challenges of a new Zenadth Kes governance structure and political climate in the region during the 1990s worked against the recommendations of the parliamentary committee report (Sanders, 2000). The timeline to achieve the new Assembly by 2001 was ambitious and did not allow time to resolve significant issues Islanders had; thus, Sanders (2000) described it as bad timing. Islanders also appeared more preoccupied with who would make decisions rather than with what the purpose of the Assembly was to achieve.

The limited progression of the consultation process caused despair among some Islanders and leaders and sent mixed messages to the Commonwealth (Osborne, 2009). Amidst this process, the TSRA did not wait for the completion of the consultation process. Rather, the TSRA offered an alternative to the Commonwealth which drafted a Bill would allow the TSRA to increase regional governance over Zenadth Kes (Osborne, 2009). Following this, both the Commonwealth and the state government's support for the Assembly started to wane due to lengthy consultation processes between Islanders. Getano Lui Jnr vented his frustration, accusing the TSRA of sending mixed messages to the government and making Islanders appear ununified and scared of change (Osborne, 2009).

Many aspects of the Greater Autonomy period may not appear to be self-determination based on the definition above. Self-management appears to be a better definition for this period. However, Islanders' assertions for more control to self-determine their affairs are indirectly a call to determine their futures, albeit under the banner of Australia's control. Whether the literature describes this explicitly as self-determination has yet to be analysed and defined in the Zenadth Kes context.

2.4 Summary

Self-determination is still contentious for Indigenous people, including Zenadth Kes. Despite ongoing variations in self-management and self-determination, Indigenous people have continued to assert their fundamental right to determine a future for themselves that they can freely live in. Colonisation and government policies have greatly impacted Indigenous peoples' rights to self-determination, and there has been little to no real effort for true reconciliation to restore this freedom in the cases studied in this literature review. However, progress, movement and resistance towards reclaiming Indigenous autonomy from governments of colonising nations is ongoing. The information presented in these articles describes various approaches that Indigenous nations have taken and that other Indigenous nations might consider regaining a form of self-determination from the nation-states.

In many contexts, Indigenous people exercise self-determination in various ways and with various challenges from settler governments. A comprehensive review of the discourse on self-determination by Zenadth Kes people is important because no study has examined Islander actions as a form of self-determination. No literature positions Islanders within the corpus of knowledge on Islander self-determination. This research is an important contribution to the academic literature because it seeks to understand how the discourse of self-determination positions Islanders. The understanding of self-determination presented in this review provides a lens through which to examine how Zenadth Kes people contribute to the body of knowledge surrounding the self-determination of Indigenous peoples.

Chapter 3: Research Design

3.1 Introduction

In this chapter, I discuss the methodological framework used in this thesis. This framework will provide a guiding lens through which the reader can see the project and understand what I have attempted to achieve from my perspective. The question guiding this thesis and methodology is as follows: *How are Zenadth Kes people positioned in discourses of self-determination over time?* This study aims to clarify how this methodology best analyses the discourse surrounding self-determination in Zenadth Kes history.

In this chapter, we discuss interpretivism and critical interpretivism as guiding techniques in the overarching structure of this thesis. This theory sets the basis for a critical lens and interpretivist analysis of the history of the self-determination discourses of Zenadth Kes. Outlining my standpoint and position as a researcher is crucial when collecting and analysing data. I then discuss theorists' construction of the discourse. I also outline the discourse on the influence of shaping societal relationships in history using Foucault's work on knowledge (Foucault & Sheridan, 2002).

To understand how Islanders are positioned in discourses of the self-determination of Zenadth Kes since colonisation, I will undertake a critical discourse analysis of literature focused on Zenadth Kes. The focus of my project will be limited to the six key moments of Islander colonisation. Sources such as scholarly texts, historical reports, memoirs and government documents surrounding these key moments will all be examined for explicit and implicit Islander assertions of self-determination. Although I will not produce a history of events, these key moments in Islander history allow me to focus on identifying Islander agency and their assertions through an analysis of the self-determination discourse of Zenadth Kes.

Finally, these six key moments provide a chronological order of events within the written history of Zenadth Kes and weave together a narrative of self-determination through history. The outcome of this project seeks to inform us of how Islanders are described regarding self-determination through their colonising phases from the 1930s to the 2000s.

3.2 Critical Interpretivism

3.2.1 Interpretivism

Interpretivism (constructivism) is a theoretical paradigm of research that understands that there is more than one worldview or interpretation of knowledge. The origins of interpretivism began around the 18th century with the Italian philosopher Giambattista Vico, who argued that social organisation and experience form perceptions of reality and truth (Ryan, 2018). Interpretivism is sometimes seen as the opposite of positivism, which is the belief that essential truths can be discovered using research methods to understand data and information ‘objectively’.

Interpretivism arose in the human sciences around the late 19th and early 20th centuries as a reaction to the dominant philosophy of positivism. Interpretivism argues that human science fundamentally differs from the natural sciences and aims to understand human action, as opposed to positivism’s causal explanations of social, behavioural and physical phenomena (Schwandt, 2000). The theory of interpretivism discusses epistemologies and how we can gain knowledge and understanding of the world we live in (O’Reilly, 2009). Interpretivism also argues that “truth and knowledge are subjective, as well as culturally and historically situated, based on people’s experiences and their understanding of them’ (Ryan, 2018). To understand social actions, one must understand the meanings associated with those actions in the systems of meanings to which those actions belong (Schwandt, 2000). For example, gestures and behaviours can be understood differently between cultural and social groups because they attribute different meanings to those actions.

3.2.1.1 Critical Interpretivism

The data analysis approach in this thesis takes a critical interpretivist stance. Critical interpretivism towards an emancipatory tradition can be found at the intersections of critical theory and interpretivism and seeks to advance interpretivism theory from a critical perspective. The following three principles guide critical interpretivism: first, it is detailed, local and situates empirical interpretation in its construction; second, it reveals and disrupts assumptions through a reflective approach; and finally, it connects to broader considerations of power and control (Smith, 2006).

Through the combination of critical interpretivism and critical theory, marginalised people can be liberated from the existing repressive ideologies that bind them and uncover dominant social orders. (Foley, 2003). The values that critical interpretivism can include are the struggle for equality and social justice, emancipating knowledge of the oppressed with a goal to provide multiple perspectives of the same data, and further understanding of subject perceptions through different interpretations (Lincoln et al., 2011). The literature discussing self-determination in Zenadth Kes displays these repressive systems and would benefit from a critical interpretivist approach to uncover new knowledge that gives primacy to Islander agencies.

Nakata is one of the first to discuss standpoints for Indigenous peoples through his work on the Cultural Interface theory (Nakata, 2007). Nakata interrogates the discourse power structures of early writings by Zenadth Kes people (Nakata, 1997). Nakata (1997) examines the anthropological writings of British explorer Alfred Cort Haddon's expeditions to Zenadth Kes in the late 1800s through the Cultural Interface. In doing so, Nakata contests the contemporary space in which knowledge about Islanders has been produced. Nakata (1997) also employs an Indigenous standpoint to position himself in the research and provides a point of entry into which the research can be conducted in contemporary space.

This framework of enquiry to discourse analysis will give this thesis of Zenadth Kes self-determination a solid approach to conducting the research.

3.2.2 Standpoint

We are involved in a constant battle to authorise Indigenous knowledges and methodologies as legitimate and valued components of research. (Moreton-Robinson, 2013)

Theory and research, including critical theory, have historically come from the perspective of those with considerable structural power. Increasingly, Indigenous scholars are becoming more specific, with an approach to research that centres on their perspectives as *Indigenous people*. The indigenous standpoint theory was developed following the feminist standpoint theory. Articulated in the 1980s, the feminist standpoint theory seeks to understand society from the perspective of women, who are partially affected by any dominant discourse throughout society in response to the historical dominance of men's perspectives on all aspects of society (Foley, 2003; Harding, 2009). Likewise, the indigenous standpoint theory seeks to give priority to Indigenous research perspectives. The purpose of indigenous standpoint theory has been to forge a new agenda to change the current imbalances in power relating to literature theory that reinforces Western dominance rhetoric (Foley, 2003). The indigenous standpoint theory is backed by an Indigenous epistemological approach that attempts to represent Indigenous knowledges against Western discourse and theories. Indigenous Australian realities, as understood in mainstream discourses, are primarily constructed by outsiders, and those constructions are based on racially biased theories that have denied Indigenous people any form of intellectual integration in the new Australian society it created (Foley, 2003).

The terms perspective or viewpoint are often used in place of 'Standpoint' but do not fully represent the complexity of the term in the theoretical approach (Nakata, 2007).

Obtaining an indigenous standpoint means producing it, not just a reflection on personal experiences, and is a specific method of enquiry on the ‘corpus of objectified knowledge about us’ (Nakata, 2007, p. 11). Being Indigenous does not automatically provide a critical position on topics related to one’s heritage; rather, it provides a basis from which questions come to begin the journey of obtaining further objective knowledge (Pohlhaus, 2002). It is not a specific form of hidden wisdom that only Indigenous people possess, nor is it a simple reflection of their experiences (Nakata, 2007). To employ an Indigenous standpoint, several variables must be obtained, including recognising that it is a distinct form of analysis, a discursive formation, a device to persuade and elevate others’ thinking about critical topics, and a basis to enter a field of other possible arguments (Nakata, 2007).

Indigenous scholars should employ Indigenous standpoints to read, write and speak back regarding the perceived position of Indigenous people in the ‘Western order of things’ (Nakata, 1998, p. 4). My standpoint is that the researcher provides the lens needed to complete this thesis successfully. First, I am a Torres Strait Islander and acknowledge that I have an Islander perspective or that my primary lens when researching data is shaped by my paradigm. This includes my history of growing up in a majority Indigenous community and how this has formed my experience of Indigenous-settler relations. Second, I was raised by an Islander mother who had a strong Islander identity and family yet lived under the laws of oppression as a second-class citizen with subservient employment and living on a reserve. This contrasts with my non-Indigenous father, who was a minority in the community, yet freely travelled to and around the Torres Strait in his career and had a broader worldview. Finally, I have moved away from the Torres Strait and live in mainland Australia. I am an example of the diaspora of Islanders living in a complex situation of negotiation, intervention and mediation of my external and internal influences (Watkin Lui, 2012). Navigating my own identity and paradigm has helped me release this unique standpoint, where I have experienced

the insider/outsider locale firsthand, seen the compromise between the two cultures in a family setting and recognised how this view could be employed to conduct research objectively.

The standpoint I take is guided by the understanding that there is more than one interpretation and worldview to which interpretivism weaves tightly together with subjective viewpoints on knowledge (Foley, 2003; O'Reilly, 2009; Ryan, 2018). This will give me a different experience from others at the cultural interface, as I, an Islander, seek to uncover new knowledge about Islanders against the imbalance of literature with most of the literature written by non-Islanders (M. Nakata, 2007). The cultural interface is a space in which various perspectives and viewpoints intersect, causing tensions that can inform new understandings (M. Nakata, 1997). Like Nakata, my research aims to contribute new knowledge in these intersects from an Islander perspective while attempting to navigate my position within Western knowledge systems (Nakata, 2007). I also recognise that being a Torres Strait Islander male will inform my standpoint when analysing the data.

Moreton-Robinson (2013) argues that the production of knowledge and the ways we are known or come to know the world is shaped by race, class, colonisation, culture, ableness and gender. Researchers must make decisions regarding methods, investigative questions, and developing approaches centred on what the problem may be which are based on the researchers standpoint and by shared knowledge within and outside academia (Moreton-Robinson, 2013).

“Researchers, like all subjects who produce history and knowledge, do so under conditions that are not our choice. In other words, how we are socially and culturally constituted through discourse as subjects plays a determinative role in our individual ‘choices’ of research topic and methodology. This constitution makes it impossible for any individual to achieve a state of pure epistemological relativism, although the

standpoint theory is often accused of occupying such a position” (Moreton-Robinson, 2013. pp. 334-335).

3.2.3 Discourse

Discourse comes from the interpretivist strand of critical theory. Discourse, in general terms, is anything said or written and is used to construct knowledge about a topic. Since the early twentieth century, understanding the study of discourse has changed the way we view the construction of our world, particularly throughout history. The term discourse explains knowledge production through language (Hall, 1992). Hall (1992) explained that discourse is a group of words or statements used together to describe a particular kind of knowledge.

Theorists have critiqued discourse to understand how it is formed and used to gain power and influence. Michel Foucault described discourse as ‘anything written or said or communicated using science and marks another connection to structuralism and its dominant focus on language’ (Fillingham, 1993, p. 100). This is also known as discursive formation and is influenced by the language of the creator, forming knowledge from their position (Foucault, as cited in Hall, 1992). Therefore, discourse is not very interested in whether something exists but in where the meanings for that knowledge have come from (Hall, 1992). Discourse may also limit and construct topics and their relationships, creating a notion of power over others by influencing how ideas are used to regulate others’ conduct (Hall, 1992; Love & Tilley, 2013). This power is linked to knowledge and not only assumes the ‘authority of the truth but has the power to make itself true’ (Hall, 1992). Therefore, once applied in the real world, knowledge has an effect that can become true (Hall, 2004).

Major theorists and writers of the discourse topic have sought to critically analyse the construct of discourse and its effects on how we can view the world. Foucault’s work on discourse sought to take knowledge apart and analyse it in the hope that it would provide a greater understanding of the relationships between knowledge and power (Fillingham, 1993). Foucault suggested that technical specialists should always work together to establish areas of

expertise and dominant narratives. As such, this has led to ever-increasing power over people through discourses that have shaped society's structure (Fillingham, 1993). Hall (1992) argues that as much as discourse can 'rule in' acceptable ways to write, talk or conduct oneself regarding knowledge about topics, discourse can also 'rule out', limit, and restrict the other ways of writing, talking and conducting oneself about a topic. Further, Hall argues that discourse is a way of representing the relationships between 'The West and The Rest' (Hall, 1992).

3.2.3.1 Discourse and Zenadth Kes Literature

The literature discussing Zenadth Kes by various writers has employed multiple angles and standpoints to analyse and examine history. The literature has been largely written by non-Islanders, and their discursive practices have constructed knowledge and meanings about Zenadth Kes, including writings surrounding self-determination (Altman et al., 1996; B. Arthur, 1998; Beckett, 1987; Butterly, 2013; Finch, 1977; Kehoe-Forutan, 2004; Mullins, 1992c; Osborne, 1997, 2009; Sanders, 2000; Sharp, 1996; Shnukal, 1995; Singe, 1979; Wetherell, 2004). Although this literature provides deep insights into Islander history, culture, sociality and governance, the discursive formations they have created are still subjective to the paradigms of the writers themselves, despite some of their best efforts to employ an objective standpoint. This creates the opportunity and necessity to interrogate the corpus of knowledge about Zenadth Kes history that already exists to uncover new knowledge and understanding from data.

Despite fewer published documents, Islanders have also contributed to the knowledge corpus with Islander standpoints of self-determination (Bani, 2004; Gaffney, 1989; F. Loban, 2007; H. Loban et al., 2012; G. Lui, 1994; Mosby, 2015; M. N. Nakata, 1995; Shibasaki et al., 2019; Watkin Lui, 2012). Their literature provides a valuable contribution to understanding various perspectives in the contested space of Islander history and truth.

Like other Islander researchers, this research project will be conducted from a specific Zenadth Kes standpoint, which I will apply. Utilising this standpoint, I seek to reveal the complexities in creating discourse and Islanders' assertions to identify further meanings for Islander self-determination. The critical interpretivist approach I apply to this analysis will seek to disrupt the regime of truth by analysing these relational power structures, producing the knowledge surrounding Islander self-determination over time. Problematising these power relations will provide new insights into the literature on Islander self-determination and speak back to the corpus of knowledge of Islander meanings regarding self-determination, not whether the writings of self-determination for Islanders are true or false. In this way, the Islander becomes emancipated through a new understanding of the regime of truth imposed upon Islanders. This thesis is designed to uncover how that knowledge has framed self-determination as truth for Islanders and whether this truth has changed through the six key moments in Islander history studied in this project.

3.2.4 Critical Discourse Analysis

To effectively study self-determination in Islander history, this project must use existing discourse through written text as the central data source to conduct an analysis. To answer the research questions, I employed the method of critical discourse analysis. Critical discourse analysis is a qualitative method that examines the language used in a discourse and focuses on the styles and strategies of the language representing a topic (Robson, 2011). A critical discourse analysis has three characteristics: it includes a systemic analysis of relationships between discourse and other social process elements, it includes a systematic analysis of texts, and it is normative in addressing social wrongs (Fairclough, 2013). Topics researched by discourse analysis are wide-ranging, including gender relations and social control issues that have relevance in the world around policy issues (Robson, 2011).

Literature that utilises critical discourse analysis has uncovered power imbalances between Western constructs of Indigenous peoples and the lived realities of Indigenous peoples in colonial nation-states. Love and Tilley (2013) examined the assumptions in the mainstream media about Indigenous rights and treaty negotiations in New Zealand and found strong evidence that the temporal discourse of ‘progress and efficiency have impeded Indigenous aspirations to achieve sovereignty’. Their discourse analysis identified that colonisation attempted to ‘overwrite an existing people’s way of seeing and knowing with new views that serve the colonisers’ ends (Love & Tilley, 2013). Tomiak (2017) also uses discourse analysis to understand the ‘First Nations – state relations, settler colonialism, and Indigenous resurgence’ regarding new urban reserves within Canada. Corntassel (2008) uses discourse analysis to reveal that the ‘rights’ discourse has not benefited Indigenous peoples in self-determining at a local level. These examples show that critical discourse analysis effectively understands the tensions between Indigenous peoples and settler governments.

3.2.5 Analysis of Key Moments in Zenadth Kes History

This analysis will be structured chronologically using six key moments in the history of Islander colonisation. These key moments were chosen because of the time flow required to create a chronological order, the significance of the event and the literature available to conduct the analysis.

These key moments are as follows.

3.2.5.1 The 1936 Maritime Strike

Islanders conducted the 1936 Maritime Strike in response to the government’s oppressive regime. The strike aimed to increase the living standards of Islanders and for the government to identify them as separate people from the Australian Aboriginal people (Beckett, 1987). The Islanders’ unified approach centred on refusing to work on the pearling vessels supplied by the government. This strike was the first recognised effort of the island to

unite as a region, which is why it is a crucial moment. Islanders were successful in their industrial actions to achieve good results, such as separate legislation for Islanders, increased access to earnings, and establishing a regional council.

3.2.5.2 Army Time Strike

During World War II, Islanders recruited to the Australian Army played a key role in defending northern Australia from the threats of the Second World War. However, Islanders realised the inequality between their salaries and their non-indigenous colleagues. As the successful 1936 Maritime Strike was still fresh in their minds, they undertook industrial action to seek fairer compensation for their labour from the Department of Defence. This action of self-determination by Islanders led to an increase in their wages and conditions.

3.2.5.3 Islanders' Movement to Mainland Australia

During the 1960s, many Islanders moved away from Zenadth Kes, seeking employment and better living conditions in mainland Australia. Islanders were weary of the ongoing oppressive living conditions forced upon them by the Queensland Government. Some Islanders knew of the freedom and fairer working conditions on the mainland and chose to leave. Many of their families later joined them and established communities of Islanders on the mainland. The diaspora of Islanders in mainland Australia was an act of self-determination.

3.2.5.4 Border Dispute with Papua New Guinea

When Papua New Guinea sought independence in the 1970s, discussions around the Australian border centred on the Zenadth Kes region. The Australian Government sought to divide Zenadth Kes by half between Australia and Papua New Guinea. Islanders conducted a strong lobbying campaign against this regional division and sought national and international help. The campaign was successful, and Zenadth Kes remained part of Australia following

the negotiations. Islanders took control and acted in self-determination as they understood their identity and the possible implications of the divided region and people.

3.2.5.5 Mabo v Queensland Land Rights Case

Eddie Koiki Mabo took the Queensland Government to the High Court of Australia over the ownership of land and land rights. Mabo asserted that the land his forebears passed on to him could not be the Queensland Government. Mabo and other plaintiffs fought for land rights for over 10 years until the High Court of Australia ruled in favour of the Islanders. Mabo's resolution to continue the fight against unjust laws was a true act of self-determination.

3.2.5.6 The Greater Autonomy Era

The Greater Autonomy era from the 1990s to the 2000s was a period of heightened discussion surrounding a new governance model that would support Islanders in moving forward to achieve self-determination. Islanders sought greater control over their lives, finances and futures. During this time, Islanders showed the strongest desire for self-determination yet encountered many hurdles in achieving Greater Autonomy.

As mentioned previously, my discourse analysis has three key aims. First, I will critically examine how self-determination is discussed in academic and policy discourses about Zenadth Kes people. This includes exploring the language used in the text and how others describe self-determination. This analysis will set the scene for the political, economic and social climate in Zenadth Kes during these key periods. The analysis sought to understand what the Islanders were specifically asserting in the six identified key moments. I also critically examine how the discourse positions Islander agency and whether they are described as acting in self-determination or if the discourse positions Islanders as the 'other' to the more dominant narratives.

Identifying who has agency in the discourse and who is the ‘other’ is crucial to my analysis. Literature that discusses Islanders’ history can often be written, as Nakata (1997, p. 14) argues, as the “opposing half of non-Islander worlds and... a simplistic duality between two separate domains of ‘them’ and ‘us’... as victims of... colonial intrusion”. Nakata (1997, p. 15) then states that this form of representation “unquestioningly inscribe Islanders simplistically as Others in the Western order of things”. Understanding the agency of actors and the ‘other’ in the discourse as constructed subject will be a central focus of the thesis.

This data may be compared with the broader narratives of Islander assertions by the government of that day, writers and academics. Further, this analysis will uncover whether the narratives by Islanders for self-determination changed through these six key moments and will detail these changes.

3.3 Six Key Historical Moments of Torres Strait Self-Determination

This research project attempts to answer the question: *How are Zenadth Kes people positioned in discourses of self-determination over time?* This question considers the history of Islanders asserting their agency in a post-colonial context. This question will help provide an analysis of how Islanders acted on self-determination throughout colonisation impositions, as well as the ongoing difficulties and transformations of the complex nature of their society. To answer this question, this project will consider the history of Zenadth Kes since colonisation, with a specific view to uncovering moments of self-determination. Narrowing the scope, six key events in Zenadth Kes’s history will be investigated to understand the discourse on self-determination.

Much has been written about Zenadth Kes people through various disciplines that have examined their history, culture, society and colonial effects. These texts have mostly been written by non-Islander writers, who apply their paradigms to represent Islanders’ histories and topics. This current discourse has formed the way Islanders view themselves in

relation to others. A key focus of this project is to position Islanders as independent agents within the existing discourse, with the goal of uncovering how Islanders demonstrate self-determination.

Six key moments were chosen for several reasons. First, these key moments span the period between the 1930s and the 2000s. This is because the first key moment (the 1936 Maritime Strike) occurred in the 1930s, and the last key moment was centred around the 1990–2000s. These key moments are outlined in chronological order and together weave a narrative of self-determination. Second, these key moments are events in the history of Islanders that represent decisions that have affected the Islanders' lives. These moments have elements of self-determination, Islander agency and opposition to dominant Western narratives and discourse. Finally, these events represent Islanders unifying their efforts to progress towards Islander issues. For example, before the 1936 Maritime Strike, Islanders in the region did not identify themselves homogeneously as a group or 'one people'; rather, Islanders still identified themselves as separate and belonging to their islands. The 1936 Maritime Strike was the first coordinated industrial action by Islanders, which signalled the formation of a regional identity as 'Zenadth Kes people'. It also signalled the beginning of unified efforts to assert Islander agency on issues that affected their livelihoods. Each key moment to be examined following the 1936 Maritime Strike also displays the ongoing coordination between Islanders to achieve outcomes that would benefit them.

Table 3.1 outlines the six key moments and provides a synopsis of the relevance to the topic of self-determination.

Table 3.1*Six Key Moments in the History of Self-Determination in the Torres Strait*

Event	Time Period	Key References	Summary	Relation to Self-Determination
1936 Maritime Strike	1930 – 1940	(Beckett, 1987; Ganter, 1994; Mullins, 1992c; Osborne, 2009; Schug, 1998; Sharp, 1993; Shnukal, 1995; Singe, 2003; Wetherell, 2004)	The Maritime Strike by Islanders in 1937 called for them to manage their affairs regarding the operation of Islander-owned boats, earnings from those boats, and better treatment from the Queensland Government, such as acknowledging them as a distinct people separate from Aboriginal Australians.	The Maritime Strike was the first industrial action across the region organised by united Islanders. It demonstrated that Islanders could coordinate efforts against systematic oppression to regain independence and self-determination from external forces.
Army Time Strike	1940s	(Beckett, 1987; M. Nakata, 2003; Osborne, 2009; Sharp, 1993; Shnukal, 1995)	During World War Two, Zenadth Kes soldiers protested their inequality. Islanders asserted their rights to receive equal wages and benefits from the Australian Army, just like non-indigenous soldiers.	Learning from previous experience, Islanders employed by the Australian Defence Force, TSLIB went on strike against unequal wages paid to non-indigenous colleagues.

Event	Time Period	Key References	Summary	Relation to Self-Determination
Islanders Movement to mainland Australia	1950 – 1970	(Beckett, 1987; Mosby, 2015; Shnukal, 1995; Watkin Lui, 2012)	Through the war, Islanders learned about other opportunities for equality in mainland Australia. Seeking better economic and social opportunities, Islanders' move to mainland Australia to work in the burgeoning sugar and railway industries was a form of self-determination.	Islanders leaving the Zenadth Kes region for better opportunities is self-determination. Islanders sought to extricate themselves from the harsh Queensland Government's oppressive conditions to live freer, independent lives.
The Border Dispute with Papua New Guinea	1970s	(B. Arthur, 2001; Beckett, 1987; Boyce & White, 1981; Finch, 1977; Sharp, 1993; Singe, 1979; White, 2011)	During the northern border discussion with the formation of Papua New Guinea in the early 1970s, Australia was going to divide the Torres Strait, handing 10 island communities to Papua New Guinea. Islanders successfully protested and asserted their desire to remain within the Australian jurisdiction.	Islanders protested the Commonwealth Government's plan to hand over nine populated islands to Papua New Guinea through the treaty process. Islanders' assertions were successful against the Commonwealth and signified self-determination.

Event	Time Period	Key References	Summary	Relation to Self-Determination
Mabo vs Queensland	1980 – 1992	(Loos & Mabo, 1996; Osborne, 2009; Sharp, 1996)	During the Mabo Case for land rights, Eddie Koiki Mabo asserted that land and sea rights did not belong to the settler-colonial government but had belonged to Islanders since time immemorial. Mabo and others campaigned through the courts for 10 years, finally overturning <i>Terra Nullius</i> and recognising Indigenous peoples as the first Australians.	Eddie Mabo embodied Islanders' assertions for self-determination. Mabo's fight for land rights typifies that Islanders will not allow a settler government to establish laws and control without protest and resistance.
The Greater Autonomy Era	1980s – 2004	(Altman et al., 1996; B. Arthur, 2001; Kehoe-Forutan, 2004; M. Nakata, 2003; Osborne, 2009; Sanders, 2000)	The Greater Autonomy movement signalled Islanders' aspirations for more control over their lands/waters, resources, and governance. However, proposed structures, hasty timelines and a lack of consensus failed to move this agenda forward.	The Greater Autonomy era was the pinnacle of Islanders' collective assertions to self-determine their affairs. Islanders employed a multifaceted approach to self-determination to obtain greater control of the future. Literature on this topic begins to discuss self-management.

The process of this discourse analysis will be shaped into two specific areas of focus:

- Identify explicit discussions of self-determination in discourse through the six key moments in Torres Strait history.
- Interrogate the literature as a corpus to consider how Islanders are self-determining and not explicitly discussed in the discourse. This analysis will take a deeper look at the data with a critical eye to position the Islanders as independent agents in that key moment.

It is also noted that the key moments discussed in this project appear to be focused on circumstances in which men play a role in the push for self-determination (Beckett, 1987; Osborne, 2009; Sharp, 1993). Having an indigenous standpoint in this thesis will also mean navigating the implications of gender within the sites of research to uncover the key knowledge from Islander women who feature in the literature and greatly contribute to the self-determination agenda for Torres Strait Islanders (Gaffney, 1989; Osborne, 1997; Sharp, 1996). Moreton-Robinson (2013) challenged the invisibility of gender in Nakata's work and articulated an indigenous feminist perspective. It would be potentially easy not to identify gender as a key data analysis point due to my male perspective and epistemological outlook. Using the critical discourse analysis technique, I will ensure that there are key questions in my data analysis framework that examine female perspectives on self-determination in the discourses analysed.

The literature that forms the discourse analysed in this project will include anthropological reports, government policy documents, historical texts, memoirs, biographies and other documents that contain discussions of Islander self-determination. Some key moments appear to have written more about them than others. However, the analysis of this literature will be specifically undertaken to identify what self-determination meant to Islanders as opposed to others and highlight Islanders' agency within the literature. The

volume of literature on a particular event is not as important as ensuring that data are available for analysis. It is hoped to uncover greater Islander agency in self-determination and their ability to respond to the externalities that pressure them to subscribe to new Western narratives and discourses.

3.4 Concluding Comments

From the existing literature, there have been assertions by Islanders for self-determination in Zenadth Kes for many years. The research question assumes this position, and an appropriate framework to examine this topic has been constructed. Critical discourse analysis of the six key moments in Islander's history will help analyse the positioning of Islanders in the discourse throughout history, and we have a narrative of the ongoing struggles Islanders had in asserting self-determination.

Chapter 4: 1936 Maritime Strike

4.1 Background and Context

The pearling industry in Zenadth Kes created an economic boom between the 1860s and the 1960s (Beckett, 1987; Ganter, 1994; Sharp, 1981). Economic migrants came from many countries to work in this burgeoning industry. The Indigenous inhabitants of the region, the Zenadth Kes people, were overrun by a new society, economy and laws (Beckett, 1987). Islanders were recruited to work in the pearling industry as labourers, largely underpaid, and had their wages managed under government control. Oppressive societal conditions also developed long-term resentment in Islanders towards the paternalist government, which in their policy described Islanders as having ‘not yet reached the stage where they are competent to think and provide for themselves; they are really over-grown children’ (Beckett, 1987). Islanders became increasingly frustrated with this tight hold and the continual oppression from the Queensland Government and missionary influence, as it controlled their lives and degraded Ailan Kastom. Concurrently, the climate of industrial and political action also influenced the Islanders, as they saw the Japanese pearl drivers strike in 1923. When they were pushed too far, Islanders decided to act in the form of a labour strike (Sharp, 1981).

The 1936 Maritime Strike was a coordinated effort by Islanders to take industrial action within the pearling industry to disrupt profitable operations in pursuit of freedom and equality. Never had Islanders coordinated such a unified regional event to assert self-determination (Sharp, 1981). The strike successfully elevated their concerns beyond the mission masters and protectors to garner national attention (Sharp, 1981). This led to concerns being heard by the government to change their oppressive conditions (Beckett, 1987; Ganter, 1994; Sharp, 1981). Consequently, the first Zenadth Kes Councillors Meeting was held in 1937 on Yorke Island, hosting delegates from each island community to come

together and discuss their concerns. The outcomes of this conference included that Islanders would be managed separately from Aboriginal people living in mainland Australia under a newly created Torres Strait Act 1939, some living standards of Islanders in their respective communities would be improved, and laws that restricted Islander freedoms would be lifted (Beckett, 1987; Ganter, 1994; Sharp, 1981).

This chapter examines the discourse surrounding the 1936 Maritime Strike to identify the positions of Islanders in the literature. The discourse in this chapter is dominated by academics who are primarily non-indigenous. Many writers have written about various aspects of the strike, each with different paradigms and purposes for historical events (Beckett, 1977, 1987; Ganter, 1994; Mullins, 2012; Nakata, 2007; Osborne, 2009; Sharp, 1981, 1993; Shnukal, 2015; Wetherell, 2004). The major sources were anthropological reports and academic resources. However, hardly any literature has sought to analyse Islanders' assertions as independent agents acting for greater self-determination in that contemporary space. Interestingly, Nakata (2007) is the only Islander who writes about the 1936 Maritime Strike, which reflects Islanders' desire for self-determination.

The findings of Islander self-determination throughout history reveal the discourse on this key moment. The discursive formations of non-indigenous writers are immediately apparent when looking through the literature for examples of Islanders' positioning with the discourse. As such, Islanders are not strongly positioned at the centre of the discourse when discussing the 1936 Maritime Strike. However, the exception is when Islander academics are writing; they also position Islanders at the centre of the discourse with the agency. Writings of self-determination in this key moment are occupied by describing the events of the time and therefore appear to miss opportunities to centre Islanders acting in self-determination.

Lastly, the term self-determination is rarely used, and when it is used, it is not in relation to Islanders acting specifically within the context of the strike. However, this is not

unusual from this time period through to the 1970s when the political discourse of self-determination increased coinciding with the Whitlam Government's agenda on Indigenous self-determination. This also may correspond with the 1960s Indigenous activism movements including the beginning of the Australia Black Panther Party in 1971. The party's purpose was driven by "a commitment to self-determination and the elimination of all forms of discrimination" (Lothian, 2005, p. 180).

4.1.1 Historical Impacts Leading to the 1936 Maritime Strike

The academic discourse identifies important factors leading to the Strike between various publications and builds a picture of the situation and circumstances. However, the corpus of knowledge on the 1936 Maritime Strike centres on the impact of the pearling industry on Islanders. These topics discussed the causes that prompted the Islanders' responses. As these texts mostly recount the history of the strike, the context is similar, and several key writers use some of the information. However, their articles examined slightly different aspects of the strike. The literature used in this discourse analysis of the 1936 Maritime Strike considers various aspects of that historical event and how Islanders are positioned in the discourse.

Introducing new societal systems has led to the degradation of traditional Islander ways of life (Beckett, 1987; Sharp, 1981; Shnukal, 2004). Western monetary value systems that came with the rise of the pearling industry forced most Islanders to abandon traditional subsistence activities and adopt store-purchased foods (Beckett, 1977; Osborne, 2009). Islanders were resilient through this transformation, displaying great self-determination through entrepreneurship, seeking financial independence and learning to thrive in the changing circumstances of society. However, Islanders felt oppressed by new regimes, which forced them into new societal structures and limited their freedoms (Shnukal, 2015). The

arrival of outsider workers for maritime resources, the LMS, and the government were all powerholders who contributed to changing Islanders' society.

These outsiders to Zenadth Kes, who came to the trochus and pearling industry, also started to blend the population ethnicity through marriages and towards a wider connected region outside of the individual island nucleus. This mixture of racial diversity that emerged in Zenadth Kes was also described as the 'Sink of the Pacific' (Beckett, 1987, p. 57). Beckett (1987) argued that a hierarchy of the race order emerged, situating Europeans at the apex with Islanders at the bottom and distributing others along the scale according to skin colour and race. An Islander informant of Beckett summed up the societal class structure:

England number one. Japanese number two.

Malayo, Manila, bloody fool.

South Sea all same. (Beckett, 1987, p. 57)

The LMS group, which brought Christianity to Zenadth Kes in 1871, also had a huge impact on the colonisation of Islanders. Beckett (1987) argued that the new colonial and evangelical rule upon Islanders smothered their lifestyle and customs as they became '*subjects to the state*' and were segregated from non-Islanders. Within the pearling industry, the Islanders were at the centre of a contest between the missionaries who '*despised shellers on moral ground*', and shellers who ignored missionaries, both of whom sought the Islanders' allegiance (Shnukal, 2015). Rev. Samuel McFarlane of the LMS asserted that this contest, which occurred at Mabuyag, was '*the rendezvous of all the immoral filth of the Straits*' and that Islanders were '*shamefully demoralised*' (Shnukal, 2015). Shnukal (2015) argues that blending marine industries, Christianity and government administration created a 'pan-Islander' identity across Zenadth Kes. This new '*pan-Islander*' identity is the blending and unification of once separated Islander communities and people, and it greatly contributed towards uniting in resistive action from Islanders (Shnukal, 2015). However, there were times

when Islanders needed support from empathisers. In the 1936 Maritime Strike, the Bishop of Carpentaria criticised the government's treatment of Islanders and called for Islander management to be transferred to the Commonwealth (Wetherell, 2004). The Bishop argued:

When Australia is asked how she is dealing with some 60,000 of her inhabitants, it is tragic that the Commonwealth Government should have to say we have different and, in some cases, contradictory laws dealing with them. The good name of Australia is at stake... (Wetherell, 2004)

The Queensland Government began to flex ever-increasing controls upon Islanders, with new laws leading to the government's oppressive actions in the protection era for the Aboriginal and Torres Strait Islander people (Beckett, 1977; Ganter, 1994; Osborne, 2009; Sharp, 1993). This new way of life brought much dissatisfaction from Islanders regarding the ongoing oppression and suffocation of their pre-colonial lives (Beckett, 1977; M. N. Nakata, 2007; Shnukal, 2015; Wetherell, 2004). Nakata (2007) described how this control existed in three stages throughout the post-contact history of Islanders. The first was a system of indirect rule by appointing the 'mamus' to act as the Islander police and delegate. The second phase was paternalistic exclusion, which entailed keeping Islanders separate from themselves and others. The final phase was controlled integration, '*where Islanders were allowed to move away to fill labour needs elsewhere in Australia*' (Nakata, 2007).

Beckett (1987) recounted that these conditions fostered an increasing climate, leading up to the 1936 Maritime Strike. There was a feeling of political radicalism and union militancy around this time that came from Townsville. Even Japanese divers working in Zenadth Kes conducted a strike in 1923. Further, 1936 was the year of an international seaman's strike (Beckett, 1987). These accounts and others may have contributed to the industrial climate that led to the 1936 Maritime Strike.

4.1.2 Self-Determination in the Discourse

The term '*self-determination*' rarely features in the literature analysed in the discourse of the 1936 Maritime Strike. The actions describing the strike in the literature relate more to the nature of protest and resistance from Islanders than to explicit acts labelled as self-determination. An example is when Sharp quotes from Brisbane Telegraph, which reported that '*thirty men had been gaoled at Badu Island evidently because of their refusal to obey orders and join the boats on which the Aboriginal Department directed that they should work*' (Sharp, 1993). Even after the introduction of the UN Declaration on the Rights of Indigenous People in 2007, which uses the term self-determination quite deliberately, the literature reviewed around this time does not correlate to more usage of the term. When Islander leaders gathered to make plans for the strike, the literature states that Islanders '*met surreptitiously on the beach at Erub (Darnley Island) to discuss issues and devise tactics to enable them once again to manage their own affairs*' (Osborne, 2009).

When the term self-determination was used at this key moment, it did not directly relate to Islanders acting in self-determination. Other synonyms that describe Islanders act as a form of self-determination through nouns or verbs. The word 'strike' was used obviously as this key moment's research centred around the 1936 Maritime Strike (Beckett, 1987; Osborne, 2009; Sharp, 1981; Wetherell, 2004). The term 'control' came up several times when describing Islanders' reactions to paternalism and oppression (Beckett, 1987; Ganter, 1994; Osborne, 2009; Sharp, 1981). When reviewing the wants of Islanders, various other terms indicate their desire for self-determination. This included 'self-governance, resistance, intuitive subversion of colonial order' (Ganter, 1994), 'independence and insubordination' (Mullins, 2012; Nakata, 2007), 'autonomy, self-reliance and thwarting regulation' (Osborne, 2009; Sharp, 1993), 'self-reliance' (Osborne, 2009), 'autonomous entrepreneurs' (Wetherell, 2004), 'financial independence' (Mullins, 2012), 'equality' (Osborne, 2009), and

‘dissatisfaction’ (Sharp, 1981). This demonstrates that there are clear strands of self-determination in the underlying discourse on this key moment.

4.1.2.1 Actors in the Discourse

In the literature analysis, there appear to be three main types of actors in the discourse: the Zenadth Kes people, the protectors and government representatives, and the missionaries and those leading evangelical efforts. The protectors were the government representatives employed to administer the ‘protection’ of Indigenous peoples under the laws created by the governments of the day. However, much of the work the protectors were engaged with was segregating Islanders from others and driving them to work as labourers while controlling their decisions and living back in island communities (Beckett, 1987; Ganter, 1994; Osborne, 2009). The LMS, which initially arrived to spread Christianity and convert Islanders, later gave control over the Anglican Church (Wetherell, 1993). The Anglican Church was a Christian evangelical influence trying to obtain Islander converts to their religion and worked with the government to enforce the laws of Islanders’ lives (Beckett, 1977; Sharp, 1993). Lastly, outsider labourers from Asia and the Pacific Islands or their descendants were also contributors to the social and economic lives of Islanders.

Within the discourse, some writers purposefully tried to expose the harsh treatment of Islanders to help their readers understand their position in the literature. When outlining how keeping the education level low for Islanders in her book, Osborne described that the LMS ‘promoted education as a ‘civilising’ agent’ and further, that the low standard of education was ‘to fit the pupils for the future so that they will be useful citizens when the time arrives for them to leave the school and take their place among the men and women of the village’ (Osborne, 2009). Sharp (1993) describes Islanders as doing only what they could but stops short of labelling this act as self-determination. ‘Islanders has [*sic*] nothing apart from their

labour with which to demonstrate their refusal to accept a cultural death under the outsiders' law' (Osborne, 2009).

4.1.2.2 Exclusions

Within this analysis of the discourse on the 1936 Maritime Strike, there are some common exclusions across most of the literature. The most common exclusion in this analysis was why Islanders chose to take industrial action. In their papers, several writers excluded major reasons for the strike, specific details of how the Islanders coordinated a regional strike having never previously done so, more specifics of what the Islanders did during the strike, excluding more specifics on the penalties and the effects on the social changes within the community. Ganter (1994) did not discuss the specifics of Islanders who went on strike and explored the societal benefits in the pre and post-colonial periods surrounding the strike. Sharp's (1993) book did not identify individuals, particularly what island they came from, but rather used nicknames to de-identify actors in the text. This created another depth in her writings on the strike. Other exclusions include Islander perspectives of their social status at the bottom of the social class and more details on how integration with other immigrants affects this social standing and their opportunities for self-determination (Beckett, 1977; Shnukal, 1992).

4.2 Self-Determination Concepts in the Literature

The analysis of self-determination within this thesis reveals various ways the term is discussed, manifested and described. At times, self-determination was discussed as Islanders not accepting the declining conditions of their lifestyle under oppression from the government and deciding to act (Beckett, 1977; Ganter, 1994; Mullins, 2012; Sharp, 1993; Wetherell, 2004). Osborne (2009) showed that Islanders were sick and tired of the ongoing oppression of the government through the laws over them and further the protector's desire to control all aspects of their lives:

Whatever self-determination became possible stood on shaky ground as the government proved it was not yet ready to totally release its paternalistic hold, evidenced by its determination to continue to control Siemens earnings, the boats and who skippered them. (Osborne, 2009, p. 33)

In other instances, Islanders sought to escape these oppressive conditions. Mullins (2012) expresses that the alternative labour to Islanders working on the company and master boats were sailing dinghies or passenger fish tenders. These were smaller tenders that harvested shells closer to their home island and were operated by single or small crews. Some Islanders chose this to escape oppression experienced by the company and master boats and avoid the island fund tax or income tax (Mullins, 2012). Mullins (2012, p. 54) writes that Islanders were seeking ‘independence for themselves and their families, outside the larger community-based syndicates that operated in the company boat system’.

The discourse on the Maritime Strike also displays empathisers to the Islanders’ circumstances, who lobbied on their behalf regarding the unfair treatment of Islanders by the government. Bishop Stephen Davies of the Anglican Church criticised the Queensland Government for their actions and called for the management of Islanders to be shifted towards the Commonwealth (Wetherell, 2004). Davies wrote, ‘I am sure that the fault is that the department officers will not realise the fact that the Aboriginal is a man; they want to hurt him as an animal with no personality or individuality’ (Wetherell, 2004, p. 185-186).

However, the common narrative in the literature is that Islanders quickly adapted to the new cash economy, understood the inequality within this system, and were capable and willing to unite regionally to take industrial action to improve their conditions. Nakata’s (2007) observation of the strike is that Islanders ‘took stock’ of themselves in relation to others, experienced inequality in the maritime industries and decided to act against the

oppression. This was a milestone in Islanders' post-contact history and something that had never been done before the 1936 Maritime Strike.

Sharp (1993) analysed the various sides of the discourse on the strike to display the perspectives that existed during that time. Initially, public images of the strike for the Brisbane Courier mail reported, 'Natives on Strike, Decline to Work Island Luggers, Islanders on Strike, Official Inquiry Ordered, Payment for fishing, On Strike, Torres Strait Boys, Dissatisfied with Pay' (Sharp, 1993). Sharp (1993, p. 188) recounts that the 'government's power over Islanders was "rising towards a peak in the early 1930s" and that "The Government [had] the power to make them [Islanders] crawl on their knees". That is what one specific Islander indicated that the strike was about who got to control the money earned by Islanders and how they used it. He said, 'We used to crawl on our knees and say, "Please, please, I would like more..."' (Sharp, 1993). Sharp describes Protector McLean's masking of the serious nature of the strike as a 'General Strike' and that it was only to 'force the government's hand in transferring the natives of Torres Strait to the Commonwealth', (Sharp, 1993). Interestingly, in her writings on the perspectives of the strike, there is still no clear indication from Sharp that the Islanders were acting in self-determination, even though the discourse is quite clear the Islanders were.

4.3 Self-Determination and Society

Since the colonisation of Islanders, the discourse has revealed two dramatic changes in the traditional social structure of Islander life. The first was the rise of the pearling industry, which brought outsiders and governmental control. The second change was the missionary's efforts to 'civilise' Islanders under the banner of Christianity (Osborne, 2009). Through this discourse, this combination compounds the colonisation of Islanders to strategically replace Islanders' traditional and customary laws and culture with Western values and ideals. Osborne (2009, p. 20) argues that Islanders' '*traditional structures were*

rapidly dismantled by the missionary teachers' and found them 'increasingly controlled by restrictive and segregationist Queensland legislation'.

Shnukal (1992) argues that once a Western societal structure was established, Islanders were at the bottom of the social order. Within this class system, above the Islanders were Pacific Islander immigrants, followed by Asian labourers, and finally, Europeans (Beckett, 1977; Shnukal, 1992). Beckett (1987, p. 58) described this simply as a 'hierarchy approximated that of contemporary scientific racism, with northern Europeans at the apex, black-skinned people at the bottom, and the rest distributed according to their position along the colour spectrum'. Islanders were legislated from any right. This oppression forced Islanders to want freedom in government policy (Osborne, 2009).

Further, the subsistence economy was greatly transformed, as Islanders were forced upon boats, leaving their gardens and hunting and gathering efforts (Wetherell, 1993). Wetherell (1993, p. 188) argued that the 'subsistence economy enabled participation in the cash economy at extremely low wages, and the protector's active encouragement of the purling employment aided the economic exploitation of Islands divers'. The credit in shops came from the meagre income of Islander men working on boats. Their coerced reliance on shop food places more pressure on men to work and provide for their families (Wetherell, 2004). The subsistence economy was gradually eroded 'because of the high level of participation required by the labour-intensive pearling industry with up to 700 younger men absent from the gardening and fishing out of the total islands population' (Wetherell, 2004, p. 190).

4.4 Self-Determination and the Future

Literature discussing the 1936 Maritime Strike has been written to demonstrate Islanders wanting to take back control from the government; however, the strike changed their lives and shaped their future (Sharp, 1981). Sharp (1981, p. 109) recounting that the

strike appeared to have ‘caught the administration by surprise’. Islanders were critically important to the industry as the government was worried about the severe financial loss of the industry due to the strike (Shnukal, 2015). This was demonstrated by the government being severely shaken and ‘agreed to many of the demands made by strikers passing the Torres Strait Islanders Act 1939 to recognise the Islanders’ separate identity, instituting more comprehensive measures of self-government and improving medical, educational and other services’ (Shnukal, 2015, p. 268).

The government now realised that Islanders were willing to organise and strategise to resist oppressive conditions (Sharp, 1981). The increased sense of equality and change of legislation from the 1936 Maritime Strike gave Islanders new confidence to pursue any injustice they felt restricted their lives (Ganter, 1994; Nakata, 2007). Following the 1937 Councillors conference at Masig, ‘Murray Island leaders continued to press for control of Commonwealth Savings Bank passbooks; they were not simply seeking control over island affairs... they were demanding a footing of equality within Australian society’ (Sharp, 1981, p. 120).

Nakata (2007) argues that this confidence started a ‘chain reaction’ of other events to liberate Islanders, including the Army Time Strike, the border dispute with Papua New Guinea, and the Mabo Land Rights case. Osborne (2009) also described the strike as ‘monumental’ for the post-1936 strike movements as a regional identity had formed. Further, the society of Islanders also changed, with non-Islander workers marrying local Islanders to start families. Hostility between Islanders and outsider workers has been mentioned previously in the discourse; however, integration has evolved into a new culture in Zenadth Kes (Shnukal, 1992, p. 1). Shnukal (1992, p. 1) argued that ‘much of what is today called the traditional Torres Strait Islander custom (ailan pasin) is, in fact, a synthesis of traditional and

introduced specific elements'. This new multicultural society is widely accepted today as the unified Zenadth Kes and has rarely been discussed in the past (Shnukal, 1992).

4.5 Islander Agency Within the Discourse

The portrayal of the Zenadth Kes people in the discourse is an important element of this analysis. The question regarding Islander agency in the discourse investigates whether Islanders are positioned as independent agents or seen as the 'other', deliberately or not.

Through this chapter's analysis, the position of Islanders emerges as both independent agents and as the 'other' to various characters and things that take positions at the centre of the discourse. This can be attributed directly to the writer's lens, who crafted the text to create a narrative that tells a specific story.

Throughout the literature on the 1936 Maritime Strike, much of what was written provides a historical account of the proceedings (Beckett, 1977, 1987; Mullins, 2012; Shnukal, 2015). These historical accounts have still been selected by the writer and have created a discursive formation of facts from the event.

Beckett has published several articles on this topic and positions Islanders differently. In his book and chapter on the strike, Beckett appears to portray Islanders as the 'other' to the colonisers (Beckett, 1987). However, in Beckett's earlier article on internal colonisation in the pearling industry, he situates Islanders on the opposite side of Tanu Nona, an entrepreneur of Samoan and Islander descent who exercised his self-determination and also placed restrictive conditions on other Islanders (Beckett, 1977). Islanders are further described as acting out against government laws and the rules placed upon them (Ganter, 1994; M. N. Nakata, 2007; Osborne, 2009).

In the literature, direct Islander voices and quotes have been used to demonstrate the meaning of Islander. Both Sharp's writings have specific and sometimes lengthy quotes of Islanders speaking (Sharp, 1981, 1993). However, in Sharp's book *Stars of Tagai*, depending

on the narrative, the writing sometimes reflects either the Islander agency or government protector paternalism (Sharp, 1993). Wetherell (2004) appears to position Islanders heavily as the 'other' within his article, although he does give agency to Islanders in some of their actions. Shnukal (1992) is another who positions Islanders as the 'other' compared to Pacific Islander immigrant workers, yet is more describing than positioning them in that circumstance. In another article by Shnukal (2015), Islanders are portrayed as independent actors in charge, but other references in this article refer to them as the 'other' to the government.

4.6 Discussion

The 1936 Maritime Strike discourse has been dominated by non-indigenous writers who presumably had good intentions to 'give voice' to Islanders and create empowerment. However, they have not firmly centred Islanders in their narratives as asserting self-determination in the 1936 Maritime Strike. The strike had a lasting impression on many and was the catalyst for future affirmative action taken by Islanders to assert their rights and freedoms. The discourse appears to be dominated by learning lessons from Islander history, rather than identifying Islander self-determination. In addition, the term 'self-determination' is rarely used within the discourse on this key moment. Further, when self-determination is used as a term, it does not explicitly describe Islanders 'acting with self-determination'. The social standings of Islanders contributed greatly to them not affording the agency in literature required to show fully self-determining people, nor did the topics of the literature seek to do so. Lastly, Islander academics, such as Nakata, appear to be the only ones seeking to provide Islanders with full agency in their literature, giving them self-determination in their actions, whether proactive or reactive.

Chapter 5: The Army Time Strike

5.1 Background

5.1.1 Historical Impacts Leading to the Army Time Strike

The 1936 Maritime Strike provided Islanders with valuable experience in resistive action as a form of self-determination. The strike resulted in the introduction of the Torres Strait Islanders Act of 1939, separating Islanders from Aboriginal people regarding their management throughout Queensland and providing Islanders with a greater voice in managing their affairs (Sharp, 1993).

When World War II arrived on Australian shores, Zenadth Kes became a very important strategic passageway that needed protection. Zenadth Kes was the target of becoming another Japanese base for conducting raids in mainland Australia (Seekee & Seekee, 2002). During this time, Islanders were still trying to free themselves from the oppressive conditions placed upon them by the Queensland Government (Osborne, 2009). Under the assumption that they would be entitled to a 'better deal' after the war, Islanders enlisted with the army and volunteered proactively to 'prove their worth to white Australians' (Beckett, 1987; Sharp, 1993). Further, the Australian Aborigines League and the Aborigines Progressive Association proactively encouraged Indigenous men to enlist in the defence force in the hope that Indigenous people would obtain full citizenship following their service to the Australian nation (Saunders, 1995).

However, during the war, Islanders again saw inequalities between themselves and white Australian soldiers and decided to take resistive action (Beckett, 1987). Beckett (1987) points out that Islanders had three complaints leading to the strike. First, the Islander soldiers wanted equal pay and rights, equal to the white soldier, for doing the same work. Islanders knew that they risked their lives just as much as any other (Beckett, 1987). Second, Islander

soldiers did not want to have any 'Island Laws' in the army, particularly regarding punishment (Beckett, 1987). Lastly, white troops reported by native non-commissioned officers (NCOs) for drinking in the hold of the boat were not dealt with. Every time any native soldier did anything of that nature, he was severely punished (Beckett, 1987).

More was at stake for Islanders to take industrial action for this key moment than the previous Maritime Strike in 1936. Islanders were under Commonwealth management and subject to army laws and discipline for not following procedures. Nevertheless, the success of the 1936 Maritime Strike in their minds gave them the determination to take action against inequality. Even after being threatened that they could be shot if they did not follow orders, Islanders conducted a 'sit-down strike' on the 30th of December 1943 (Beckett, 1987; Osborne, 2009). Islander soldiers from all islands in Zenadth Kes collectively refused to attend a parade (Osborne, 2009). The strike lasted only one day before it yielded results for the Islanders. The benefits included a wage increase to equal only two-thirds of the white soldiers, including dependent allowances for their families, who were unsupported during the absence of Islander men from their communities (Osborne, 2009). This withholding of the full wage increase was based on the advice of the Queensland Government's Director of Native Affairs, who did not want to 'spoil' them so they would cause trouble when they returned from war (Beckett, 1987; Osborne, 2009; Saunders, 1995). The Australian Army knew this was illegal at the time and could lead to post-war repercussions, yet it still followed the Queensland Government's advice (Osborne, 2009). This transgression eventually came to light in the 1980s, and the Australian Army made reparations for Islander soldiers (Beckett, 1987).

Islanders' involvement in Army Time was a defining moment in the history of Zenadth Kes. Following the war, Islanders stepped out of their old lives with increased education, employment and societal advancement opportunities. Islanders had a new sense of

wealth, ability and confidence. This led to the start of the out-movement of Islanders to mainland Australia. From this Army Time Strike, a united Islander identity was formed so much that they were experienced and prepared to lobby, campaign and fight against injustice and oppression.

The literature analysed in this key moment was written by non-indigenous and non-Islander academics. These writers have sought to tell stories of war efforts and have merely included Islander involvement, although Islanders were the key point of context. Some of them have recounted Islanders' experiences throughout the Army Time and have discussed the strike, yet there is no clear declaration of Islanders acting in self-determination with the actions. Further, there are differences in the subtleties on how they position the Islanders in the discourse as the centre of the subject matter or as the 'other'. This chapter will analyse the positioning and attempt to unpack the binary ways in which Islanders are discussed by the authors.

5.1.2 Self-Determination in the Discourse

The writers of the literature selected in the analysis of this chapter are from a non-Islander and non-Indigenous background (Beckett, 1987; Hall, 1992; Manzie, 1988; Osborne, 2009; Robertson, 2010; Saunders, 1995; Schug, 1998; Seekee et al., 2002; Sharp, 1993). Immediately, we see the unrepresentative voices of Indigenous writers that shape that discourse. These discursive formations are from an outsider lens to Ailan Kastom of the Zenadth Kes people and have informed their selection of data on the Army Time Strike, including their interpretations of Islanders' actions. Some writers recorded Islander words and used them as direct quotes in their writings. However, attempts to give voice to Islanders through quotes and transcripts are still used in the context of the narrative the writer is attempting to produce.

The literature about this event is limited, so some articles reference the same authors, such as Beckett (1987), and repeatedly use their quotes similarly (Beckett, 1987). The perspectives and literature regarding this event are quite narrow. The topics on this subject and key moment are focused on the Islanders acting out against the inequality they experienced from their recruitment to and unfair treatment while serving in the TSLIB in the Second World War. Some of the keywords used in place of not finding the term 'self-determination' in the literature are strike, equality, freedom, unfairness and reparations.

The actors identified in the literature provide an understanding of the historical context of the Army Time Strike and who or what the discourse may position as a paramount topic. Zenadth Kes people feature heavily throughout the literature on the Army Time Strike. Yet, they are not exactly positioned at the centre of the discourse to other actors such as the army, the government, and the laws of the government. In Beckett's writing regarding the strike, both the Commonwealth and Queensland governments and their laws appear to be central (Beckett, 1987). Sharp's book looks to centre Islanders in a historical narrative but not as full agents acting in self-determination (Sharp, 1993). Osborne and Saunders, who quote others, including Beckett, centre the army when specifically discussing the strike (Osborne, 2009; Saunders, 1995).

Before the war, Islanders were actively encouraged by Islander leaders to join in a strategic attempt to gain favour from the Commonwealth Government, which took over the management of Islanders during the war. Marou from Mer encouraged Islanders to sign up in the army for a 'better deal' after the war', 'full citizen rights', 'new deal' and the supposed promise of 'social service benefits' by the Commonwealth (Beckett, 1987).

However, Osborne's writings provide another perspective in which Islanders did not afford self-determination in the discourse. As the war came closer to Zenadth Kes, Islanders were not afforded self-determination and were forced to join the war efforts (Osborne, 2009).

‘Army men came with guns’ recounts Osborne, and ‘fired a pistol in the middle of the street and frightened the boys to join’ (Osborne, 2009, p. 34). Islanders joined the war without talking to wives who came home from work in the gardens to find men gone (Osborne, 2009). Some Islanders even enlisted while working on boats away from the community, and ‘seamen on their boats as far south as Mackay were ordered to return immediately to Thursday Island’ (Osborne, 2009, p. 34).

5.1.3 Islanders as Agents or the ‘Other’ in the Discourse?

Within the discourse being examined, once again it is important to establish whether Islanders were described as the primary agents acting in self-determination or as the ‘other’ in the narrative (see section 3.2.5.1 for a full definition). This is important because it clarifies how the writer influences the discourse and who is being centred on and discussed. This also implies that those who are not discussed as agents are indeed the ‘other’ and cannot, therefore, be properly represented through the narrative.

In the literature reviewed regarding the Islanders’ involvement in the Second World War, most of the literature portrayed Islanders as the ‘other’ in the discourse (Beckett, 1987; Osborne, 2009; Saunders, 1995; Singe, 1979). In the writings of Beckett and Saunders, Islanders are seen as the ‘other’ to the government as both the Commonwealth and State, the army, and other characters within their discussion of Islanders’ involvement in the war (Beckett, 1987; Saunders, 1995).

Singe (1979) described the dealings of Islanders with non-Islanders and did not give a specific position on the assertions for self-determination by Islanders.

A second finding regarding the question of Islander agency is that Islanders are also discussed in historical terms and facts within the discourse (Sharp, 1993). The literature on this is not as clear as to suggest if Islanders were ‘agents’ or the ‘other’. Singe’s writings position the Islanders as neither, given his work only states historical facts, rather than

suggesting the Islanders' position (Singe, 1979). Sharp (1993) uses the voices of Islanders transcribed from cassette recordings, where Islanders appear to be the agents and acting; however, the narrative is historical and is not obvious in one way or the other. Osborne's (2009) writings on the 'Army Time' are also unclear regarding the positioning of Islanders as the 'other' to the army in the discourse. Islanders acted as agents by stating that Islanders held a councillors' conference in 1942 and decided that they would serve in the war to appeal to Commonwealth assistance (Manzie, 1988).

5.1.4 Were Islanders Proactive or Reactive?

Through the discourse, identifying whether the Islanders were reacting proactively or reactively helped establish the writers' positioning of Islanders. Being proactive lets Islanders fully comprehend the situation and calculate a perceived benefit by taking certain actions. Acting reactively demonstrates that someone is forced to decide on the best course of action according to a circumstance or scenario. Writers of World War II Wages Equality Strike, who discussed various aspects of the event, have different narratives regarding how Islanders responded.

As the war progressed, Islanders were not required to enlist by conscript, as they were not full citizens of the Australian nation-state. However, Islanders proactively volunteered to serve in war efforts specifically to 'prove their worth' to white Australians' (Beckett, 1987; Robertson, 2010). Osborne (2009) confirms this in her writings that Islanders were looking to gain favour from the Commonwealth Government following the failed outcome of the Maritime Strike in 1936. Islanders felt that they would be better treated under Commonwealth management than under state government protection (Manzie, 1988). The discourse from Beckett also states that Islanders were under the assumption that they would be entitled to a 'better deal' after the war and that Islanders were promised full citizen rights because of their service to the Crown and country (Beckett, 1987).

This act contrasts with the reactions of Islanders as the war progressed. Osborne (2009) argues that *'as the war moved closer to Australia the Army came and collected every able-bodied Islander man'*. The army came to the islands with guns and was forced, coerced and scared [Islanders] to enlist (Osborne, 2009).

Now enlisted in wartime efforts, Islanders learned of the disparity in treatment between themselves and non-Indigenous soldiers in the defence force (Beckett, 1987; Osborne, 2009). This inequality includes wages, dependent allowance, drinking and gambling restrictions (Osborne, 2009). Osborne (2009) described that the Islanders reported to authorities that they had enlisted on the understanding that they were intended for 'labour purposes'; however, Islanders were used on patrol and had taken the same risks as the White soldiers, yet not receive equal compensation.

Within Sharp's discussion of Army Time, Islanders were brought together for one cause, which ceased some of the previously existing inter-island issues (Sharp, 1993). Sharp also recounts that fellow Diggers of Islanders spoke out against the inequality that Islander soldiers experienced (Sharp, 1993). Further, Sharp argues that following the 1936 Maritime Strike, Islanders increased their zeal for freedom from oppression by the government (Sharp, 1993). Islanders had more fully understood and sought to leverage their service in the army to get the Commonwealth to take over the administration of the islands. Their strike was about equality and was politically motivated as well.

In Osborne's writings, Islanders determined that if they joined the army, the Commonwealth would hear their issues with the Queensland Government and free them (Osborne, 2009). Osborne quotes a Masig woman who claimed, 'God sent World War II to put us in the right position with the (Commonwealth) government' (Osborne, 2009). As the war progressed, Islanders experienced new opportunities never before offered under the state government's oppressive laws, which prepared them for opportunities (Osborne, 2009).

Islanders also demonstrated that ‘contrary to wide-spread opinion... they could work alongside whites’ (Osborne, 2009). Further, Islanders, like white soldiers, were willing to put aside inter-island differences to unite in protests for better wages and conditions.

The Army Time Strike for self-determination during World War II has been described as a proactive attempt by Islanders to change their unfair treatment. There were three main arguments that led Islanders to a sit-down strike in December 1943. First, the men claimed that they wanted equal pay and rights, the same as white soldiers. Second, Islanders did not want any island laws in the army, particularly regarding punishments for receiving liquor from white soldiers. Lastly, white troops reported by NCOs for unruly drinking were not punished the same as Islander soldiers for the same transgression (Beckett, 1987).

Within eight years following the 1936 Maritime Strike, Islanders were again brought together against unfairness and injustice; however, the situation was different, and there was more at stake. Osborne (2009) described how Islanders were threatened with being shot if they conducted industrial action. Sharp (1993) argues that this unity ceased some of the previously existing inter-island issues: *‘We’ve got no feelings of hate towards the Western and Central, no growl now. From Western to Central, they come our from one’* (Sharp, 1993, p. 221).

This proactive action by Islanders can be considered a form of self-determination (Beckett, 1987; Sharp, 1993). Sharp (1993) argues that Islanders were brought together in one cause and united with white soldiers. This unity and relationship created a bond that had not previously been seen by Islanders. However, the unwritten argument that Islanders were acting in Ailan Kastom could also be made, whereby they were once again self-determined over themselves and traditional areas. In essence, Islanders exerted self-determination through the strike in terms of how they wanted to be treated.

5.2 Self-Determination and the Future

The end of World War II became a segment of an array of changes in the management of Zenadth Kes people. Beckett (1987) quotes the Department of Native Affairs (DNA) report to describe how everyone realised that Islanders could not return to pre-war 1939 conditions. The after effects of the pearling industry and war disrupted Islanders economically and psychologically and had disastrous effects on Islanders culturally (Beckett, 1987). The DNA Report also suggested that Islanders quickly converted from traditional living to living as whites to prevent disillusionment, including an education plan for Islanders (Beckett, 1987). The new skills and abilities obtained by Islanders during the war gave them confidence and a new sense of purpose for freedom and citizen rights when returning to their island communities (Sharp, 1993).

There was hope for the future while Islanders were in the army because they dealt with white soldiers. Singe (1979) recounts how the army was good to Islanders because they met good white men who became friends and tried to help Islanders. Islanders even said they were 'treated like white men in the army' (Singe, 1979). Further, Osborne argues that the Army Time protest for unequal wages and conditions is the second time Islanders from various islands united to 'resist injustice' (Osborne, 2009). Beckett (1987) also argued that the experiences of Islanders during Army Time gave them a '*distinctive consciousness of their worth and the means to construct an alternative to their present situation*'. This provided a setting where Islanders were prepared to return to their home communities with new skills, abilities and confidence to speak against ongoing oppressive conditions (Sharp, 1993). Manzie (1988) recounts that Islanders were 'fully aware of their paternalistic situation in which they had lived for so long' and that they could 'work on equal terms with other Australians'.

5.3 Islander Agency in the Discourse

As with the previous chapter, this analysis also seeks to establish whether Islanders were described as the primary agents acting in self-determination or as the 'other' in the narrative. This is important because it demonstrates how writers influence the discourse and who is being centred on and discussed. This also implies that those who are not discussed as agents are indeed the 'others' and are not properly represented through the narrative.

In the literature reviewed regarding Islanders' involvement in the Second World War, they are mostly portrayed as the 'other' in the discourse, not as agents. Islanders are also discussed in historical terms and facts, so in those instances, the literature is unclear as to suggest if Islanders were agents or the 'other'.

Sharp (1993), a major writer on Islander history, is vague when discussing the details of the strike, including the lack of a strong standpoint on the Islander agency. However, Sharp reveals the influence white soldiers had on Islander soldiers during the war, describing *'the Volunteer Defence Corps (VDC) men and some regular soldiers became the spark that lit the fire of freedom movement, the harbingers of fresh times'* (Sharp, 1993). Islander recorded voices also did not give the impression that they were agents acting in self-determination against oppression. The narratives combined with the direct words of Islanders are an attempt to give Islanders agency in how the story is told, though it is imperfect because it is still a non-Islander constructing the discourse.

Jeremy Beckett's description of Islanders was also vague in describing the strike as self-determination. Islanders are not agents in his text when discussing the Army Time Strike, and there is little detail on Islander actions during or after the strike. When describing the strike, Beckett concludes that *'similar discontents seem to have caused a brief 'sit-down strike' by A, B and C Companies in December 1943'* (Beckett, 1987). Beckett's description

shows the unimportance of the event in the discourse and does not adequately reflect the views of Islanders in the text.

Saunders (1995) also does not place Islanders as agents in the text. Saunders writes in a reporting style and emphasises how the government treats, acts and reacts to Islanders regarding their wages and conditions (Saunders, 1995). Speaking of Islanders' reasons for the strike action, Saunders says, '*They (Islanders) complained that, though they engage in comparable activities, they were paid less than white personnel*' (Saunders, 1995). However, Saunders' article highlights injustice and inequality rather than anyone acting in self-determination. Again, we see another author not giving importance to Islanders making the claims and who was prepared to take action to support them.

Conversely, Osborne's (2009) writings seek to place Islanders with greater agency and act in self-determination than other writers on the Army Strike. Osborne (2009) writes that '*despite a warning that they would be shot if they went on strike, the TSLI refused to attend a parade*', clearly displaying an example of Islanders acting in self-determination. As mentioned, there was more at stake for Islanders in taking this action of striking, as Islanders were ready and willing to be shot for their act of self-determination. Interestingly, Osborne collates information from Beckett, Sharp and others to display Islanders acting against unfairness as a cohesive group (Osborne, 2009).

Manzie (1988) is another who quotes Beckett and Peel in an attempt to provide Islanders with agency regarding Islander enlistments with the army. Manzie, quoting Peel, stated, 'a conference of councillors 1942 decided to support the allied cause' even though Islanders '*...were not supposed to be enlisted*' (Manzie, 1988, p. 41). Islanders acted with the agency to gain favour from the Commonwealth Government and petition them to take over the management of Islanders.

5.4 Discussion

The key findings in the discourse analysis of the Army Time Strike are similar to those of the 1936 Maritime Strike analysis. The literature selected as part of this analysis was produced by non-Islander academics. Their writings discuss Islanders' involvement in the Army Time and in the strike to varying degrees. Some of these writers tried to make Islander voices paramount in their discourse using methods such as transcribing interview comments and inserting direct quotes from Islanders throughout their texts. However, these discursive formations still do not display the strong position of Islanders acting in self-determination within the discourse. There is nowhere in this key moment that the relaters of the Army Time Strike story concluded that Islanders were acting in self-determination. This may be seen as a great dis-service to Islander soldiers who were keenly acting with specific motives and not just enlisting for 'King and Country'.

This is not represented in any studies analysed for this key moment. Further, self-determination, as the word used to describe Islanders, is not present in the literature analysed for the Army Strike. Other words used to describe Islanders' actions or reactions do not place Islanders firmly at the centre of their domain. However, the texts give the sense that Islanders are strategically acting to obtain favour and benefit before and during the Army Time experience; thus, elements of self-determination actions are present in the literature on this key moment.

Chapter 6: Out-Movement of Islanders to Mainland Australia

6.1 Background and Context

The end of World War II marked a turning point in Islanders' struggles for self-determination. During the war, Islander men gained new skills and confidence in working and learning alongside their non-indigenous colleagues (Beckett, 1987). Filled with a fresh outlook on their social standing and new skills, Islander men were eager to assert their rights in their respective communities (F. W. Lui, 2012). This became troublesome for the government in its efforts to maintain control and order over Islanders (Osborne, 2009). Islander men soon became disruptive within the community and voiced their desire to leave the region and work south in mainland Australia (Beckett, 1987; Osborne, 2009; Sharp, 1993). It was written that a small group of Islanders were initially 'permitted' to go to the mainland to work in the sugar cane fields and other employment that the European labour did not want (Beckett, 1987; Osborne, 2009). This marked the start of the mass out-movement of Islanders to mainland Australia. Over the next few decades, many Islanders left Zenadth Kes to search for greater freedom from restrictive conditions and to seek equality and opportunity (F. W. Lui, 2012). By 1994, over 80 per cent of the Islanders lived in mainland Australia.

This chapter contains a discourse analysis of writers who have discussed the post-war out-movement of Islanders to mainland Australia. The array of writers used in this discourse study covers a range of perspectives on the topic. The key moments that include the Islander diaspora are the Pearling Era and the out-movement of the Islanders. Other key topics in this chapter include the subsequent governmental conditions that created division in identity, a personal recount of diaspora, and outsider influences such as missionaries and the government towards Islanders.

The authors of these articles and dissertations include Indigenous and non-Indigenous voices. However, as with most of the literature that discusses and analyses the history of Zenadth Kes, there is an overwhelming number of non-Indigenous writers in contrast to Indigenous writers. Only two texts used in this analysis were written and produced by Islanders. Similar to other chapters, the non-Islander writers used in this analysis attempt to give voice to Islander people; they have still used their standpoint in creating their discursive formations while constructing their writings. These articles written about the Islander out-movement span between 1977 and 2016.

Key findings of self-determination in discourses regarding the out-movement of Islanders to mainland Australia have shown similar results to previous chapters. First, the term ‘self-determination’ is not regularly used in the literature on this key moment, as in earlier moments. Additionally, within the literature, Islanders are mostly portrayed as the ‘other’ in the discourse, even though they are the subject of the topic. Further, the discursive formations of writers do not centre on Islanders; rather, they construct a history of Islanders and government relations with all actors present in the narratives. As with previous chapters, the only exception is that when Islander academics write, they speak from Islander standpoints and centre Islanders in their literature. Islanders are described in the literature as both proactive and reactive, as in other chapters, with both actions consistent with seeking self-determination.

6.1.1 Historical Impacts of the World War II Strike

The discourse on the post-war out-movement of Islanders to mainland Australia identified some key points to build the context around the event. This out-movement was not a simple or singular event but rather the start of the ongoing diaspora of Islanders. During the post-World War II period, Islanders returned to oppressive conditions that restricted their lives. Tensions emerged in the literature when Islanders sought greater freedom after the war

and thought they had earned the right to be free from all forms of government oppression (Osborne, 2009). However, in the post-war period, the Queensland Government slowly tightened its grip again to use Islanders as labour to recover the pearling industry (Osborne, 2009).

With their new experiences and outlook from the Army Time fresh in their minds, Islanders wanted more autonomy and opportunities in their own Island community (Osborne, 2009). However, the limited options and the dwindling pearling industry recession compounded the Islanders desire to move to mainland Australia. Islanders did so with a determination to look for more work opportunities and financial freedoms that would ultimately improve their lives and of their families in Zenadth Kes (W. Arthur & Taylor, 1995; Beckett, 1987; F. W. Lui, 2012; Mosby, 2015). Islanders found work in the railways and were paid and treated far better than back in their island communities. This enabled more Islanders to seek a better life, bringing more island men to mainland Australia with their families (Osborne, 2009).

W. Arthur and Taylor (1995) contend that the Islanders move to the mainland as an economic decision, stating that ‘mainland Islanders had potential access to a wide spectrum of mainstream employment opportunities as well as to a more comprehensive range of educational, training, health and other social services’ (W. Arthur & Taylor, 1995). Hodes (2000) further contextualises Islanders’ situation on the mainland as free as exempted Aboriginal people:

They were free to sit with a light in the cinemas, unlike Aborigines who had to sit in the front. They were able to drink in hotels and bars with their favourite watering holes being the old Exchange, Royal and National hostels; they could and did buy property, lived where they liked, and did not ask know

received permission from the protector of aboriginals in gaining employment and managing their pay packets. (Hodes, 2000)

However, Beckett contended that Islander emigration to mainland Australia was controlled which ‘served as a safety valve, both for growing pockets of unemployment and for political discontent, but the numbers had to be kept small so that the boats could be made at home, and mainland backlash could be avoided’ (Beckett, 1987).

6.1.2 Self-Determination Terminology in the Discourse

There is very little usage of the term ‘self-determination’ in the literature analysed. Instead of self-determination, what appears in the articles is the recurring theme of other words that describe self-determination. Beckett (1977) uses the word ‘freedom’ when describing Islanders’ outlook in the post-war period: ‘Islanders supposed this would mean “freedom”: the end of government supervision and segregation, and ‘full pay’. In other literature, Beckett describes Islanders as wanting to ‘make-a-name’ when working long hours on railway lines in Queensland and Western Australia (Beckett, 1987). This can be interpreted as meaning that Islanders determined how the wider Australian population viewed them. Shnukal (2004) uses terminology such as liberation, protest, autonomy and freedom from restrictions instead of self-determination. Following the Army Time, Shnukal (2004) describes the expectations of self-determination that Islanders were expecting in ‘freedom-citizenship, access to alcohol, unrestricted movement, better wages, houses, education, jobs and services, which had been promised in return for their support of the Australian war effort to which all Islanders had contributed’.

In other writings, Osborne specifically phrased ‘escaping restrictive conditions’ and self-reliance as well as autonomy to describe Islanders’ self-determination goals (Osborne, 2009). Both self-reliance and autonomy have a direct correlation with self-determination but have been used in different ways to describe Islanders attempting to escape conditions,

Islanders seeking to better themselves, and Islanders attempting to seek liberation and freedom.

6.1.3 Actors in the Discourse

The consistent characters in this key moment include the Islanders, master fishermen, non-Islander workers, the Queensland Government and their ‘protectors’, and the Commonwealth Government and their representatives. The representation of Islanders in the discourse and their ability to be self-determining are crucial; however, the out-movement chapter brings a different aspect to this analysis. This element is the politics and representation of Islanders living in Zenadth Kes as opposed to those not living in Zenadth Kes and the differences in their ability to strive for self-determination.

The emergence of Islander politics within this era of history began to identify Islanders within two separate categories. First, the mainland Islander is defined as Islanders who have moved away from the Torres Strait Region and now live in mainland Australia (F. W. Lui, 2012). Second, the remaining Islanders lived in the Torres Strait. As the Islanders moved away from the Torres Strait, a separate identity known as ‘mainlander’ emerged (F. W. Lui, 2012). F.W. Lui (2012) argues that the politics of identity and representation for Islanders on the mainland is a contentious issue involving government policy redefining and engineering the boundaries of inclusion for Islanders. F.W. Lui (2012) argues that the changing society in the post-war period solidified Islanders’ regional unified identity as they moved south looking for greater work opportunities. However, this created tensions between Islanders who lived on the mainland and those who lived back in the Torres Strait.

6.1.4 Exclusions

Exclusions are always expected in each piece of literature, as they are all written with varying intents and paradigms. The literature analysed in this chapter regarding the self-determination of Islanders relating to the experience of their out-movement to mainland

Australia has also some clear exclusions. In Beckett's (1977) article on pearling, Beckett does not go into depth regarding reasons for Islanders leaving and the links between Islanders' actions and state governments' oppressive tactics. Beckett (1977) mainly looks at the Badu emigration to mainland Australia, and there is no mention of the other islands that emigrated and their reasons for emigration (Beckett, 1977). Manzie (1988) focused only on Murray Islanders' diaspora to mainland Australia.

Hodes (2000) does not appear to put Islanders at the centre of the discourse, and there are no strong narratives of Islanders acting in self-determination within that article. Rather, the core narrative in Hodes's article is a discussion of the reaction to living under the act and the anomaly that existed between mainland Islanders and those living in the Torres Strait (Hodes, 2000). Shnukal (2004) leaves out the deliberate action that Islanders took in response to the end of the Army Time and how they were navigating the new challenges of a previous fair interaction between non-Islander soldiers and back to the government's oppressive tactics to control them. Other writers leave a lengthy discussion about the out-movement of Islanders to mainland Australia, the conditions under which Islanders were placed, and who were permitted to leave the islands (Beckett, 2014; F. W. Lui, 2012; Osborne, 2009).

6.2 Self-Determination Concepts in the Literature

Within various texts, Islanders are described as both proactive and reactive to their circumstances. When Beckett describes the post-war out-movement of Islanders from Zenadth Kes, he depicts Islanders wanting to prove as good as any worker on the mainland (Beckett, 1987). As mentioned previously, when Islanders were reminded that they did not pay for extra work, they responded that 'they were doing it for name' (Beckett, 1987). This is the same tone used when Islanders volunteered for the army to gain the favour of the Commonwealth Government to progress their civil rights disputes. Arthur and Taylor's (1995) writings on the matter lean towards Islanders being proactive in the discourse as they

seek employment on the mainland to support their families back in the Torres Strait.

However, Arthur is an economist and is generally more interested in economic status than in positioning people within a discourse (W. Arthur & Taylor, 1995). The writings of Hodes (2000) suggest that Islanders were not proactive because they were not the centre of the discourse (Hodes, 2000). Rather, the discourse centres on government legislative acts and their impacts on the residents of Zenadth Kes (Hodes, 2000). Hodes's (2000) article also displays the implications of the Act for Islanders who lived in mainland Australia or the Torres Strait.

Islanders have also been described as reactive to impeding circumstances. When Shnukal explains the post-war movement of Islanders to the mainland in her article, she may have unknowingly removed agency from Islanders when stating, '*a few men were 'permitted' to go "south" to work in Queensland canefields and later on the railways of Queensland and Western Australia*' (Shnukal, 2004, p. 116). However, in the same article, Shnukal argues that returning soldiers created strain on island resources with an increased population, and the lack of work opportunities forced Islanders to reactively desire to move south for opportunities (Shnukal, 2004).

Another aspect of the post-war period is Badu's position in the out-movement of Islanders to the mainland. Tanu Nona was a Samoan and Saibai entrepreneur who lived in Badu and owned and operated pearling luggers. Nona's enthusiasm for prosperity could be seen as contradicting the Islanders' desire for self-determination. Nona was a hard task master, tough on Islanders, and was described by Beckett as a man who 'taught Badu how to work' (Beckett, 1987, p. 148). In describing Nona, Sharp's informant stated, '*Before sun-up you had your one piece of damper... And God knows when you going to get your second bite*' (Osborne, 2009, p. 47). This productivity gained him favour with the Queensland Government and propelled him into politics (Osborne, 2009). Beckett (1977, p. 90)

contended that *'The government was quick to recognise Tanu's ability and to advance him'*. Interestingly, according to Beckett (1977), Nona did not participate in the 1936 Maritime Strike. In turn, he used his political position to forbid Islanders from Badu from immigrating south to work for better pay and conditions (Osborne, 2009). With the threat of a drained labour force for pearling fleets, Beckett reports that *'Tanu was able to block emigration not only from Badu but from all the islands supplying him with labour, on the grounds that Islanders were not yet ready to live without government protection'* (Beckett, 1977, p. 99). This can be viewed as another form of limiting Islander self-determination.

6.3 Self-Determination and Society

In the post-war period, Islander men returning from war increased their community population, placing strain on resources. Osborne (2009) states that following the war, Islanders believed they had served their country and earned the right to freedom. F. W. Lui (2012) describes how with World War II over and the decline of the pearling industry because of the war, Islanders were looking for other opportunities to work in various industries, government positions, as teachers, medical aides, and shop assistants. Islanders also bought boats with wartime wages to use for pearling and trochus (Osborne, 2009). On some islands, men could not find work and had limited land for gardening (Shnukal, 2004). All this compounded by the state government losing control of the ex-soldiers transformed views on their social status within the communities (Manzie, 1988; Shnukal, 2004). Beckett (2014, p. 159) describes this time as *'a clamour for 'citizen rights', access to alcohol and control of earning'*.

In response, the government allowed some men to move to mainland Australia to support the new burgeoning sugar and railway industries that needed labour (Shnukal, 2004). Islanders' desire for improved living conditions led them to leave their islands in search of something better (Osborne, 2009). As previously mentioned, we again see the discourse not

lending itself towards Islanders acting in self-determination when describing that Islanders ‘*were permitted to go “south” to work*’ or ‘*allowed*’ to leave the Islands (Osborne, 2009; Shnukal, 2004). However, the discourse again shows that the protector ‘allowed’ many men to leave the islands and work on the mainland (Osborne, 2009).

Arthur and Taylor’s (1995) economic paper contends that Islanders’ motivation for their large-scale movement to the mainland after the war was economic. Mosby (2015) agrees that there was a need for labour-end jobs in mainland Australia that white Australians did not want to do in the railway. Mosby (2015) also explains that the collapse of the pearling industry, a large employer of Islanders, forced many Islanders to move south in search of employment. In the same discourse, Beckett (1987) states that Islanders moving to the mainland did so as unskilled but willing workers. When Islanders arrived on the mainland, they worked in the railway industry, earning equal pay and overtime as white men (Beckett, 1977). Beckett recounts that this was approximately ‘*five to six times what he got at home, and the money was his to spend as he please*’ (Beckett, 1977, p. 99). Beckett states that Islanders working on the railway were in demand as first-class workers, which was quite different from the ‘*lazy*’ stereotype imposed upon them (Beckett, 2014). This increased interest and restlessness among Islanders back in Zenadth Kes (Beckett, 1977). Tanu Nona blocked emigration from all islands that supplied workers to his boats, stating that Islanders still needed government protection. (p. 99).

Beckett (2014) argues in his article ‘Mission, Church and Sect’ that Islanders were not in charge of their immediate circumstances. The colonisation of Islanders was greatly aided by the efforts of evangelical colonisation to turn the native savage into a Christian follower and also assisted the political and economic colonisation of Islanders (Beckett, 2014).

The freedoms that existed on the mainland for Islanders were another potential reason for the Islander diaspora. Hodes (2000) stated that the 1939 Torres Strait Islanders Act

covered only Islanders living in the Torres Strait Region. This meant that Islanders who lived in the Torres Strait were under the strict control of the government while on their islands and around the Torres Strait. However, when Islanders moved south to the mainland in search of new employment, Islanders living on the mainland were not covered by the Act (Hodes, 2000). This included being free to work where they could and also spending their money as any other white person (Hodes, 2000).

6.4 Self-Determination and the Future

During the 1960s, plastics emerged as a major competition for pearl buttons, and shortly after that, the pearling industry began to collapse (Beckett, 2014). With little work, Islanders could no longer be blocked from emigrating south to work (Beckett, 1977). Islanders migrated to Western Australia, the Northern Territory and other areas of Queensland (Beckett, 1977). Skippers of pearling fleets that harshly treated Islanders could no longer afford to mistreat Islander labourers after one skipper was forced out of the industry because no one would work for him (Beckett, 1977). Manzie (1988) argued that the shift in Islander identity in the post-war period coincided with immigration to mainland Australia. Islanders who moved southward became very aware of the freedoms that existed outside the act while living in mainland Australia (Hodes, 2000). Many men from the Eastern Islands of Torres Strait migrated to mainland Australia to escape oppression and live with the freedoms they did not have back on their islands (Hodes, 2000).

Islanders were entering a new era in civil rights and progress by starting migration southward rather than living under oppressive governmental conditions on the islands and were seeking equality with the white man (Osborne, 2009). Osborne wrote, 'The rehabilitation of these people embodied not a return to pre-war conditions, but a return to conditions forever changes [*sic*] by the wave of unprecedented prosperity that had swept over the area' (Osborne, 2009).

6.5 Islander Agency in the Discourse

Within the discourse on the out-movement of Islanders following the Army Time, most writers position Islanders as the ‘other’ and do not stand them at the centre of the discourse, even though they are topical subjects. At other times, the historical nature of some of the books and articles makes it difficult to differentiate between who is positioned at the centre of the discourse.

In Beckett’s book regarding the post-war out-movement, the historical details appear to make the discourse unclear at various times regarding who the agent is. In speaking of Islanders returning to communities in the post-war period states, *‘Their experience of what they called “army time” had left them with a distinctive consciousness of their worth and the means to construct an alternative to their present situation’* (Beckett, 1987, p. 65). In another of Beckett’s articles, Islanders can be seen as both agents and the ‘other’ against the government and Nona, who ran pearling fleets on Badu Island (Beckett, 1977). Interestingly, Nona’s control of the labour market around Badu Island and other islands that supplied workers during the post-war period out-movement of Islanders to mainland Australia places them at the centre of the discourse and positions other Islander labour as the ‘other’ in relation to the out-movement discussion.

In the writings of Osborne regarding the out-movement, the narrative seeks to discuss historical events in detail, creating a picture of events that involved the Islanders (Osborne, 2009). However, this does not firmly place them at the centre of the discourse throughout this key moment. Rather, the historical facts that Osborne described, whatever they may be, are the centre of the discourse. Although Osborne’s text at times does display Islanders as being productive and hard working, and puts them at the centre of the discourse as understanding their standpoint (Osborne, 2009).

Interestingly, as with the other chapters, there is a clear difference in Islander positioning in the literature when an Islander writer is constructing the text. In describing Islanders paradigms when moving away from Zenadth Kes, Islander academic Felecia Watkin Lui sums up:

Whatever the reasons, economical, educational, political or humanitarian, the move was a difficult and painful step suggesting no matter how attractive the opportunities on the mainland, separation from home islands was not a decision taken lightly by those Islanders who moved away from the Torres Strait. (Watkin Lui, 2009)

Islander academic, John Doolah, is the only one that has explicitly expressed that the whole out-movement of Islanders in the post-war period as an act of self-determination (Doolah, 2015). Doolah (2015, p. 117) argues that the:

Migration of Ailan pipel [people] is the result of colonisation, dispossession and the introduction of the Kole [white man] capitalist economy. Based on this argument, I reason that the whole migration experience from the Torres Strait to mainland Australia is an account of Torres Strait Islander self-determination.

6.6 Discussion

This chapter has sought to interrogate the discourses of the post-war out-movement of Islanders who left Zenadth Kes to mainland Australia to find discussions of Islander self-determination explicitly or implicitly.

Islanders' out-movement from Zenadth Kes to mainland Australia during the post-war period may be considered an act of self-determination. However, the findings show that this discourse does not fully describe the movement of Islanders. Rather, most of the literature and writers in the corpus at this key moment discuss the history and circumstantial dealings

of the people and the government at the time. This view provides a historical lens for the political, economic and social history of the region. It also includes the viewpoints of various actors in this history, providing valuable perspectives while still not focusing on making Islander agency paramount in the discourse.

Within the corpus of knowledge on this key moment, there is no clear narrative that fully places Islanders at the centre, despite some writers using key informants and quoting Islanders in their writings. Islanders appear to come and go through this middle lens, while other actors in the discourse share the centre stage position. Thus, it is difficult to fully understand Islander self-determination when the most important perspective is not fully positioned at the centre of the whole discourse. The only exception is when Islander academics write in this space and give importance to Islander perspectives and lenses. I particularly note the recent addition to the corpus by way of a dissertation by an Islander academic, John Doolah, which specifically discusses this key moment and Islander actions (Doolah, 2015). Doolah (2015) is the only voice in the corpus, contending that the out-movement or migration of Islanders to mainland Australia was a direct act of self-determination by Islanders during the 1960s – 1970s.

As with the literature analysed in other chapters, the term ‘self-determination’ is not widely used in the literature on out-migration to describe Islander actions or reactions. Many other adjectives and verbs share the burden of trying to explain Islander actions to oppression, choices and consequences. Again, this may be because the articles appear to recount history more than to analyse the actions of Islanders at that time.

Chapter 7: Border Not Change

7.1 Background and Context

The border dispute with Papua New Guinea was the next key moment in the history of Islanders' resistive action for self-determination. Papua New Guinea's push to become an independent nation included negotiations regarding border arrangements, and Zenadth Kes waterways became a point of interest. Osborne (2009, p. 61) points out that in '1972, *Labour Prime Minister Gough Whitlam gave support to a proposal during the New Guinea independence negotiations for the relocation of Australian's only international border to the tenth parallel*'. This proposal meant that approximately nine established Zenadth Kes communities would fall under the jurisdiction of Papua New Guinea, and Islanders would become Papua New Guinea citizens.

This key moment shows how Islanders began to contend more with Australian political parties, governments and their leaders than ever before, eventually taking their predicament to international courts to petition their assertions of Ailan Kastom over their ancestral lands and waters. Unlike in the other chapters, the term self-determination begins to be used more within this key moment. This may correlate with the popularity of the term being increasingly used within policy and government rhetoric during the same time, such as Gough Whitlam's self-determination era:

Within this discourse, the tensions surrounding border negotiations moved Islanders to come together in a different way than previous times to collectively lobby and assert their rights to the Queensland and Commonwealth governments. Islander leaders such as Getano Lui Snr declared, "We will never agree to giving away one grain of sand or one cup of water. Our islands and our seas were given to us by our ancestors. We must

pass them onto our children. We do not want them to become strangers in their own land. (Osborne, 2009, p. 63)

The discourse on the Border Not Change key moment describes Islanders directly resisting border proposals and taking proactive steps to achieve their goals. In this chapter, self-determination is present when Islanders independently agree to terms with coastal Papua New Guinea people, lobby support from around Australia and international governments, and even threaten the Australian Government with the International Court if they did not comply with their wishes to not change the border. Islanders even threatened to ‘*secede rather than join Papua New Guinea. Islanders also claimed that the treaty discussions were “the biggest sell-out of the Islanders since white man came to the Torres Strait”*’ (Robertson, 2010, p. 476).

Key findings from a study on the discourse of this moment in Islander history reveal somewhat similar results to those of other chapters. Islanders were often described as agents of change in the literature, which could be attributed to the event itself being a deliberate course of action that Islanders took. Self-determination was used slightly more than other chapters, as well as other synonyms that included autonomy, independence and sovereign rights (B. Arthur, 2001; Beckett, 1987; Kehoe-Forutan, 2004; Robertson, 2010; Rowse, 2020; Shnukal, 2004).

Within the analysis of this chapter regarding the Border Not Change event, key topics emerge through literature analysis. The topics that include self-determination, autonomy, independence and negotiation all feature heavily in the literature (B. Arthur, 2001; Beckett, 1987; Kehoe-Forutan, 2004; Shnukal, 2004). Other writers discuss topics, such as the economy, treaty, identity and resources (B. Arthur, 1992, 2001; Robertson, 2010; Rowse, 2020). The topics surrounding the Torres Strait Treaty finalisation were felt economically, socially, culturally and traditionally (B. Arthur, 1992). All these topics centre on negotiations

of the border between Australia and Papua New Guinea and provide the context for examining the discourse from various perspectives.

7.1.1 Self-Determination in the Discourse

The Border Not Change dispute was chosen as a key moment in this thesis because the literature on the topic has strong implications for Islanders exerting self-determination throughout the event. The literature for this analysis was selected from book chapters, journal articles, and conference reports; however, it is not exhaustive to include archived government reports, reported newspaper articles, etc. The literature was retrieved from readily available sources. The headings and sub-headings within most of the articles all had similar threads, which included the formation of the Torres Strait Treaty, the negotiations of the border between Australia and Papua New Guinea, the Queensland and Commonwealth Government's actions through the ongoing border negotiations, and the Islanders' aspirations and actions throughout the ongoing border negotiations.

As with the other chapters, the term self-determination is not used explicitly, as expected. However, we see that the term 'self-determination' has been used more frequently in the literature on this event than in previous events. This may correlate with the popularity of the term self-determination being used more within policy and government rhetoric during the same period as the event being analysed. Other synonyms found in the literature that reflect notions of self-determination include autonomy, independence, sovereign rights and recognition (B. Arthur, 2001; Beckett, 1987; Kehoe-Forutan, 2004; Robertson, 2010; Rowse, 2020; Shnukal, 2004).

The key actors mentioned within this discourse analysis include the Zenadth Kes people, the Commonwealth Government, and former Prime Ministers, such as Gough Whitlam and Malcolm Fraser, the Queensland Government, the former Premier Joh B'Jelke-Peterson, and Papua New Guinean leaders. Zenadth Kes leaders mentioned heavily within the

discourse include George Mye, Eddie Mabo, and Getano Lui (Beckett, 1987; Kehoe-Forutan, 2004; Rowse, 2020).

Several writers have examined colonial imposition and its influence on Islanders (B. Arthur, 2001; Kehoe-Forutan, 2004; Robertson, 2010; Shnukal, 2004). Other writers have focused more on the role of Islanders in shaping border negotiations (Beckett, 1987; Rowse, 2020; Shnukal, 2004). Lawrence (2004) concentrates his writings on Papuan historical dealings with the Torres Strait Papuan perspectives regarding the border to provide context for the historical relationships between both groups. Boyce and White (1981), however, do not include many Islander views regarding the border but rather a collection of lecture notes from a symposium that had purely a governmental perspective on the legal formation of the border.

An analysis of the literature revealed clear exclusions in the discourse. Arthur (2001) places less emphasis on Islanders and their actions. Rather, the article places the border at the centre of the discourse. There are few to no quotes from Islanders on their thoughts on border issues; therefore, this discursive formation is indeed influenced by the central topic of the Torres Strait Treaty.

7.2 Self-Determination Concepts in the Literature

As in other chapters, Islander expressions of self-determination in the literature are written in different forms. At times, it is Islanders directly expressing their desires and aspirations; other times, it appears in strategic manoeuvring to play off interested parties to get what they want. When the Whitlam government announced the plans to move the border, Osborne described that this ‘triggered a swift reaction in Torres Strait’, depicting that Islanders reacted and were not going to ‘mark time’ on this matter (Osborne, 2009, p. 64).

Beckett (1987) states that Islanders were acting proactively to let the government know their will regarding the border decision by taking delegations to Canberra. Islanders

also expressed their anger towards the Queensland Government at the proposed annexing of the border to lose eight Islander communities, including reefs, cays, and waterways to Papua New Guinea (Beckett, 1987).

Arthur's writings appear to position Islanders within the centre of the discourse as he juxtaposed the Commonwealth Government, and the LMS and compared them with the Norfolk and Christmas islands regarding their territorial status. (Arthur, 2001)

When discussing the traditional economic dependence of Islanders on Papua New Guinea, Arthur argues that 'it is clear that this situation has been reversed, with the Papuan residents of the border region becoming relatively dependent on the Torres Strait. This no doubt helps explain why when Islanders state the desire to achieve Greater Autonomy, it is usually within the context of remaining part of Australia' (Arthur, 2001, p. 223). Arthur summarises of Islander feelings on the border proposal, 'Torres Strait Islanders were strongly opposed to this' (Arthur, 1992)

Rowse (2020) attempts to place Islanders at the centre of the discourse, describing the actions of Islander leaders during negotiations on the border. Regarding other perspectives of the border negotiations, Rowse argued, 'you will not learn [this] from Whitlam's 'imperial' account' (Rowse, 2020, p. 248). Rowse further strongly positions Islanders in the discourse recounting Mabo's words, 'We are a people of unique identity... We want to be recognised separately from our Papuan brothers and our Australian brothers. We are the Islanders...' (Rowse, 2020, p. 258).

In Robertson's writings, Islanders are seen as subjects in the discourse on various forces at play (Robertson, 2010). These forces include Queensland's attempts to lobby on behalf of Islanders, Papua New Guinea's attempts to claim Islanders, and the Commonwealth's desires for strategic objectives, including economy and politics (Robertson,

2010). Robertson also displays Islanders' lack of voice in the event when he writes, 'as colonial subjects, and in spite of attempts to advocate their own interests, Islanders' voices were drowned out by a chorus of competing representations on their behalf' (Robertson, 2010, p. 477).

Some writers do not discuss Islanders' actions as self-determination through the discourse. Arthur's article regarding autonomy and identity positioned the treaty itself as the object of discussion; therefore, there was no deep discussion of Islanders' actions regarding the establishment of the treaty and self-determination. However, Islanders used their power to strongly oppose the border, splitting the Torres Strait in half, but this article does not mention Islander actions through that process.

Other writers can be clearly understood as representing Islander actions, such as how Islanders shaped border decisions. Rowse (2020) explains that the Australian Government was sympathetic to the Papuans' desires for a share of the Torres Strait. However, Rowse appears to position the Islanders, Queensland Government, and allies in the quest for Islanders to retain a greater share of the Queensland border. Throughout the negotiations, Islanders rejected Papuan fishing rights and asserted their distinctness from Papuans: *'everything that is contained within the [current] border - land and waters - are ours by tradition'* (Rowse, 2020, p. 258). Arthur (1992) suggests that border proposals were also an economic tact used, as Zenadth Kes was under pressure from Papua New Guinea, as they wanted more share in fishery resources. It was also later revealed that the Queensland Government acted to support Islanders because of the potential seabed mining in Zenadth Kes.

Interestingly, Robertson highlights that Islanders were under siege regarding the debate between Papua New Guinea and Australia regarding Islanders. A Papuan leader stated, *'These people are traditionally Papuans... They will always be Papuans whether they*

like it or not' (Robertson, 2010, pp. 477–478). Similarly, a report by the Commonwealth Government indicated that '*Torres Strait was not considered an integral part of the territory around which the Australian nation was imagined*' (Robertson, 2010, p. 467). However, Robertson did elevate Islander voices to the discourse when he quoted Eddie Mabo, who asserted '*we want to be recognised separately from our popcorn brothers and from our Australian brothers*' (Robertson, 2010, p. 479). Other Islander leaders are positioned as frustrated and clearly speaking out for themselves against the international labelling of their race by Papua New Guinea. Getano Lui Jnr told a seminar in Townsville that:

[Olewale] has said that we want to become Australians because we are getting Australia money. We were interest rate... long before there was social services. We survived in our own way. And it is only right that we get social services because we have enough taxes to the Australian Government and, as Australians, we are entitled to a fair return. This is not my only reason for wanting to remain Australians... our children were born here, we are educated here, a man have come to work on the railways here. We have done our part for Australia: trochus shell, beche-de-mer. There are no handouts from Australia for us. Our men have worked for every penny they get.

(Osborne, 2009, p. 63)

Beckett (1987) highlights Islanders in this discourse using key examples of Islanders snubbing Queensland and federal government visitors during the negotiation period in which resistive action can be considered self-determination. Beckett states that Islanders on Masig:

Took offence when a ministerial aide thoughtlessly readjusted a flagpole on Yorke Island, Darnley used its Easter preparations as excuse for ignoring the visitors, while Murray declared itself too busy with its Sabbath observances to send a dinghy to bring the Minister ashore. (Beckett, 1987, p. 188)

Beckett is describing Islanders as keen to have their voices heard and not a filtered voice; however, there are no descriptions of this as self-determination in his literature.

In the same strand of self-determination, Shnukal describes Islanders as asserting self-determination from both Australian and Papua New Guinea sovereignty claims:

The anger expressed by Islanders at the attempt to annex 'their' islands and cays arose primarily from the recognition of the threat to themselves as a people who, despite diverse origins in heterogeneity, had for centuries maintained a separate identity from the mainland is to the north (and South) and had grown increasingly unified. (Shnukal, 2004, p. 117)

Kehoe-Forutan (2004) argues that Islanders had become skilful and tactful in understanding the politics in Australia and positioned themselves to obtain what they wanted. Islander Leader George Mye was described by Kehoe-Forutan as '*capable of advocating the Islanders cause and simultaneously negotiating with all necessary parties at a sophisticated level*' (Kehoe-Forutan, 2004, p. 176).

Osborne (2009) is another who appears to give Islanders a proactive approach to their efforts. Osborne, quoting Passi, describes the lengths that Islanders took to garner support:

[We were] controlling [the border issue]. [We] travelled around Australia looking for support and advice. [We] went to Fiji, New Zealand and Tonga... where [we] met Somari... and made friends with him and came back and reported here' (Osborne, 2009, p. 64). Osborne further positions Islanders in a strong stance when she described, '*unlike in 1885, the Torres Strait Islanders did not rest their case with the Commonwealth. Indeed, every possible avenue of support was solicited.*' (Osborne, 2009, p. 64)

7.3 Self-Determination in Society

The sovereign society of Zenadth Kes and its people was directly threatened by Papua New Guinea's strong claims of the region and its people and the sympathetic nature of the Commonwealth Government towards the newly established nation. Rowse (2020) argues that the Queensland Government became an ally to Zenadth Kes to maintain its borders. This is interesting, as the Islanders and the Queensland Government were mostly at odds with different interests; however, they now had a common shared desire. Then Premier of Queensland, Joh Bjelke-Petersen, argued that '*he would not give a portion of his state to another country*' (Rowse, 2020, p. 252).

The discourse on this key moment also raises the point that Islanders were facing an unprecedented international threat that called for a united effort and further solidifying their collective identity as the Zenadth Kes people (Beckett, 1987). Kehoe-Forutan (2004) described that Islanders were not happy with the border proposal, and Islanders moved quickly to establish a Border Action Committee and lobby media support and lobbying internationally for the first time. Interestingly, Robertson's concluding analysis states that '*the diversity of the Strait was welded into a cultural unity by the forces of Queensland colonialism....the colonialism administration in the Torres Strait has sown the seed of its own demise*' (Robertson, 2010, p. 479).

However, Robertsons' writings highlight some of the tensions, arguing that the border dispute indicated to Islanders that they had never been considered '*integral members of the Australian Nation*' (Robertson, 2010, p. 475). Robertson further argued that another effect of the border issue was that Islanders felt some betrayal, as they were considered expendable and illegitimate to Australian borders. The Queensland Government was also not innocent in the matter, as it took opportunistic action to act on behalf of Islanders and the rift between the Commonwealth and Islanders (Robertson, 2010).

The traditional connections that Islanders had with Papua New Guinea remained and were central to border negotiations. Arthur (2001) argued that Zenadth Kes still maintains strong connections to Papua New Guinea through the treaty, which sets the terms of jurisdiction and responsibility and also delimits the ongoing traditional relationships between people on both sides of the border. Arthur (2001, p. 219) stated that the treaty's purpose was meant to '*protect the way of life and livelihood of the traditional inhabitants*'. Arthur also describes the border between Australia and Papua New Guinea as a '*meeting place for the economies of First World Australia and Third World Papua New Guinea*' (Arthur, 2001, p. 223). Torres Strait still maintains strong connections to Papua New Guinea through the Treaty. The establishment of the treaty sets the terms of jurisdiction and responsibility and delimits the ongoing traditional relationships between people on both sides of the border.

On the other hand, the Papua New Guinea perspective on the border issue highlights a newly established separation between the two groups of people. Lawrence (2004) argues that from a Papuan perspective, Islanders have benefited more from the border than Papuans. Islanders are richer, materialistic, politically and socially and Papuans now envy Islanders who are bitter about the border. Arthur (1992) also supports the notion of an unequal economic relationship between Australia and Papua New Guinea, as Islanders are more supported by the Australian Government. Arthur (1992) argues that because of the rigidity of the border now, two groups of societies have emerged on some islands where Papua New Guinea nationals reside or visit, which risks creating ongoing social tension between Islanders and Papua New Guineans.

7.4 Self-Determination and the Future

The discourse on Islanders asserting self-determination for their immediate future remains unclear when explicitly defining this as Islander self-determination.

Arthur (2001) suggests that the unique position of the border may cause Islanders to push for greater regional autonomy in managing their relationships under the Torres Strait Treaty with Papua New Guinea. However, Arthur also notes that because of the unique position of the border and the circumstances between the two countries involved, the Australian Government may be unwilling to lose any more control that it has, which may halt Islanders' progress towards real self-determination (B. Arthur, 2001). In another article, Arthur further states that the Commonwealth Government's desire is to retain 'absolute control' regarding the international border, given the unstable political affairs in Papua New Guinea (B. Arthur, 1992). Conversely, Rowse (2020) argues that the Commonwealth was willing to establish the Torres Strait Territory to favour Islanders and remove Queensland's influence in getting their agreements towards border changes.

However, as previously mentioned, Robertson highlights that Papuan ministers degraded Islanders during the negotiations, telling Islanders that they are and have always been Papuan, whether they like it or not. The Deputy Speaker of Papua New Guinea Parliament told Islanders, '*to delude yourself that you are an Australian simply because some peanut grower from the deep south is tell you that you are one I think is quite disgusting*' (Robertson, 2010, p. 478).

7.5 Islander Agency in the Discourse

The purpose of covering the narrative of Islanders as proactive or reactive is important in the literature. The question determines from what angle the writer is providing their narrative and can either enhance the character's status or undermine them within the literature. In the section regarding treaty and border issues, Arthur (2001) describes Islanders as proactive in asserting their desires throughout his text. Arthur (2001) argued that Islanders strongly opposed changes to the border and wanted to remain subject to Australian law. In another article from Arthur, Islanders are described in one section as acting proactively when

the treaty negotiations were underway. However, this is a general fact and is widely reported, and Arthur (2001) provides no specific details of how Islanders did this, as stated in this article.

In Rowse's (2020) writings, he argues that Islanders have 'passionately' opposed the changes to the boundary and that Islanders themselves had met with coastal Papuans and agreed to terms without strong government influence regarding the border and resource sharing. Islander leaders also threatened to complain to the International Court if Australia did not comply with Islander wishes regarding the border change (Rowse, 2020).

Other writers also depict Islanders acting proactively in their discursive formations (Beckett, 1987; Kehoe-Forutan, 2004; Shnukal, 2004). Shnukal (2004) argued that Islanders displayed this by intensely lobbying to change the border and reclaiming all Islanders in the border dispute. Through Beckett's literature on the treaty and border matters, he positions Islanders as acting proactively in many ways to show their desires or aspirations regarding the border dispute (Beckett, 1987). Beckett (1987) recounts that Islanders appear to see through the hidden agendas of both sides of the government (Queensland and Commonwealth) and play each other off to obtain what they want. Islanders were clear about their aspirations, which was evident in their campaign slogan, 'Border Not Change!'. In a secretive fashion, Islanders also used various physical communication channels outside the Queensland Government's networks to communicate securely with other Islanders and the Commonwealth to lobby for ongoing resistive action. Kehoe-Forutan (2004) recounts similarly that Islander politician George Mye politically sidestepped Queensland Government representatives P.J. Killoran and Premier Joh Bjelke-Petersen to deal directly with the Commonwealth regarding border matters.

However, in Robertson's writings, Islanders are depicted as reactive and without agency (Robertson, 2010). Robertson (2010) states that in all negotiations on the border,

Islanders' desires and destiny appear inconsequential, and it was assumed that Islanders would accept any decision on their behalf. Robertson (2010) states that the Islanders:

Were devoid of any agency and were effectively objects over whom governments bargained to achieve their own strategic, economy, and political goals... Islanders did threaten to "secede" rather than join Papua New Guinea. Islanders also claimed that the treaty discussions was "the biggest sell-out of the islanders since white man came to the Torres Strait".

(Robertson, 2010, p. 476)

Through the literature on this event, it is clear that Islanders were taking proactive steps and were depicted as such by the writers of these articles. This displays the intent of writers in trying to provide information and not being swayed by their discursive formations of the topic through their lenses.

7.6 Discussion

The Border Not Change campaign provided Islanders with a new platform to step up their aspirations for self-determination as a unified region to solidify the regional identity of the Zenadth Kes people. In this chapter, we see Islanders being more involved in political manoeuvring, lobbying for leverage between Commonwealth and State governments, and taking their plight internationally to win support.

Within the discourse on the Border Not Change chapter, we can see Islanders being described as acting with agency and positioned towards the centre of the discourse most of the time. The key moment of this chapter tells the narrative of how Islanders convinced all levels of government not to change the border so that they would remain part of the Australian nation-state. The literature analysed in this chapter mostly represented Islanders acting proactively and passionately and was descriptive in revealing the specific actions that

Islanders took to assert their sovereign rights and wishes. However, some articles give priority to the facts of border negotiations rather than Islander actions or self-determination.

The result of Islander actions and intense lobbying throughout the Border Not Change campaign resulted in Australia not attempting to change the border between Australia and Papua New Guinea. The eight islands of Zenadth Kes remained part of Australia, including the waters of the region. Most of the discourse that discusses this campaign depicts Islanders positively asserting their rights and self-determination to ensure that their Ailan Kastom or way of life is maintained and not changed.

The success of this campaign can be seen as contributing to the next key moment in analysing this thesis: the Mabo Land Rights Case. Eddie Mabo himself can be seen in the literature in this chapter asserting self-determination before the beginning of the case, which tells of the political climate for Islanders at that time. Islanders were now standing up more than ever to assert their rights against colonial administrations who sought to oppress or control them.

Chapter 8: *Mabo v Queensland Land Rights Case*

8.1 Background

Within the context of Indigenous self-determination in Australia, one defining event arguably the most pivotal in Australia's colonial occupation is the *Mabo v Queensland Land Rights Case*, more commonly known as the Mabo Decision. This court case defined the legal terms by which Australia previously classified land ownership, particularly Indigenous rights. The selection of this topic in this thesis has been based on the notion that the case exemplifies Islanders' Ailan Kastom and self-determination and is the pinnacle in shaping the attitudes of Islanders towards their rights.

To frame this key moment, it must be with the view of Islanders, particularly Meriam (Mer People), acting in self-determination in line with their traditional customary rights, according to the lore of Malo. These rights refute the imposed exclusionary land laws of the Queensland and Commonwealth governments. Islanders living under Malo's lore were taught from a young age to respect others and their property (Sharp, 1993). This lore included mantras such as '*Malo tag mauki mauki, Teter mauki mauki. Malo keeps his hands and feet off other people's land. Malo keeps to his own place*' (Sharp, 1993). A key Mabo Decision Plaintiff, James Rice, summed up the heart of Malo's law, which was 'Hands off' (Sharp, 1996, p. 20). Malo's lore provided Islanders, such as Eddie Mabo and the Meriam people, with the foundations of self-determination long before he decided to go to court.

On 20 May 1982, five Meriam plaintiffs lodged a claim statement in the High Court of Australia for two reasons: 1) 'That the Meriam people are entitled to the Murray Islands' and 2) 'That the State of Queensland has no power to extinguish the Meriam people's title' (Osborne, 2009, p. 88). The five plaintiffs who united to represent their families' land rights were Eddie Koiki Mabo, Celuia Salee, Sam Passi, Rev Dave Passi and James Rice (Osborne,

2009). These plaintiffs, who represented the Zenadth Kes people and other Indigenous First Nations people, rejected the foundational colonial laws that established land tenure in Australia, and they eventually won the High Court of Australia after a decade of legal battles. This land rights war can be traced back to Islander self-determination at its core in every way.

In describing Mabo, Marcia Langton remarked, 'Koiki stood up to the might of the State of Queensland and the Commonwealth and demanded change ... Koiki realised that he had to master the ways of the Whites to develop his full potential in the land they dominated, without losing his Islander custom and language' (Loos & Mabo, 1996, pp. xiii, xiv).

The findings in this key moment and chapter are consistent with those of the other chapters in this thesis. Much is written about the Mabo Case, which looks at events from various angles and perspectives. However, the only limitation I have placed is the search for the Mabo Case in the context of self-determination. In this regard, few studies have described the actions of Mabo and the plaintiffs in the land rights case in terms of self-determination. The term 'self-determination' is not widely used when defining the actions of Islanders. This is similar to the other chapters and the key moments in this analysis. Interestingly, in this chapter, Islanders are described as being very proactive in discourse. Lastly, writers at this key moment seek to place Islanders at the centre of the discourse more than in the previous chapters. However, we again see the very direct lens from which Islanders come when speaking or writing; they place Islanders as the primary focus of their discourse.

8.1.1 Historical Impacts Leading to Mabo v Queensland

The discourse following the war clearly shows that Islanders' mindsets were changing forever. The people of Zenadth Kes had been through three key moments of self-determination in Islander history: the 1936 Maritime Strike, the Army Time Strike, and the Border Not Change campaign. In setting the scene, Osborne describes that the most recent Border Not Change key moment left Islanders with a stronger understanding that they had

very few rights under Queensland law to their lands and waters ‘*if any...to the lands that had belonged to their ancestors for centuries, and it seemed they could be given away at the whim of a government*’ (Osborne, 2009, p. 64). Sharp (1993, p. 227) argues regarding the Border Not Change campaign during the 1970s, ‘*the Strait had to become a centre for conflicting political strategic and economic interests. A battle for land and resources had begun*’. It was also the first time Islanders had won a battle that played out very much in the public realm of the media and society:

Islanders as a people had stood up for themselves in public for the first time: we are the Torres Strait Islanders, they had said, with homelands in common. They had one a significant victory; they had also strengthened their will, just what they needed in the 1980s. (Sharp, 1993, p. 227)

Eddie Mabo lived throughout this period and has been influenced by this environment for many years.

In 1981, the Queensland Government revised land tenure by proposing that a 50-year lease holds over land plots belonging to Islanders (Osborne, 2009). Combined with the proposal to repeal the Torres Strait Islanders Act and institute the Torres Strait Islander (Land Holding) Act 1985, which would ‘*strike out any traditional rights which might have existed when the Meriam Claim was made in 1982 or 1985 when the legislation was passed*’ (Sharp, 1996, p. 34). In despair, Rev Dave Passi expressed, ‘*How can we lease back what is already ours?*’ (Sharp, 1996, p. 24). Osborne (2009) states that:

Eddie Koiki Mabo and four other Meriam felt so strongly about native title to the land that they commenced legal proceedings in the Queensland Supreme Court in 1982 to establish their traditional ownership of land on Murray Island. (Osborne, 2009, p. 67)

This historical understanding provides a great context for the mindset of Islanders during this time, particularly the Meriam people. They lived the lore of Malo and Ailan Kastom, as mentioned above, and then had to compete with the Queensland Government's changing manoeuvres to legislate Islanders out of their own lands and water. Little wonder why Mabo and the other plaintiffs felt strongly about this determination.

The discourse surrounding this topic contains clear themes of self-determination in all the sampled articles. These themes include land rights, native titles, traditional law, Torres Strait Islander culture and tradition and Malo and traditional lore.

8.2 Self-Determination in the Discourse

When considering which articles to use, the topic of the Mabo Decision contains a large amount of data that do not fit within the scope of this thesis. To narrow the data analysed, I focused only on the *Mabo v Queensland* Land Rights Case in relation to Islanders' self-determination. Only a handful of references have been used in various articles. Sharp's literature is based on her primary research data and experiences and is highly valued when discussing self-determination at the beginning of the Mabo Land Rights case (Sharp, 1996). This literature provides us with insights into the minds of Islanders, using direct quotes to portray them as exercising their right to self-determination against colonial tensions. Loos and Mabo (1996) wrote Mabo's biography directly from Mabo's own experiences. Osborne (2009) gathered information from many sources to summarise events and Islander actions during this time.

The term 'self-determination' is not widely used explicitly, even though this is one of the key moments in the chronological timeline of events analysed in this thesis. This is an ongoing consistency in the literature on Islanders' actions during the identified key moments. When discussing Mabo, synonyms in the discourse for self-determination that appear frequently include self-reliance, land rights, freedom, control, governance, indigenous self-

management, sovereignty and traditional lore. Essentially, these adjectives contribute to or describe self-determination in the context of Mabo's case versus Queensland for land rights.

Further, the actors at this key moment are central to the ongoing discourse on self-determination in the Mabo Decision. Several recurring key people are mentioned in the discourse analysis of this event. These key names include Eddie Mabo, the Queensland Government, The Commonwealth Government, Florence Kennedy, Dave Passi, James Rice, Sam Passi, Celuia Salee and Justice Brennan.

8.3 Self-Determination Concepts in the Literature

Within the texts, several themes emerged surrounding the Mabo Case discourse. The strongest theme is the assertion of land rights as self-determination for Torres Strait Islanders (Mabo, 1981; Osborne, 2009; Sharp, 1996). This theme appears mostly at the beginning of the Mabo Case when writers who documented evidence strongly displayed Islanders' assertions of land rights and ownership and control of their property. Sharp (1993) argues that Islanders knew their lands were theirs and were unwilling to let the Crown continue with Terra Nullius and claim sovereignty over traditional customary lands, including Murray Island. Eddie Mabo asserted that his 'knowledge of his people and their culture did not come from books written by academics'. 'My textbooks', he explained, 'were my parents' (Sharp, 1996, pp. 23–24).

This assertion was based on the traditional knowledge of Ailan Kastom, which predates the colonial occupation. Islanders, including Mabo, made direct assertions to the Queensland Government regarding the usage and ownership of land within the Torres Strait (Mabo, 1981). Mabo (1981) proclaimed:

I myself and my colleagues of the Torres Strait Land Council fail to see any good reason for Torres Strait to remain as part of Queensland. Our wish for the area to be transferred to the Commonwealth has gradually caught on in

the islands themselves. Problems associated with our well-being in the area of health, education, housing and industrial development are all lacking attention from the State.

Much of Sharp's writings in her book *No Ordinary Judgment* regarding the Mabo Case appear to strongly position Islanders with the agency. Sharp (1996) uses Islanders' examples in her text to display Islanders' extreme dissatisfaction with the colonial land laws that overtook traditional laws and rights in the early stages of the Mabo Case. In describing the Meriam land rights handed down from Father to Son, Sharp argues, *'The idea of outside, "independent" and unrelated witnesses to this exclusively you-and-me relationship is anathema to the Meriam; It cuts across the grain of their lives'* (Sharp, 1996, p. 21). Ron Day, Chairman of Mer during the Mabo Case, strongly asserted during the Mabo trial on Mer that *'the Murray Islanders owned the land from which they grew, something that no judge, no lawyer, no politician – not even the Crown could take away'*. However, Queensland law was in effect, regardless of Islander beliefs, and at times left Islanders bewildered. Sharp (1996) also describes Mabo's 'astonishment and horror' in learning in Queensland, Mer was Crown Land since the annexation in 1879. These constructed discourses show writers trying to position Islanders with agency in their words and actions.

In his famous Redfern Address, Australian Prime Minister Paul Keating argued that Indigenous people are key to the healing and reconciliation of this country and need to be in control of their futures (Keating, 2015). The Mabo Decision was a key catalyst for such discussions within the mainstream media. Osborne (2009, p. 89), quoting Justice Brennan, determined, *'the Meriam people are entitled as against the whole world to possession, occupation, use and enjoyment of the lands of the Murray Islands'*.

8.3.1 Islander Agency in the Discourse

Within this chapter, which is different from others, writers appear to place Islanders more in the centre of the discourse with the agency than in previous key moments. Mabo and the plaintiffs acted deliberately in taking the government to court, and such action could not disguise or leave out that the Islanders' exertion of self-determination was the heart of the actions. Any of the writings that analyse the reasons for the case would display Mabo and Others fixed in their determination to win the land rights case. Sharp describes that 'the possibility of their being ousted [from Murray] was unthinkable. They were not bringing their case to the tribunal of the Crown in a state of mind in which failure was conceivable' (Sharp, 1996, p. 38).

Similarly, in Osborne's book, the texts of other writers have been used to summarise events during the Mabo Case. However, Sharp (1996) is a major reference source; as such, Osborne portrays Islanders as acting with the agency. Describing Islanders' land ownership, Osborne argues, *'The people of the Torres Strait Islands knew self-reliance was dependent upon common law recognition of their traditional rights of ownership of lands sees passed down to them for generations'* (Osborne, 2009, p. 88).

However, as in other chapters, when Islanders write or speak, they assert full agency in the literature as they speak from their own experiences. Mabo's (1981) speech at the Land Rights Conference in 1981 directly asserted Islanders' aspirations for self-determination through land rights. I have even described it myself as Mabo's Manifesto, as it clearly outlines the issues and a set of demands that he and other Islanders want to resolve. Mabo wrote seven points about the proposal, as stated below:

Here is the draft summary of the proposal for the transfer of the Torres Strait Islands to the Commonwealth, extension of democracy and elimination of colonial rule of Queensland in the Torres Strait area:

(1) Transfer all islands north of the Cape York Peninsula from Boigu in the west to Bramble Cay in the east, from Queensland to the Commonwealth government.

(2) Declaration by the Commonwealth of the area as an autonomous region within the Commonwealth of Australia.

(3) Election to be conducted to elect a Constituent Assembly on an adult franchise basis.

(4) Drawing up of the Constitution of the Torres Strait by the Constituent Assembly.

(5) Members of Commonwealth government and members of the legal profession to be appointed as

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advisers to assist in (4) above.

(6) All rights of marine industries currently exploited by foreign companies, and all other natural wealth including seabed rights be reserved exclusively for the Torres Strait Islanders with heavy penalties to outsiders infringing on these rights.

(7) Financial assistance to this region and appointment of other necessary advisers who would assist in the implementation of administrative machinery, technical and business enterprises to the democratically elected Assembly and the people of Torres Strait. (Mabo, 1981)

Further, in his manifesto, Mabo (1981) argued for the Torres Strait Islands to be transferred under Commonwealth jurisdiction for greater help and to end patronising colonial rule. Mabo said directly regarding the Queensland Government in his speech at the historic Land Rights Conference in Townsville in 1981:

We do not want to remain as your poor neighbour anymore. The only real help we want from Queensland is to transfer the area to the Commonwealth, to be under the department of Home Affairs and the department of Aboriginal affairs for financial assistance. (Mabo, 1981)

Following the Mabo Decision in 1992, Prime Minister Paul Keating Redfern appeared to position Indigenous people as agents in his remarks; however, Keating also represented the government seeking to redress the wrongs caused by Indigenous Australians (Keating, 2015). Keating's Redfern address on the celebration of World Day of Indigenous Peoples in 1992 stated that Indigenous peoples stand in a position from the 'dispossessed and degraded' (Keating, 2015). Keating (2015) then referred to the Mabo Decision as the '*fundamental basis in which Australia can now build a true history of this national and true reconciliation going forward to support indigenous people's desires for recognition and restoration*' (Keating, 2015). Although Keating's (2015) remarks were monumental from an Australian Prime Minister, his narrative seems to motivate and encourage non-indigenous people to be inspired and contribute to the change needed for Indigenous Australians.

Interestingly, this chapter exhibits writers seeking to display Islander agency and pro-action more than other chapters. The writers seem to have focused on ensuring that Islanders' actions were highlighted before and during the Mabo Case. However, there is still a slight difference between the paradigms of these non-indigenous writers and the lens of the Islander. The discursive formations of the constructs and paradigms of the literature are evident, even with the limited literature used to analyse this key moment.

8.3.2 Self-Determination and the Future

During the Mabo Case, Islanders endured over one hundred years of colonial occupation in their lands and waters. Frustrated, Islanders looked at the future through their claims for self-determination. Sharp (1996) recounts Islanders describing that they wanted:

Inalienable freehold... Torres Strait is ours and we want our land rights returned to us. My great grandfathers and great grandmothers, my grandfathers and grandmothers and my father and mother before me were here in these islands before white people came. It is my wish and the wish of all the people of the whole Torres Strait for us to own all these islands ourselves. (Sharp, 1996, p. 231)

In the Land Rights Conference in Townsville in 1981, Mabo strongly argued that governance over Islanders needed to change from the Queensland Government to the Commonwealth Government (Mabo, 1981). Mabo (1981) further argued that 'Islanders wanted to govern themselves in a territory-style governance system with full control and autonomy similar to Norfolk Island'.

There is a strong theme of self-determination consistent for each writer discussing Mabo and self-determination, which is that the Islanders wanted land rights very strongly. Islanders and non-Islanders alike expressed this. Sharp (1996) indicated that Islanders were willing to use legal channels to fight injustice to obtain their traditional land rights. Aka

Florence Kennedy expressed, *'It is a terrible thing for us to have to go to this kind of court to prove what we have always known that these Islands are homes, not something to be bought or sold. But we have no choice'* (Sharp, 1996, p. 29). Interestingly, Keating (2015) boldly argued that post-Mabo, Australia's standing in the world, will be determined by the success of Australia in its progress towards reconciliation between Indigenous and non-Indigenous people.

8.4 Discussion

Writers in the discourse surrounding the Mabo Case have all displayed a tendency to centre Islanders in the middle of the discourse. This may be seen as unavoidable given the nature of the Mabo Case in Islanders pursuing land rights through the judicial system. However, in their discursive formations, the writers themselves have done their best to display Islanders through a proactive lens or self-determination from an Islander perspective. This has allowed Islanders to have more priority in the discourse than any other chapter thus far in the thesis.

The multitude of direct quotes from Islanders used in the literature provides access directly to the minds of Islanders during this time and is invaluable when retrospectively understanding Islander self-determination. Quotes such as Aka Flo Kennedy, who strongly argued for Islanders to take the government to court, leave no doubt about who is centred in the discourse:

They (Government) can't give us a verdict like that as no more virile an industrious nation ever came in and worked out land and we have never left our islands. We can take the governments to court. Let's take them to court.

(Sharp, 1996, p. 23)

In his judgment on the Mabo Decision, Justice Brennan maintained:

According to the cases, the common law itself took from indigenous inhabitants any right to occupy their traditional land, exposed them to deprivation of the religious, cultural and economic sustenance which the land provides, vested the land effectively in the control of the Imperial authorities without any right to compensation and made the indigenous inhabitants intruders in their own homes and mendicants for a place to live. Judged by any civilised standard, such a law is unjust. (Brennan, 1992, para. 8)

Marcia Langton stated, '*Koiki stood up to the might of the state of Queensland and the Commonwealth and demanded change*' (Sharp, 1996. p.xiii). '*Koiki realised that he had to master the ways of the whites to develop his full potential in the land they dominated, without losing his Islander custom and language*' (p. xiv).

The conclusion of the Mabo Case is hero-like, as if it were written for a screenplay. Eddie Mabo and two other plaintiffs died before the final judgment of the High Court of Australia, which was handed down in favour of the Meriam people. Mabo fought with courage and unwavering determination right to the end of his life. This is Zenadth Kes's self-determination!

Chapter 9: Greater Autonomy

9.1 Background

The most recent significant key event considered in this thesis is between the late 1980s and the mid-2000s, whereby Torres Strait Islanders asserted a new form of governance distinct from the ongoing Federal and Queensland governments. In the literature, several names have been used to identify this event; however, for the purpose of this thesis, I call it the Greater Autonomy era.

This key event is significant, being the most recent, with most literature being written about it. In the literature, there are many references to the specific term ‘self-determination’ and the usage of other terms such as autonomy and self-government. The task is to decipher how these terms are used and the meaning of their usage in the context of their respective authors.

Through my analysis, I discovered that self-determination meant the control of one’s destiny, identity and livelihood related to a nation-state or people (Cambou, 2019). At various times in the literature, self-determination was used, but the meaning in the discourse was to describe self-management, which has a different definition (Cornell, 2007). I aim to understand how these terms are used in all literature relating to the Greater Autonomy era and to analyse the discourse this has created.

9.1.1 A Personal Account of Greater Autonomy

My earliest recollections of Greater Autonomy were from the late 1990s. The constant regular discourse in print media, radio talkback debates, workplace conversations, community consultations, and private home chats included Greater Autonomy. As a young man, I remember being confused by what Islanders wanted and the process of achieving that. The catchphrase was ‘Greater Autonomy’ and was associated with complex discussions

involving political ‘white and green papers’. For me, this had little connection with helping Islanders understand what the future held or even looked like.

I even recall discussions in my house surrounding the independence movement and the fear of the implications of cutting ties with Australia. My understanding of the independence movement was for sovereign rights; however, I just imagine how many other Islanders had this discussion of freedom that I, as well as others, did not understand how that was structured or even the implications for my future. My recollections of the discourse in all these media consisted of arguments and debates by leaders regarding rights, entitlements and positions. Perhaps there were many other Islanders in a position similar to mine. In all these forms of discourse, the element of self-determination manifested as Greater Autonomy in texts during this time.

The topics in this key event are related to and cover the span of self-determination. These topics include Greater Autonomy, self-government, political independence, self-governance, and economic independence (Altman et al., 1996; Jull, 1997; Kehoe-Forutan, 2004; MacDonald, 2007; M. Nakata, 2003; Sanders, 2000). These topics were synonymous with the Greater Autonomy progressions among Islanders then.

9.1.2 Self-Determination in the Discourse

A consistent pattern throughout all chapters in this thesis is that non-Islander writers discuss self-determination differently from the varying paradigms they bring to the discourse. Most of the literature on this topic has been written by non-Islander writers, and these perspectives are naturally produced from an outsider’s lens. In saying this, most writers attempt to give voice to Islanders using direct quotes and, at times, position Islanders close to or at the centre of the discourse more than other chapters thus far in the thesis. Interestingly, the 1997 HRSCATSIA published a report on Greater Autonomy for the Torres Strait. This

report was a major contributor to all articles that discussed the events proceeding with the publication of reports.

The word self-determination does not regularly feature in the literature for this moment, even though it was used in other Indigenous literature on self-determination around this period. The various synonyms surrounding self-determination may clarify what Islanders were searching for when expressing the term Greater Autonomy. These terms include greater economic autonomy, control, independence, self-management and political autonomy. Greater Autonomy as a term is heavily used in the literature as expected; however, all the synonyms describe the aspirations of Islanders for more control over their affairs. The various writers appear to all describe Islanders as using these terms to express a clear determination for greater control and governance of their lives.

At this key moment, there are key actors involved in the discourse on the Greater Autonomy of Zenadth Kes, including the Australian Commonwealth and Queensland Governments and the HRSCATSIA, which was the Senate Committee that presided over the enquiry into Greater Autonomy for the Torres Strait Islander people (B. W. Arthur & Sanders, 2018; Jull, 1997; Kehoe-Forutan, 2004; M. Nakata, 2003). Individual mentions of key actors within the government at that time were Prime Minister John Howard, Indigenous Affairs Minister John Herron, and Queensland Premier Sir. Joh Bjelke-Peterson, P.J. Killoran and other representatives from both levels of government (Altman et al., 1996; Jull, 1997; Kehoe-Forutan, 2004; M. Nakata, 2003; Sanders, 2000).

Key Islanders and Islander-led organisations are also mentioned in the discourse representing Islanders' interests and the wider community asserting self-determination. The individuals mentioned throughout the discourse include Islanders such as Getano Lui Jnr, George Mye, Pedro Stephen, Carlemo Wacando, Terry Waia and Joseph Elu (Altman et al., 1996; Kehoe-Forutan, 2004; MacDonald, 2007). There may be other Islanders in the

literature above; however, Islanders have been mentioned in two or more texts and were directly involved in the Greater Autonomy discussion and movement. Organisations that represent Islander interests or have Islanders within them include the TSC, TSRA, ICC and Aboriginal and Torres Strait Islander Commission (ATSIC) (B. W. Arthur & Sanders, 2018; Jull, 1997; MacDonald, 2007; M. Nakata, 2003; Torres Strait Regional Authority, 2018).

As found in the other chapters, within the discourse there were clear information exclusions in each article. Ironically, for the same reasons those articles left out information, I also have limitations and exclusions in my research. Regarding the analysis, Altman et al. (1996) lack a theoretical discussion about self-determination; however, this is because the article is written as a submission for the ongoing proposal for the Greater Autonomy policy on Zenadth Kes. MacDonald (2007) appears to write a seemingly factual report and leaves out key information regarding self-determination or discussions about Islander aspirations and desires. Sanders (2000) excluded discussions on links between Greater Autonomy and self-determination. Even though this article was written in 2000, it does not use the language of self-determination in any form (Sanders, 2000). Lui (1994) excludes more specific discussions about self-determination and using any self-determination synonyms.

9.2 Self-Determination Context in the Literature

The portrayal of Islanders in literature is key to understanding the position the writer took to create their discursive formation in the discourse. It has been outlined through other chapters that, depending on the writer, Islanders could be positioned at the centre of the discourse or portrayed as the 'other' when the writer attempts to convey their analysis of Islander self-determination.

Where Islanders are at the centre of the discourse, they are seen as agents who take control of making decisions based on their timelines and needs. Nakata (2003) positions Islanders in a first-person context, acting as agents and making decisions about their future.

Nakata (2003) is very careful in ensuring that Islander agency is given importance, including their independent views, concerns and aspirations. Nakata (2003, p. 167) stated, '*Torres Strait Islanders in the Torres Strait are arguably further along the road to self-government than any other Indigenous group in Australia and have got to this deposition without exciting too much controversy*'. Lui (1994) is another who displays the Zenadth Kes people front and centre in this discourse and clearly states the positions of Islanders in the locale of their circumstances and time. Lui (1994, p. 17) argues that '*we [Islanders] need to be able to make decision about social, cultural, economic and environmental matters in our region, not just have the right to attend advisory meetings which may, or may not, pass our ideas up the line*'. Jull (1997) also attempts to give voice to Islanders' rights and assertions making efforts to place them at the centre of the discourse by stating that '*indigenous or regional autonomy is not a separation from the nation-state; rather, it is the beginning of full participation in national life*'.

Conversely, other writers can appear to leave Islanders out of their narratives, which ironically discuss Islanders' issues. MacDonald's (2007) writings display Islanders as the 'other' in the discourse, as Islanders' voices or Islanders' aspirations are not represented very well. The main focus of MacDonald's (2007) article appears to be to describe governance models and interested parties, such as the federal government. MacDonald (2007) sought to reference Islanders when the article was made, such as abolishing the ATSIC and Islanders on the mainland not being included in a regional governance model for Islanders nationwide, but this misses the point. Kehoe-Forutan (2004) also places Islanders as mostly the 'other' in her article, which discusses legislation, government representatives, and other external forces as controlling Islanders' decisions and argues that Islanders had difficulty negotiating the overlapping bureaucracies from all governments managing Islanders' interests.

Other writers appear to straddle the line between Islanders as agents and the “other” in their articles. Arthur and Sanders (2018) described Islanders as somewhat central to the discourse. Their report or submission did not look at the historical linear events and timeline, so it is unclear what their discourse positioning and objective facts are (B. W. Arthur & Sanders, 2018). Sanders (2000) portrays Islanders as both agents and the ‘other’ in his article on the proceedings of Greater Autonomy in the Torres Strait. Depending on the section of the article, Sanders discusses Islanders as proactively wanting something better but reactive to the conditions placed upon that desire by the government (Sanders, 2000).

Islanders, acting proactively and reactively within the discourse, display their innate desires and willingness to act through self-determination. Most of the articles analysed in this thesis show that Islanders take proactive steps in determining what they want.

Altman et al. (1996) describe Islanders as the ones making assertions for Greater Autonomy. Nakata (2003) positions Islanders as independently proactive, including regionally autonomous before colonisation. Nakata (2003) also describes the context to ensure that tensions are represented. Instead of restricting existing governance models, Islanders chose to build their model towards self-governance goals, exhibiting a desire for self-determination (Nakata, 2003). *‘Islanders opted for building their own governance model from the ground up. In doing this they envisioned the final goal of self-government and concentrated on representational and structural issues of a governance model that would serve that eventual goal’* (Nakata, 2003, p. 177). Kehoe-Forutan (2004) appears to be proactive in the discourse recounting Mye, who used the ‘threat of international intervention’ to focus on Islander causes. However, in another sentence, the writer describes Lui Jnr’s involvement during a public meeting by the ICC and says that ‘this meeting had requested autonomy’ rather than that ‘Islanders requested autonomy’ (Kehoe-Forutan, 2004). This may indicate that the author is unsure of or unknowingly positioned Islanders within the discourse.

Lui (1994) portrays Islanders as proactively looking for solutions to their problems. When Lui gives his address, he is careful to describe what Islanders want and do not want in his assertions and statements, saying, ‘we are not interested in listing grievances and dwelling on past mistakes, ‘we are looking ahead’ (Lui, 1994). MacDonald (2007) portrays Islanders as proactive, recounting that Islanders living in mainland Australia were not happy with the HRSCATSIA New Deal proposal to have ATSIC represent Islanders on the mainland. MacDonald (2007) seeks to give Islanders agency in the discourse feel and take actions based on their aspirations.

There are some in the discourse that have positioned Islanders as both proactive and reactive. Jull (1997) describes Islanders as proactive and reactive within the text. Islanders are proactive, as they appear to exert their aspirations for control over their rights and future (Jull, 1997). However, Jull also positions Islanders as reactive, as they seem to be at the mercy of the government and are described as ‘pleaders’ without having the right to control their own affairs (Jull, 1997). Sanders (2000) considered both proactive and reactive positions regarding Islander actions. Islanders seem proactive in establishing the Greater Autonomy Task Force; however, Sanders describes these actions in both ways (Sanders, 2000). Sanders (2000, p. 8) writes about a ‘group of Islanders ‘calling themselves’ the Torres Strait Autonomy Taskforce convened... a meeting...’. Sanders (2000) describes Islander actions as proactive but then positions them as a rogue in acting outside the framework of existing governance structures.

9.3 Self-Determination in Society

In the Greater Autonomy era, the whole notion of the ongoing political movement was for Islander self-determination. The concepts of self-determination from the selected literature in this analysis show several perspectives taken from the proceedings during this period.

The HRSCATSIA New Deal report proposed that the Torres Strait Regional Assembly was a good step forward in tackling Islanders' issues with the current governance of the Zenadth Kes region and people. In response to the HRSCATSIA New Deal report, Altman emphasises that Islanders genuinely desire self-determination and are very serious about steps to achieve it using terminology such as Greater Autonomy (Altman et al., 1996). Jull (1997) is another who favours Islander self-determination, responding that the report from the HRSCATSIA New Deal for Greater Autonomy is a good step forward for Islanders to negotiate how self-determination and autonomy may be achieved.

Kehoe-Forutan (2004) also supported this notion and further argues in her writings that Islanders were working hard to assert self-determination, albeit through self-management managed through the ICC. In her writings, Kehoe-Forutan (2004) attempts to convey Islanders' desires to achieve a level of autonomy in which self-management is discussed; however, I do not believe that she is confusing the two terms: rather, she is deliberate in her word choices. Interestingly, Kehoe-Forutan highlights that some Islander leaders seemed frustrated that other Islanders, such as George Mye, showed impatience and they took matters into their own hands to lobby support internationally under the guise of representing all Islanders, potentially harming Islanders' unified position, which led to confusion, questions and delays from the Commonwealth Government (Kehoe-Forutan, 2004). MacDonald (2007) is another that highlights Islanders' push for self-determination, resulting in the federal government creating the Torres Strait Regional Authority (TSRA) to channel Islanders desires.

Despite the differences of Islander opinions within the discourse on Greater Autonomy, the greater narrative was that Islanders wanted more autonomy and control. Islander leader Getano Lui Jnr asserted that Islanders want an equal footing with the Australian Government and non-indigenous citizens. Lui (1994, p. 19) declared:

We (Torres Strait Islanders) are prepared to take responsibility for ourselves to a much greater degree than we have been allowed...our local health problems... our people working... our young get good schooling and ensure that our local resources are well managed so that they will provide a living for many generations to come.

Islander academic Martin Nakata asserts that Islanders are seeking self-determination using terms such as Greater Autonomy, self-management, and self-government.

Nakata (2003, p. 182) further argues that Islanders are willing to compromise when working with governments, developing their 'recognition space' to pursue their sovereignty.

A paper that considered a retrospective study on the lack of outcomes with the Greater Autonomy movement provides an analytical lens. Sanders (2000) appears to position the self-determination movement by Islanders as a failed attempt, stating it was 'bad timing' by unpacking the complexity, reactions and the ongoing trouble with Greater Autonomy.

9.4 Self-Determination and the Future

Societal variables positively and negatively impacted the push for Greater Autonomy and self-determination among Islanders. The articles reviewed in this analysis convey these variables from different writers' perspectives, uncovering the context in which they form a discursive formation of the topic.

Through the Greater Autonomy discourse, there are many instances where the issues of mainland Islanders and homeland Islanders are involved in the advancement of Zenadth Kes. Altman et al. (1996) describe how Islanders can have self-determination by proposing political and economic structures for Greater Autonomy and suggest that this could extend to Islanders living in mainland Australia. In this way, the future society achieves a level of self-determination for Islanders across Australia. Sanders (2000) also argues that both the homeland and mainland Torres Strait Islander people have strong connections to their country

and place. However, the Torres Strait community in Straits and mainland Australia is complex, with key figures and groups pushing the Greater Autonomy agenda in different directions (Sanders, 2000).

Kehoe-Forutan (2004) mentions this same point, describing Islander society as a divided group who were not collected in their approach to achieving self-determination despite government support for ongoing developments. The writer juxtaposes the various characters and their assertions of self-determination in different forms, which sets the scene of confusion and disunity.

Despite a government unwilling to progress the plight of Islanders, Islanders have continued with their demands to build, control and manage their society and develop their regional governance within the Torres Strait (Lui, 1994; MacDonald, 2007). Nakata (2003) confirms this argument that Islanders assert self-determination in various ways through discussions of Greater Autonomy, sovereignty and the process of HRSCATSIA enquiry. The National Treaty could progress Indigenous societies towards self-determination but needs to be connected with 'people on the ground' (Nakata, 2003). Jull (1997) also contributes to this argument by stating that Greater Autonomy is the way for Islanders to achieve greater forms of 'self-determination' and is achievable.

9.5 Islander Agency in the Discourse

Islanders that feature at the centre of the discourse are specifically put there by writers to display their agency in the context of the text. In this analysis, several Islander texts have displayed this strongly. Lui (1994) centres Islanders in the middle of this discourse as he discusses Islanders' aspirations. This is pronounced in all the speeches he delivered during his Boyer Lecture in 1994 (Lui, 1994). Nakata (2003) also deliberately positions the Islander at the centre of the discourse. Nakata (2003) writes very craftily, describing the context very well, and when writing about Islanders, he positions them strongly in the centre.

On the contrary, other writers who are non-Indigenous and non-Islander appear to be consistently unsure of who or what is at the centre of their discourse. MacDonald (2007) tries to describe the situation but effectively leaves out discussions of Islanders' assertions in the conversation. MacDonald's (2007) article discusses policy, governance and structures suited to Islanders and not their aspirations for self-determination. Sanders (2000) is another whose writings fluctuate between attempting to position Islanders and the government in the middle of the discourse. According to Sanders (2000), Islanders are mostly on the outer, reacting or portrayed as acting outside the structures given to them.

9.6 Tensions

Tensions are crucial to effective analysis using Nakata's cultural interface (Nakata, 1997). Tensions provide a deeper literature analysis and go beyond causal analysis to uncover notions of structural power (Nakata, 2007). Within this analysis, Altman et al. (1996) argue that the international border, marine environment, and fiscal flow from social security and tax could pose issues for the Greater Autonomy process and would need to be negotiated.

At the time, Islanders were also not seen as united in the Greater Autonomy campaign, sending mixed messages and causing the Commonwealth Government to step back from the table (Kehoe-Forutan, 2004; Nakata, 2007). According to both articles, there appears to be no clear pathway to Islanders obtaining Greater Autonomy and self-determination (Jull, 1997; Kehoe-Forutan, 2004). On the other hand, frustrated Islanders argue that the Australian Government has not yet come to the table to discuss the possibilities of self-determination for Islanders because of the ongoing tensions between them (Lui, 1994; Nakata, 2007). MacDonald's (2007) article underscores the power differential by the way her article reads that government structures have power and that Islanders are subject to that power even though Islanders have shown resistance from time to time. Islander assertions are left out of the narrative, and her article is focused on the TSRA's purpose to provide structure

to Islanders, even though Islanders like Joseph Elu treated the TSRA like a government-inserted 'funding body' to Torres Strait (MacDonald, 2007). The TSRA caused tension between Islanders and the government and appeared to be a silent Trojan horse for Islanders.

Tensions between Islanders were also explicitly written (Sanders, 2000). The TSC mayor was in conflict with the HRSCATSIA Report on Greater Autonomy and its representatives because of the lack of representation of non-Indigenous residents of the Shire (Sanders, 2000). In the same article, Sanders juxtaposes the Commonwealth and Queensland governments on the amalgamation to show that Islanders' management was discussed without Islanders in the conversation (Sanders, 2000). This article is interesting because it was written in 2000, claiming that the Greater Autonomy target of 2001 failed when several more years of ongoing discussions were left. I feel like this article has jumped its gun.

9.7 Discussion

Throughout this chapter, Islanders have shown a great desire to achieve self-determination through the Greater Autonomy process. The Greater Autonomy push by Islanders did not eventuate, with all parties backing away from the HRSCATSIA New Deal proposal. The articles used to describe event proceedings provided a variety of perspectives and focused on the progress of Greater Autonomy.

The positioning of Islanders within discourse has been a key finding. In this analysis, Indigenous voices always position the Islanders at the centre of the discourse, speaking back to the one-sided discourse dominated by non-indigenous voices (Lui, 1994; Nakata, 2003). The non-Indigenous discourse almost always positions the Islander as the 'other' and outside the centre of the discourse and describes the event very differently from the non-Indigenous contribution.

The articles used for this analysis were taken at various stages of the Greater Autonomy progression; their points of view were time-stamped. When Lui gave his Boyer

Lecture in 1994, it was at the beginning of the proposal and in the early stages of Greater Autonomy; thus, there were strong assertions of self-determination (Lui, 1994). In the mid-1990s, several other writers emerged that provided a somewhat middle look at the progress of Greater Autonomy (Altman et al., 1996; B. W. Arthur & Sanders, 2018; Jull, 1997). Other writers contribute to the discourse after the 2000 period (Kehoe-Forutan, 2004; MacDonald, 2007; Nakata, 2003). This factor can be seen when analysing the literature; however, it did not make for such a contrast when conducting the study.

Finally, governments have been credited with clearing the way for Islanders to pursue self-determination (Jull, 1997). The future of Greater Autonomy depends on the Islanders' initiative, will and energy (Jull, 1997); however, Islanders have shown vigour and grit while pursuing self-determination or Greater Autonomy, regardless of how the discourse reads. This can be seen in the two Islander writers' deliberate positioning of Islanders. Islanders want partnerships with the government regardless of which side of the political divide (Lui, 1994; Nakata, 2003). Further, Lui (1994) affirms that Islanders 'do not have stars in their eyes' regarding the hard work necessary for political reform and the ongoing commitment of Torres Strait Islander people. While Nakata (2003) exhorts that the regard of the shade cast upon Islanders as to whom they deal with politically, Torres Strait Islanders' standpoint of pursuing self-determination will be maintained.

Chapter 10: Discussion

Torres Strait Islanders have demonstrated an evident past of exercising and asserting their rights to self-determination in all forms of their lives, regardless of how the discourse has portrayed them. Islanders have lived, survived and thrived in their domains since time immemorial. This alone exemplifies the self-determination required by anyone to exist in the ways of life of Islanders.

The discourse regarding Islanders' self-determination varies depending on the position of the Islander within an article or text. The writers and texts selected as part of this critical discourse analysis contributed to creating a narrative of Islander self-determination. Limiting the scope of this thesis to six key events in the Islander post-colonisation phase has allowed a snapshot of the portrayal of Islanders through literature discussing the stages of colonisation's impact on their ability for self-determination.

10.1 Usage of the Expression 'Self-Determination'

Throughout the articles examined in this thesis, very few specifically used the expression 'self-determination'. Given that the term 'self-determination' became much more widely used following the UN Declaration, it may seem logical to expect it to be used more explicitly in the more recent literature included in this discourse analysis; however, this was not the case. The term 'self-determination' appeared sparingly in the articles reviewed and is not discussed or used at great length in relation to the UNDRIP definition. The few articles written after the UNDRIP was adopted in 2007 also lacked the strong flavour of 'self-determination' as the centre of the discourse.

Emphasis was placed on other terms chosen by the writers, who were perhaps popular in the political and social discourse during that time, to describe Islanders' actions and assertions. These terms have formed a discourse describing Islander assertions of self-

determination. The words used in the literature that signalled Islanders acting in self-determination include freedom, rights, independence from government, reciprocity, self-control, autonomy, strike, resistance, freedom, self-government, rights, equality, economic advancement, liberation, sovereignty, self-reliance, recognition, land rights, self-governance, self-management, Greater Autonomy, regional assembly, self-sufficiency, discontentment, insubordination and dissatisfaction. These are keywords identified in the literature analysis that directly link the notion that Islanders were asserting self-determination.

In all the key moments analysed, there was no direct and clear declaration that Islanders' assertions were acts of self-determination, nor did the writers explicitly state that the actions of Islanders were an act of self-determination. When writers used the term self-determination, again, it was not in the context of describing Islanders in a specific key moment as acting in self-determination. The writers used self-determination to describe the general aspirations and collective progress of Islander advancement. Indeed, Islander actions or reactions to their circumstances intimated self-determination; however, the various topics of the articles were not written to clearly establish Islander actions as self-determination.

10.2 Self-Determination and Public Policy Influence

It is interesting to note that most of the writings analysed in this literature came from a period when the discourse was heavily influenced by public policy and, as such, did not favour self-determination as a term expressed for Indigenous advancement. During the 1970s, the Whitlam government proposed Indigenous self-determination in economic, social and political affairs (Hocking, 2018). Self-determination then transformed in the 1980s and the 1990s during the Fraser and Howard governments towards Indigenous self-management, self-sufficiency and self-empowerment (Hocking, 2018; Pratt & Bennett, 2004). Most of the articles analysed in this thesis are from the post-Whitlam policies on Indigenous self-determination in the 1970s and perhaps were also influenced by the disbandment of the

ATSIC in 2005; the term 'self-determination' may not have been common in the literature during this period.

A review of the use of self-determination in the literature indicated a rise in the use of the term following the mid-1900s. Moreover, the 2007 UNDRIP elevated the use of self-determination in the mainstream discourse regarding Indigenous affairs. However, I could not see a correlation between the increased usage of the term and articles written following the 2007 UNDRIP in the few articles I used in this thesis.

10.3 Islander Agency / Proactive vs Reactive / Societal Influence

The agency of a character within literature is a key feature in how the writer places the character at the centre of the discourse and prioritises key understandings around the character's position. Conversely, a character who is not the centre of the discourse is considered the 'other' to the main characters and is, therefore, subject to the narratives created around those that are agents within that literature. Within the discourse of the self-determination of Islanders over time, it is important to establish whether Islanders were described as the independent 'agents' acting in self-determination or as the 'other'. This is important because it clarifies how the writer influences the discourse and who or what is being centred on and discussed. This also implies that those not discussed as agents are indeed the other and cannot, therefore, be properly represented through the narrative as acting in self-determination.

Throughout the literature analysed in this thesis, Islanders have been positioned as both agents and the 'other'. The narrative created in each article was subjective to the writers, and the author attempted to centre on the discourse. This point was mentioned numerous times in the chapters of this thesis, as it was a recurring theme. The findings of this study have identified that Islanders have been positioned as the 'other' to the centre of the discourse in most of the articles examined and analysed.

Islanders were portrayed as agents when they resisted various forces, such as the government, missionaries and employers (Ganter, 1994; Mullins, 2012; Shnukal, 2004). Islanders were also depicted as resisting when asserting their freedoms for land and sea rights, agency, employment opportunities in the Torres Strait and mainland Australia through the diaspora and increased autonomy over their lives through the Greater Autonomy period (Beckett, 1987; Jull, 1997; G. Lui, 1994; Mabo, 1981; M. Nakata, 2003; Osborne, 2009; Rowse, 2019; Sharp, 1996). Islanders further displayed this at times in their frustrations and expression of anger at being subject to circumstances such as proposed border changes (Shnukal, 2004). Islanders were also portrayed as asserting their rights through collective decisions, as in the 1936 Maritime Strike and the World War II Strike, as well as pushing the rights to go to mainland Australia in search of better work, lives and opportunities (Beckett, 1987; Manzie, 1988).

Islander writers naturally stood out further than anyone else regarding placing Islanders as self-determining agents in the discourse when they wrote or spoke of their own experiences firsthand (Lui, 1994; Mabo, 1981; Nakata, 2003; Watkin Lui, 2009). Islanders' own ethnography creates a singular lens for their world and perspective and is something that cannot be captured by recorded voices and direct quotes. The Islanders are present and all determined in this contemporary space as they tell their stories to portray their worldview to the reader.

Some non-Islander writers provided detailed accounts of Islander voices in various forms and did their best to represent them in that way (Beckett, 1977, 1987). However, the historical discourse of all the various characters and circumstances appears to heavily influence writings and does not fully represent Islanders' voices of standpoints. A case of this is Beckett's work, where the government and its decisions appear to be more important than

the Islander (Beckett, 1977, 1987), or when discussions are primarily about loyalty and allegiance, Islanders act in self-determination (Shnukal, 2015).

10.4 Islanders Not Portrayed as Agents in the Discourse

As mentioned, most articles analysed in this thesis portray Islanders as the outer part of the main narratives and do not act in self-determination. This occurred when writers positioned things such as government decisions, policies and laws at the centre of the discourse, leaving little room to discuss Islander actions in self-determination within those articles (B. W. Arthur & Sanders, 2018; Beckett, 1977; Hodes, 2000; MacDonald, 2007; Osborne, 2009). In the texts analysed, there is little discussion about Islanders' aspirations for self-determination or their actions against some of the growing oppression, only that they were subject to whatever conditions were placed upon them (Osborne, 2009). Similarly, other articles focused on data only when looking at Islanders and, as such, did not provide an Islander perspective (W. Arthur & Taylor, 1995). This is another discussion that questions the data sovereignty of Indigenous peoples and the critical need for Indigenous peoples to own and control data to display comprehensive narratives and 'not just problems' (Walters, 2018).

Some articles placed other actors at the centre of the discourse that discusses Torres Strait Islanders' lives and dealings. These other actors included the government of the day, missionaries working in the region, the defence force and other Australians (B. Arthur, 2001; Beckett, 1987; Osborne, 2009; Shnukal, 2015; Wetherell, 2004). Several articles appear to be written in historical fact format, which negates a clear attempt to place Islanders at the centre of their discourses (B. Arthur, 1994; Shnukal, 2004; Singe, 1979). This makes the article unclear on what lens the writer portrays Islanders. In one of the articles, it appears that the writer juxtaposed Islanders with other Islanders (Beckett, 1977). This occurred when discussing Tanu Nona, Torres Strait, and Pacific Islander origin, who was subjugating other Islanders to work under extreme conditions and forbidding them from emigrating south in the

out-movement (Beckett, 1977). This article further revealed that for Islanders to be at the centre of the discourse, they should also be defined as those who are in relation to their socio-political status in the context of Islanders acting in self-determination. Otherwise, the act of one Islander limiting another Islander's ability to self-determine their future may only be read as an act of self-determination by the collective of Islanders when, in fact, the true action of self-determination is purely individual.

10.5 Proactive or Reactive in the Discourse

Through the analysis, the following question was proposed to the discourse: 'Are Islanders being depicted as acting proactively or reactively in the literature?' The proposition of Islanders acting proactively or reactively in the discourse is not at the opposite ends of the spectrum, arguing for or against Islander self-determination. However, both actions are still acts of self-determination that Islanders have taken, regardless of their purpose. This question was included in the analysis to uncover how the writer positioned and described Islanders in relation to their key moments. The findings revealed some interesting results worthy of reference in this discussion.

Within the discourse analysed, Islanders have been portrayed as acting proactively most of the time compared to acting reactively. Most of the literature is centred on Islanders' actions and reactions within the mentioned key moments, including their actions to display proactivity. However, there are also some interesting aspects to discuss in the analysis.

The discourse discusses Islanders acting proactively when they see that their actions would prompt a favourable future. Instances of this occurred when Islanders volunteered in wartime, joining the armed forces in the hopes of gaining favour with the Commonwealth Government to appeal to their management (Beckett, 1987; Manzie, 1988; Osborne, 2009; Sharp, 1993). In opposing the new border changes, Islanders sought their changes by bypassing governments to meet Papua New Guineans to settle the matter (Rowse, 2020).

Further, the discourse regarding the Border Not Change period reveals that Islanders recognised when they were being lied to by all governments and in retaliation, took action in their own hands, even threatening to go to the International Court if Islanders' assertions were not met (Beckett, 1987; Rowse, 2020).

During the Mabo discourse, Islanders firmly demanded that they wanted land rights and were resolute in taking the government to court to achieve them (Osborne, 2009; Sharp, 1993, 1996). Mabo (1981, para. 10) was clear when he declared:

What we actually want is real help, not patronising colonial rule anymore; more advanced help from our prosperous white Queenslanders to enable us to stand on our own feet and be able to exercise our rights as Australians and members of the British Empire.

The discourse surrounding the Greater Autonomy period again revealed strong proactive movements by Islanders, asserting their demands for self-determination. Islanders lobbied for a separate governance model and worked proactively through difficulties by building their governance model with goals for self-government (M. Nakata, 2003). Even mainland Islanders disapproved of the New Deal proposal by the Commonwealth (MacDonald, 2007).

It is also noted that Islanders' reactions to various issues are still considered acts of self-determination within the discourse throughout the key moments. The 1936 Maritime Strike and the World War Two Strike can be seen as major reactions to the ongoing oppressive conditions under which Islanders were placed. Further, most of the other key moments feature Islanders acting reactively, such as Islanders who did not volunteer for war being coerced, forced to return from working boats and scared into enlisting to fight in the war (Osborne, 2009). When the war ended, Islanders returned to their island communities

with new skills and different social outlooks of better community living standards and pushed for access to work on the mainland (Shnukal, 2004).

Another interesting outcome was that Islanders' self-determination aspirations did not appear to be the intent of the literature written about them. This question of data sovereignty appears yet again when the literature primarily discusses variables such as laws that govern Islanders, statistics and data or when Islander and Indigenous issues appear as political football used to lobby support in politics (Altman et al., 1996; B. W. Arthur & Sanders, 2018; Hodes, 2000; Keating, 2015; Osborne, 2009; Walters, 2018). In the border dispute discourse, Robertson contends that Islanders 'were devoid of any agency and were effectively objects over whom governments bargained to achieve their own strategic, economic and political goals' (Robertson, 2010). Jull (1997) contends that Islanders are seen as reactive and at the mercy of the government and described as pleaders before the government without having the right to control their affairs.

10.6 Societal Influence and Self-Determination

Another question the analysis proposed to identify was whether the societal implications of the Torres Strait during each key moment affected Islanders' abilities for self-determination. This question was asked for each text analysed in this thesis and produced similar results at each key moment. The findings revealed that in most of the discourse on each key moment, Islanders were not in the same social class standing as other actors within the discourse. The other actors in the discourse included white people, Asian immigrants and Pacific Islander immigrants. This discourse reveals that Islanders were at the bottom of the social order (Shnukal, 1992).

Because of this fact, throughout the key moments examined in this thesis, Islanders have been implicated by their social status and, in most cases, have sought to rebel and resist exerting their rights for self-determination. During the early period, the change in Islander

society from a traditional subsistence lifestyle to a new welfare and cash economy coordinated by the government conditioned Islanders to rely more on government support than on their efforts (Beckett, 1987; Wetherell, 2004). Throughout the wartime period, Islanders were treated more equally, with few racial issues and opportunities to gain new skills (Saunders, 1995). However, Islanders still faced paternalism from the Director of Native Affairs and this, combined with the army wage inequalities, fuelled a fire of resistance among the Islanders (Osborne, 2009). When Islanders moved to the mainland for work, they soon gained a reputation for being hard-working and were considered first-class workers in the railway industry (Beckett, 1987). This contributed to Islander's status back in the Torres Strait, as the demise of the pearling industry and the demand for workers on the mainland led maritime skippers to treat Islander crew better (Beckett, 1987).

In the later key moments, which are the Border Not Change campaign, the Mabo Land Rights case and the Greater Autonomy movement, Islanders appear to regain a stronger social status as their rights are recognised within the Australian polity. This may coincide with other indigenous rights movements across Australia, giving rise to a greater focus on Indigenous rights in Australia. These movements include the 1963 Yirrkala Bark Petitions, the 1965 Freedom Ride, Wave Hill Walk-Off in 1966 and the 1967 Referendum. Politicians like Gough Whitlam also took a strong approach to Indigenous affairs in Australia. Hocking (2018, p. 6) quoting Whitlam's statement on self-determination was for 'Aboriginal communities deciding the pace and nature of their future development as significant components within a diverse Australia'.

The unified Islander identity also strengthened as the ongoing effects of colonisation continued among Islanders. The border dispute highlighted that Islanders were not a key member of the Australian state and, as such, solidified the regional identity of Islanders, as they fought for their regional identity to be preserved and not divided (Beckett, 1987;

Robertson, 2010). Robertson (2010, p. 479) argues that the Islanders' diversity was 'welded into cultural unity by ... Queensland Colonialism' who had 'sown the seed of its own demise'.

Chapter 11: Conclusion

My journey through this thesis has touched on topics close to me as a Torres Strait Islander. Islanders' history through colonisation is unique, as it is vastly different from the rest of Australia. The research question that guided me through this thesis is as follows: *How are Zenadth Kes people positioned in the discourse of self-determination over time?*

A new understanding of Islander self-determination within the discourse reveals how Islander people have been positioned. This thesis is yet another contribution to the discourse on Islander history and will hopefully serve as a sounding board for those who seek to understand the discourse on the colonisation of Islanders.

It is my sense as an Islander that Ailan Kastom has been a central part of this thesis for understanding Islander self-determination over time. However, further investigation is needed to explore the relationship between Ailan Kastom and self-determination. Despite this, my feeling is that Ailan Kastom is Islanders' epistemological and ontological meaning for what all else call self-determination. Through each of the six key moments discussed in this thesis, Ailan Kastom is exemplified through the actions and assertions of Islanders. Islanders know who they are and what they want, and they have tried to navigate these understandings through the changes in colonial impositions on their way of life. Despite this, Ailan Kastom remains the central part of their identity and sense of belonging in this world.

Throughout this thesis, I have sought to explore the understanding of self-determination within the discourse of Zenadth Kes. In doing so, I have placed myself within the intersection of this discourse to uncover representations of Islander self-determination within the literature. The literature has also explored some of my family's involvement in the Islanders' struggles against colonial oppression and the push for self-determination. I have even recalled experiences during my life that have provided a personal perspective on the

more recent key moment, Greater Autonomy, and discussions in my home and community about this key moment. I have worked through potential biases as I searched the literature to find detailed information about Islander self-determination. However, I am aware that my thesis forms a discursive formation to which another perspective is drawn regarding the six key moments analysed.

Most literature on Islanders has, at times, appeared to position them as passengers in their history and not afford them centrality in the discourse that displays self-determining people. This thesis has uncovered many of the writer's positions who knowingly or unknowingly placed Islanders as the 'other' to various things or people that occupy the centre of the narratives. Islanders are rarely given the prominent standpoint of this discourse throughout the six key moments analysed. However, the literature has uncovered that Islander assertions for self-determination are present through descriptions. Islanders have been identified loudly, asserting their rights or freedoms against inequality and injustice, standing up to colonial governments, and imposing entrepreneurs exploiting resources or laws created to exclude them. Islander self-determination has also been identified in the form of quiet resistance through silence, inertia and lack of action or participation. In all forms, Islanders have relied on Ailan Kastom to guide them in their navigation of colonisation.

This new understanding of how Ailan Kastom is self-determination for Islanders has revealed that Islander ways of life should be used when researching Islanders or their histories. Ailan Kastom and Apasin are central to understanding the discourse of Islanders. This provides the standpoint that any reader or writer can use to better view Zenadth Kes people as agents. This will also assist in providing clarity to the writer when deciding where to place Islanders in their narratives.

Still, this is not a complete work in understanding Ailan Kastom that could be employed in the research of the Zenadth Kes people. More work can be undertaken to reveal

a further understanding of Ailan Kastom within academic discourse and analysis of Islanders and their histories and futures within any discipline. This thesis has focused only on the history of Islanders' self-determination through six key moments since 1936. Other understandings of self-determination may arise from further research on Islander history.

Zenadth Kes people have the opportunity never before afforded to them to create a future that allows them the full status of self-determining people. Islander leaders are asking important questions today, such as 'where are Islanders positioned now regarding self-determination?' Islander leaders are asking an even more important question: 'what do Islanders want in determining their future for all Zenadth Kes people?'

This thesis has uncovered that in each of the six key moments, Islanders have not created a future space that affords them their desire for self-determination. Any situation that eventuated in Islander history did not fully represent their desires and assertions for self-determination. Self-determination for the Zenadth Kes has not yet been achieved. The current status quo of dissatisfaction among many Islander leaders provides significant evidence for this. However, an opportunity now exists in the current political climate for Islanders to make fresh progress towards self-determination, whatever this may look like. Learning these lessons of self-determination from the past will provide an understanding of how Ailan Kastom will guide the progression towards achieving self-determination for all Zenadth Kes people.

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