

small island BIG FIGHT

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Small Island, Big Fight (Aven S Noah, 2001) explores the current struggle for sea rights by the Indigenous peoples of Mer (Murray) Island. The Meriam people tell how they lost their sea rights and explain why it is critical that they are restored. *Small Island, Big Fight* also presents the arguments of the commercial fishermen who oppose the Meriam claims.



STUDYGUIDE

MAIN PHOTO AND INSET: KOMET CLANSMAN AVEN NOAH, THE DIRECTOR AND CO-WRITER OF *SMALL ISLAND, BIG FIGHT*, FISHING ON MURRAY ISLAND.

THIS 25 MINUTE DOCUMENTARY is suitable for secondary and tertiary students in that the material is delivered in a simple way yet it raises complex issues. *Small Island, Big Fight* is relevant for courses that deal with politics, international law (rights of Indigenous peoples and globalization), environmental studies, resource economics, Australian history and society, community development and social welfare as well as programs on Indigenous peoples and especially Aborigines and Torres Strait Islanders.

In one sense, *Small Island, Big Fight* is the story of Aven Noah, who co-wrote, directed and narrated the documentary. At the same time, it is the story of the Meriam people. This story raises many themes that recur in the recent histories of Indigenous peoples in the rest of the world: dispossession, conflicts with commercial interests, and demands for self-determination, cultural respect and economic independence.

This study guide provides three tiers of background on the documentary: it concentrates on individual, communal and global perspectives in turn. Issues are identified for discussion and activities suggested. Students and teachers can choose to focus on topics relevant to their disciplines, interests and concerns. Certain information appears in boxes. References are listed at the end.

SMALL ISLAND, BIG FIGHT: THE STORY OF AVEN NOAH

Aven Noah was born into the Komet clan on Mer Island but left as a child when his father was forced to find work on the mainland. In 1984, Aven returned to the neighbouring Thursday Island as a broadcaster with the Torres Strait Islanders Media Association and, in time, became general manager.

As a radio journalist, Aven followed the Mabo case featuring Mer Island's famous son Eddie Mabo in a landmark decision with respect to native title. His Meriam people were disappointed

that claims for sea rights got lost in the broader struggle for recognition of prior ownership of land. So this became Aven's cause, as presented in *Small Island, Big Fight*.

In 1998, Aven and colleague Debbie Pruden gained support for their idea for a documentary from the National Indigenous Documentary Fund, a joint National Indigenous Media Association of Australia/ABC-TV initiative. Subsequently film-makers Trevor Graham (*Mabo—Life of an Island Man*—AFI Best Documentary 1997) and Rosemary Hesp decided to produce the documentary, gaining further support from Film Australia's National Interest Program:

We were both really taken by Aven's deep commitment to this project. For him it was not only an opportunity to make a film, but an issue close to his heart. A story he wanted the whole country to know about. (Rosemary Hesp, Press Kit)

The Australian Film Television & Radio School (AFTRS) in Sydney trained Aven and two other Torres Strait Islanders joined the crew for the making of *Small Island, Big Fight*. Having surmounted a variety of strategic and practical obstacles, as well as diplomatic sensitivities, Aven's decidedly 'insider's story' premiered in late 2000. Featuring spectacular local dancing and an Indigenous soundtrack, the documentary-maker might well have earned the title of 'Small Islander, Big Fighter', after his forebear Eddie Mabo.

Koiki (Eddie) Mabo was born on Mer Island in 1936 and lived there as a young man. Later, in 1992, he was one of the Torres Strait Islanders who won a 10-year-long case for recognition of prior ownership of their land before white settlement on the Australian mainland. The Mabo decision was an historic victory for Aboriginal and Torres Strait Islanders because it ended the legal fiction of *terra nullius* and opened the way to claims for native land title.

Eddie argued for sea as well as land rights: 'if I utilise the land without

having additional resource to get from the sea... I'm lost'. However, land had precedence in the broader Aboriginal and Torres Strait Islander struggle for native title.

Re. Mabo (No 2) the then Justice Brennan stated that:

'...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 civilized standard, such a law is unjust...'

(Brennan quoted in *Native Title Report*, July 1996–June 1997: 67)

The Meriam have inhabited their fertile island 'paradise' for over four thousand years, trading with the Aborigines of the Cape York Peninsular and the Papuans. The Murray group comprises three islands, Mer, Daure and Waier in the eastern Torres Strait. Mer is tiny: it is only 2.79 km long and, at its widest, 1.65 km. Even though thousands call it 'home', today only 450 people live there.

The Meriam are people of the sea. They live within sight of the Great Barrier Reef. As the ancient stone walled weirs to trap fish around their island testify, they have always gained food from the ocean. Cultivating yams, coconuts, fruits and bananas in rich volcanic soil gardens, they have hunted turtles and dugongs as well as fish and clams. The tropical climes, a wet season and a dry season, have not only nurtured their bodies but also sheltered their souls. The sea is the basis of their identity, their culture and spirituality.

The Meriam god Malo takes the form of the octopus. Each octopus tentacle represents one of the eight Meriam clans that are joined to a central body of Meriam people. Their framework



ONE OF THE FIRST FEW SCENES OF *SMALL ISLAND, BIG FIGHT* FEATURES MERIAM DANCERS WITH THEIR POWERFUL SACRED TRADITIONAL FEATHERED HEADDRESSES, OR 'DARI'. THE DARI, WITH ITS SHORT WHITE FEATHERS ATTACHED TO SEMICIRCULAR BENDS OF CANE SET ON THE FOREHEAD, LOOKS RATHER LIKE TEETH ROUND THE JAWS OF A SHARK BUT IS MEANT TO REPRESENT FISHTAILS AND THE WISE FROWNS OF ELDERS. TRADITIONALLY A HEADDRESS FOR WARRIORS, THE DARI HAS A MORE PEACEFUL FUNCTION TODAY AS THE CENTRAL SYMBOL ON THE FLAG OF THE TORRES STRAIT ISLANDERS (*LONELY PLANET*, 2001: 346).

LEFT: THE SHARK DANCE

of spiritual beliefs is communicated in dance, song and stories. Scenes of the Shark Dance are a highlight of *Small Island, Big Fight*.

In the documentary, Aven iterates: 'For us Meriam, the land and sea are one'. Traditional fishing rights, customarily shared between the 8 Meriam clans on the basis of patrilineal inheritance, stretched from land plots to reefs and waters north and south (up to 60 km) from the island. Besides production and harvesting for direct use the Meriam also engaged in Indigenous non-monetary exchange.

Contact with white traders began in the 17th century but the Meriam retained a strong sense of cultural, economic and political autonomy. Even though Christian missionaries settled there in the early 1870s and became representatives of the Queensland government when it was formally annexed in 1879, in 1898 an elected local council began to fulfil certain legal and governmental functions.

Meriam Mir is one of the three languages spoken in the eastern Torres Strait Islands. Once there were two dialects but only Mer is spoken today, mainly by adults, on Mer Island. Here are some Mer words (*Lonely Planet*, 2001: 337):

WELCOME Maiem

GOODBYE Yawo
HOW ARE YOU? Nako manali?
FINE Sikakanali
THANK YOU Eswau
YES/NO Baru/Nole

Almost a century ago, in 1910, half of Meriam males (120 men) were fishermen earning an income. They became integrated into the cash economy this way, ensuring the provision of cheap black labour for white businessmen. However in 1936 they engaged in a prolonged strike, subsisting on their agricultural plots and relying on strong internal cohesion for political leadership. Consequently, they won some control over management of the boating industries. The maritime strike is the best known example of a characteristic defence against government authority as well as commercial interests. In the early 1960s the industry based on the trochus shell (tropical crustaceans) was eroded and many Meriam were forced into exile to find alternative employment on the mainland where they formed communities still identifiable in northern Australia.

Strict quarantine measures apply between the Torres Strait Islands and the Australian mainland: no live animal or vegetable material is permitted. (*Lonely Planet*, 2001)

In 1975, a Torres Strait Treaty was

signed by the governments of Australia and Papua New Guinea. This treaty created a zone designed to protect the peoples and environment of the Torres Strait. But large scale commercial fishermen continued to ply the strait, adversely affecting the peoples and natural resources there.

When Aven made this documentary three-quarters of Meriam relied on social welfare benefits. The Meriam would like exclusive rights to their waters to earn export dollars and avoid having to rely on social welfare benefits. To this end, by the mid 1990s the Meriam had decided to actively protect their traditional maritime boundaries by chasing commercial fishing 'intruders' away. They refused access to tourists too.

Today, the key issue for Meriam in trying to make their community self-sustaining is to regain exclusive rights over the waters surrounding their island to support both self-sufficiency and Indigenous maritime enterprises for trade.

SMALL ISLAND, BIG FIGHT: A COMMON HISTORY OF INDIGENOUS PEOPLES AND ISSUES FOR DISCUSSION

Indigenous peoples retain a strong relationship with their natural environ-

ment. Indigenous practices are based on holistic ecological processes and systems. Many Indigenous peoples regard their rights to traditional territories as critical for ensuring their material sustenance and cultural dignity.

Precontact environmental principles feature strongly in the present day movement for Indigenous peoples' land and sea rights. Management practices and systems of use rights and exchange integrate aspects of social and environmental justice (and injustice).

**SOCIAL JUSTICE/
ENVIRONMENTAL JUSTICE:**

For many Indigenous peoples, dispossession first occurred long ago. How does *Small Island, Big Fight* illustrate that dispossession is an active process today? What specific connections are made in *Small Island, Big Fight* between demands for social justice and environmental justice?

...your jaws for Malo's necklace...

SEA RIGHTS: How do we distinguish between sea rights and land rights? Why do we distinguish between sea rights and land rights? Is this a European and/or Indigenous distinction?

OTHER ISLANDERS: How typical is the Meriam struggle for sea rights? Investigate the different degrees of involvement in movements for gaining sea rights and the various kinds of political and economic strategies being developed by other Torres Strait Islanders, Aborigines on mainland Australia, the Pacific Islanders, the Melanesian, Polynesian and Micronesian communities and Indigenous peoples from the Indonesian and Caribbean islands.

ANOTHER CASE STUDY: The history and activities of the Yolngu have parallels with the Meriam. The Yolngu have inhabited North East Arnhem Land for around 60,000 years—see award winning documentaries *Thomson of Arnhem Land* (John Moore, 2000) and *The Yirrkala Film Project* (Ian Dunlop, 1979). In 1963 the Yolngu

presented the Australian government with a Bark Petition that acted as a spring board for the struggle for Aboriginal land rights. Subsequently, the Yolngu brothers Mandawuy and Galarrwuy Yunupingu have become as familiar names as Mabo in Australian homes.

The Northern Territory Aboriginal Land Ordinance 1978 provided for limited Aboriginal rights over the coastline: three quarters of it is nominally under Aboriginal ownership. The idea was to protect customary rights, sacred sites and environmental resources. However, while certain sacred sites are managed by an Aboriginal Areas Protection Authority, commercial entitlements prevail. Only 4 applications for 'sea closure' succeeded in the first decade of the operation of this law. This poor record is similar to that of the Torres Strait Treaty.

Today, the Yolngu complement their fight for land rights with a struggle for sea rights. They mounted a 'Saltwater' exhibition of bark paintings that toured the nation June 1999–January 2001. Like the Meriam the Yolngu integrate culture and politics. Yothu Yindi are prominent Yolngu. The children's feature film *Yolngu Boy* (Stephen Johnson, 2001) came out the same year as *Small Island, Big Fight*.

COMMERCIAL FISHING INTERESTS: Carl D'Aguiar operates two boats off the Mer Island coast. Sea rights threaten his fishing business which employs eight men catching

trout and mackerel most of the year. At the time Aven made this documentary coral trout fetched \$14 per kg and D'Aguiar's business was worth \$35 million per annum. In the sea rights showdown, will the 'winner take all'? Can you define any 'common ground' between the Meriam and commercial fishermen? Can you suggest a mutually beneficial solution?

Every year on Regation Sunday our community gathers on the beach to bless the waters and give thanks to the sea and [the] creatures in it. We pray that the sea will continue to supply us in abundance with all that we need. Today our prayers are helping to fill the freezers of outside fishing fleets. So now we also pray for sea rights. Our future depends on it. (Aven Noah)

BIOGRAPHY: Many documentary-makers use biography as a tool to tell community or national histories. Identify two characters in *Small Island, Big Fight* and describe how their lives highlight processes and themes that are social, economic and/or political.

We Meriam are fighters. (Asst Bishop Dave Passi)

THINK GLOBAL, ACT LOCAL: By all accounts Mer is a small island. Why does Aven call the Meriam struggle for sea rights a 'big fight'? What perspectives make the Meriam fight big?

From the beginning, in the distant

BÊCHE DE MER, 'TREPANG' OR SEA SLUG, HAS BEEN HARVESTED FROM THE SEAS AROUND MER ISLAND FOR A LONG TIME. TRADITIONALLY IT HAS BEEN CURED FOR EXPORT TO CHINA AS AN APHRODISIAC.

RIGHT: MURRAY ISLAND





RON DAY, CHAIRMAN OF MURRAY ISLAND COMMUNITY COUNCIL

past to the present, we have always lived following the laws of kinship. Our kinship connects us to whatever lies in the sea. It holds our family. And everything in the ocean is related.

(Langani Marika on the Yolngu attachment to sea, cited in *Saltwater*: 19)

Small Island, Big Fight is self explanatory and can be viewed without introduction. However, a background briefing will help students concentrate on the opposing arguments raised. (See the list of references provided in this study guide.) Teachers might address the following questions before or right after screening the documentary. Alternatively, students might be set the task of finding the information for themselves in preparation for viewing:

- **Where is Mer (Murray) Island?** Locate it on a map showing both northern Australia and New Guinea.
- **What external influences affected Torres Strait Islanders in the second half of the nineteenth century?** Christian missionaries arrived in the early 1870s. In 1879 the Queensland government annexed Murray Island.
- **What was the Mabo decision?** Koiki (Eddie) Mabo was born on

Mer (Murray) Island in 1939 and lived there until he became an adult. He helped win a ten-year long case for recognition of prior land ownership in 1992. This 'Mabo decision' ended the legal fiction of *terra nullius* and established native land title.

- **What are 'sea rights'?** Usage rights to adjacent waters have been as significant as land rights to Indigenous peoples right round the world. Clan territories of the Meriam included stone fish weirs, reefs and fishing rights in specific areas. The Mer Islanders had well established sea rights many kilometres north and south of their island before annexation to Queensland in 1879.

LAW: How do traditional dancers in *Small Island, Big Fight* express Meriam law?

The Torres Strait Treaty—as well as marine parks like on the Great Barrier Reef—were meant to provide management structures for multiple-uses that include subsistence fishing and hunting and protecting sacred sites. Why have they failed? (Part of the answer lies in contrasting European and international law that involves commercial markets, national sovereignty and regulations with customary rights to harvesting the ocean.)

Small Island, Big Fight focuses on the case of two Meriam men charged with 'armed robbery with threats of actual violence' that involved commercial fishermen. Analyse this case from different aspects:

- economic
- political
- legal

What does this analysis suggest about:

- the Meriam?
- the present state of international law and relations?
- different communities (of interest)?
- who controls whom?

Why might the Meriam charged with armed robbery be defined as political prisoners?

WATER: Water is a critical aspect of human sustenance, cultural values, social symbols and environmental responsibility. In 'The Oceans Flowing Through our Veins'—chapter 3 of *The Sacred Balance; Rediscovering Our Place in Nature*—David Suzuki makes holistic links between us and the sea. Read it. Compare an Indigenous belief system involving the sea and the scientific perspective presented by Suzuki.

'The Murray Islanders have probably the best defined marine area because they have this incredible historical culture showing it.'

(David Haigh, Senior Lecturer in Law, James Cook University)

SUSTAINABILITY: How does granting sea rights to the Meriam people promise to make life there more 'sustainable'? Specifically what and who will be made more sustainable? What are the criteria for achieving sustainability? How do you measure sustainability?

Indigenous practices—like the Meriam model of dividing land and sea rights between clans—offer alternatives to market-based resource use and management. They provide models for us to explore when discussing how we might create ecologically sustainable behaviour for all our futures. Would it be possible and preferable for your local community to adopt these kinds of models in your local environment? What would this experiment involve and what might it achieve?

RECONCILIATION: Today, white and black Australians are engaging in a process of 'reconciliation'. In many ways, the meaning of 'reconciliation' is still unclear. Some of the complexities of this process are revealed in the case presented by Aven Noah in *Small Island, Big Fight*. Initially, eight key issues were defined by the Council for Aboriginal Reconciliation 1991–94:

- understanding land and sea country
- improving relations between Indigenous and non-Indigenous Australians
- valuing Indigenous cultures
- sharing histories
- addressing disadvantage
- responding to high custody levels for non-Indigenous peoples
- agreeing on a document involving reconciliation issues
- providing opportunities for non-Indigenous people to control their destinies

This is a useful 'check list' for analysing the case being made by the Meriam people. How do you think renegotiating sea rights will support reconciliation? Does this discussion clarify what 'reconciliation' must or might mean?

ACTIVITIES: Divide into pairs for this simple role play—imagine you are Aven Noah, when he was a boy, talking with his father about leaving Mer Island. What would they say to one another? This role play is designed to help students feel what it is like to be in the social, political and economic situation of Mer Islanders today.

This complex role play can include a whole class of students—you imagine you are at a court hearing for the two Mer Islanders charged with armed robbery and with threatening violence. One plays the judge, two the charged Mer Islanders and another their solicitor. Then there are the commercial fishermen involved in the confrontation and the solicitor representing them. You will not want more than ten jury advising the judge. If the class is large, some students can play relatives and friends of the Mer Islanders and relatives and friends of the commercial fishermen. They will sit and watch the mock court hearing and judgement. Two others role play journalists who interview the relatives and friends after the judgment. When you have decided who will play each of the characters, watch the documentary again so that everyone can pay particular attention to information relevant to their designated role. This role play is designed to help students think through the issues involved with this cross-cultural case from the different points of view of the participants. You can role play this scenario twice, putting students in opposing or distinctively different roles the second time around.

SMALL ISLAND, BIG FIGHT: PRINT REFERENCES

Council for Aboriginal Reconciliation 1991–94 Report to Federal Parliament, *Walking Together: the First Steps*, AGPS, Canberra, 1994.

David Horton (ed.), *The Encyclopaedia of Aboriginal Australia* (2 vols), Aboriginal Studies Press/Australian Institute of Aboriginal and Torres Strait Islanders Studies, Canberra, 1994.

Lonely Planet, Aboriginal Australia and the Torres Strait Islands, Lonely Planet Publications, Footscray, 2001. See especially 'Torres Strait Islands': 335–350.

Noel Loos and Koiki Mabo, *Edward Koiki Mabo: His Life and Struggle for Land Rights*, University of Queensland Press (UQP), St Lucia (Qld), 1996.

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Saltwater: Yirrkala Bark Paintings of Sea Country; Recognising Indigenous Sea Rights, Jennifer Isaacs and Buku-Larrngay Mulka Centre, Yirrkala, 1999.

John Singe, *The Torres Strait: People and History*, UQP, St. Lucia (Qld), 1979.

Sylvia Kleinert and Margo Neale (eds), *The Oxford Companion to Aboriginal Art and Culture*, Oxford University Press, South Melbourne, 2000.

David Suzuki with Amanda McConnell, 'The Oceans Flowing Through our Veins' in *The Sacred Balance; Rediscovering Our Place in Nature*, Allen & Unwin, St Leonards, 1997: 76–105.

VIDEOS AND WEB SITES

Small Island, Big Fight adds to a growing series of documentaries on Indigenous peoples reclaiming traditional rights to resources. Some are mentioned in this study guide:

Mabo-Life of an Island Man (Trevor Graham, 1997) [NFSA]
The Yirrkala Film Project (Ian Dunlop, 1979) [Film Australia]

Thomson of Arnhem Land (John Moore, 2000) [NFSA] *Yolngu Boy* (Stephen Johnson, 2001) [Palace Films]

For further information on relevant videos and articles, search the catalogues of Film Australia: www.nfsa.gov.au and The Australian Centre for the Moving Image : <https://www.acmi.net.au/> and the database of articles from *Metro* magazine and *Australian Screen Education*: www.metromagazine.com.au

For information about the children's feature film *Yolngu Boy*: www.yolnguboy.com

For more about Mer Island and Torres Strait Islanders, see the web sites of the Torres Strait Regional Authority (established 1994) and the Indigenous Libraries Unit of the State Library of Queensland: www.tsr.gov.au www.slq.qld.gov.au

For information on Indigenous peoples and the environment all around the world, start with the Indigenous Environmental Network: www.ienearth.org

This study guide was written for ATOM by Anitra Nelson. For more information about ATOM study guides, email: damned@netspace.net.au or visit our web site: www.metromagazine.com.au

Small Island, Big Fight

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Director/Narrator: Aven S Noah
Producer: Rosemary Hesp
Co-producer: Trevor Graham
Writers: Aven S Noah, Rosemary Hesp, Debbie Pruden
Executive Producer: Stefan Moore
Duration: 25 minutes
Year: 2000

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