

# **Speech delivered by Prof. Eleanor Bourke**

**Wergaia elder and NTSV Board Member**

**December 13, 2005**

**Horseshoe Bend, Federal Court Determination of Native Title**

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Distinguished guests, brothers, sisters and friends. Welcome.

Willeminger Millemirning Ngalbacatya, Archibald Pepper, Pelican Man, born at Nypo in 1859, patriarch – with his brother Nathaniel – of all the black Peppers in Victoria.

You have been an inspiration, a great storyteller. You have left an historical legacy, and through your daughters, a linguistic treasure. Your stories have carried us to this point today. As a result of this we, Wergaia, have a great oral tradition.

I think of my beloved grandmother, Eleanor Jessie Pepper Stewart, known to so many people in her 90 year lifetime. Primary source to academics, historians and linguists, she was born in 1887 on Ebenezer mission station and was herself a gifted storyteller who told many of her grandchildren creation stories of the little people, the gnutchas, the gnaut gnaut and the wild goolum goolum.

She told us of the courage of heroes like Benabeal, the giant who ran away from the white men into the Grampians near where my sister, Estelle and I now live.

To all our warriors of old, those who the dust has long reclaimed, you have returned to the land. We know that you too fought for our people.

Today, we stand in your footprints. Today, we honour your memory. Today, we remember you all – all of you who came to be known by the Anglo-Saxon names of Cameron, Coombes, Harradine, Harrison, Kennedy, Marks, Pepper, and Robinson.

We remember too all those we wish to have been here. I think of my mother, Nina Eleanor Stewart, eldest granddaughter of Archibald Pepper; her brothers and sisters, and her cousins, Cliffie and Wattie, Susie's family; my late brothers, Douglas and David. David, especially you, because David your dream has come.

We remember also the many political battles waged over these past two centuries by other people all around this state. I think of the era of the Protectors of the 1840s, years during which many of our great grandparents were born – the era when we were to die out, all under the banner of a policy of 'protection' which lasted until

1957. Then began the long welfare phase, followed in the '70s by 'self-determination' and 'self-management'. We have survived them all.

That today has come is due to collective endeavours over all that time, by black and white.

That we particular individuals are gathered here in this place today may be an accident of timing and place. That today has come about is not an accident. Many here have worked and fought over the past decade for this day. A difficult process for all involved, of course, because as well as having their own vision they have had to respect other peoples' different knowledge about shared country.

We have made a very big a compromise to you Europeans within a system that is your own, not ours.

In an imperfect system, we are forced to trade off, to agree over long disputed boundaries. We do this because we believe in a future for our children. Our past gives us this strength.

We will never give up our identity, histories and cultures as long as one of us lives and breathes. However, there is a terrible trade-off in terms of gaining realistic resource outcomes and cultural capacity for our endeavours.

I must sound a warning to politicians and bureaucrats: under the prescriptive national native title legislation, Aboriginal people have high expectations. We are not daunted by your Western legal doctrine – though we are forced to battle it out with you, and with each other, lacking the mighty resources of the state and its agencies.

I thank the Federal Court, NNTT, the NTSV team, Hindmarsh and Horsham Councils for their efforts and support.

I salute especially the people who kept the custodianship. I salute the Wotjobaluk, the Yapagulk, the Jaadwa and Jaadwajarli.

Finally, in the timing of this occasion, I recognize the role of the Attorney-General, the Hon Rob Hulls.

Rob Hulls, I thank you for your commitment, dedication and passion for our cause, for your part in making this a reality. This consent determination is an act of reconciliation between stake-holders with competing and diverging interests. It is an historic beacon shining above a somewhat self-centred world. Mr Attorney-General, please continue the recognition of all first nations people in other parts of this beautiful state of Victoria.