Chapter 5

Making the region: culture, the border and the Treaty

Torres Strait includes the international border between Australia and Papua New Guinea. In the Treaty between PNG and Australia that was ratified in 1985 a unique set of border arrangements were established. These arrangements have had, and continue to have, a significant impact on the region with implications for regional autonomy. In this chapter I will discuss some of these implications. I note some of the other features that mark Torres Strait off as a region and some of the ways that Torres Strait Islanders are able to identify with Torres Strait - making and legitimising links between the region and themselves. I also note how the Treaty arrangements have included Islanders in the management and sharing of the region's resources and have produced a unique set of cross-border relationships. I will argue how some of these features of the Strait make it both easier and more difficult for Islanders to argue a case for greater regional autonomy.

Regions and autonomy

I noted in Chapter 3 that UN Resolution 1541 proposes that regions that might wish to argue for some sort of autonomy from a parent state (for example to become a territory) would be advantaged if they could demonstrate a degree of geographic separateness, a distinctive ethnic and/or cultural distinctiveness and some history of subordination to the parent state in administrative, political and economic terms (Commonwealth of Australia 1991). Further, regional autonomy for a group of people is more logical if they can legitimise some special connections with that region (Hannum and Lillich 1988: 215-18, 249). Thus, part of the logic for a regional form of autonomy rests on the ability to define a region to the extent that it can be treated separately, and on the ability to make a link or links between that region and a people. Constructing such a regional identity is easier for

some groups than for others, and rests, to an extent, on the coincidence of geography and history. However, people may also draw on a set of symbols to form a regional identity.

Regions are constructs (Taylor and Bell 2004) and one or more factors can contribute to their creation. These factors can be geographic, political, economic, and cultural. Being an archipelago of small islands, the Strait has the form of geographic separateness noted by the UN Resolution and Chapter 3 makes some comparison between the Strait and the small-island states in the Pacific. However, the islands of Torres Strait are different from those of the Pacific in that they are contained within a Strait. This delineates them to a degree not found in the Pacific, and helps give them something of a regional identity. Straits can have their own political-geography economy and culture (see Kaye 1997[1]). This is particularly so for Torres Strait which encloses the international border between Australia and PNG. Australia and PNG are countries that differ markedly in culture, economy and political stability and so an additional defining characteristic of the Strait is that it sits on the boundary between two very different countries.

Connecting to the region

What are some of the regional identifiers, symbolic or otherwise, available to Torres Strait Islanders?

Demography
At about 11 per cent of Australia's national Indigenous population, Islanders are actually a very small part of the already small Indigenous minority; but they have managed to reconstitute this position as a positive political identifier when dealing with government, often claiming for themselves the status of the 'minority within the minority' in Australia. At a regional level they are the majority (80 per cent) of the Strait's population. This is similar to the level of Indigenous representation found in some of the world's independent nations (Chapter 3). Australia was divided into 36 regions (including Torres Strait) that made up the Aboriginal and Torres Strait Islander Commission (ATSIC).

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[1] This is one of a series of publications describing several international straits, including Torres Strait.

After Torres Strait, the next most Indigenous region in Australia was Jabiru in the Northern Territory where Indigenous people are some 67 per cent of the total. The region where Indigenous people are the smallest proportion of the whole population was Wangaratta in Victoria where they are only 0.5 per cent of the total. The average proportion of the Indigenous population to the whole population across all of the mainland former ATSIC regions is around 18 per cent. Therefore the Strait is the most Indigenous region in Australia to some considerable extent and this gives Islanders a significant regional presence. This demographic is noticeable when travelling by plane between Cairns and the Strait when commonly half to three-quarters of the passengers are Islanders. When first arriving in the Strait one is struck by the number of Islanders in the streets and in various mainstream jobs.

Culture

Culturally, Torres Strait Islanders are of Melanesian heritage, but with some sub-regional variations and including non-Melanesian influences. The language of the eastern islands (*Meriam Mir*) is most closely related to some of those in Papua New Guinea, while the languages spoken in the other parts (*Kala Lagaw Ya, Kalaw Kawaw Ya* and *Muralag*) have both Papuan and Aboriginal features (Beckett 1966: 72; 1987: 25). These distinctions reflect to a degree earlier connections between the islands, the mainland and PNG. The distinctions are also sometimes part of the cultural markers which are used to divide the Strait into two subdivisions, the east and west. A more completely regional language is Torres Strait Creole, sometimes referred to as Torres Strait Broken (Shnukal 1983). This a pan-Strait language similar to the 'Pidgin' found in PNG and is thought to have been imported by South Sea Islanders (SSIs) in the mid nineteenth century (Davis 1998: 8). Many Torres Strait Islanders refer to their culture in Melanesian terms as *Ailan Kastom* which is in fact a blend of the original culture and that of these same South Sea Islanders who were brought to the region in the nineteenth century as part of the pearl shell industry and during the process of Christianisation (Mullins 1995; Ganter 1994) (see Chapter 4). The two words of the term *Ailan Kastom* allows Islanders on one hand to reinforce their connection with the islands of the Strait and on the other to make a clear

distinction between themselves, Aboriginal people and other Australians. I will discuss in more detail this application of the notion of culture and *Kastom* in Chapter 6.

Island culture in the form of dance, song, and customs is vibrant and is regarded as a cornerstone of contemporary Islander life in the Strait. For instance, Islanders, particularly those living in Torres Strait, are more likely to speak either Creole or a traditional language than are their Aboriginal counterparts across Australia. They are also more likely to identify with a clan or traditional grouping and to be active in cultural activities (see Tables 5.1, 5.2 and 5.3). Initiation of young men remains important with some being brought from the mainland to take part in initiation ceremonies (Davis 1998: 238). *Ailan Kastom* is also officially recognised in some government policies such as the *Queensland Land Act* 1991 (Davis 1998: 19). The importance of this culture is apparent in policy statements. In its second review of its Act in 1998, ATSIC noted that the TSRA's corporate plan states that its first function is:

> …to recognise and maintain the special and unique *Ailan Kastom* of Torres Strait Islanders living in the Torres Strait area (ATSIC 1998: 9).

In a similar vein, the TSRA newsletter has as its banner:

Our Vision: Empower our people to determine their own affairs based on unique Ailan Kastom bilongTorres Strait from which we draw our unity and strength.[2]
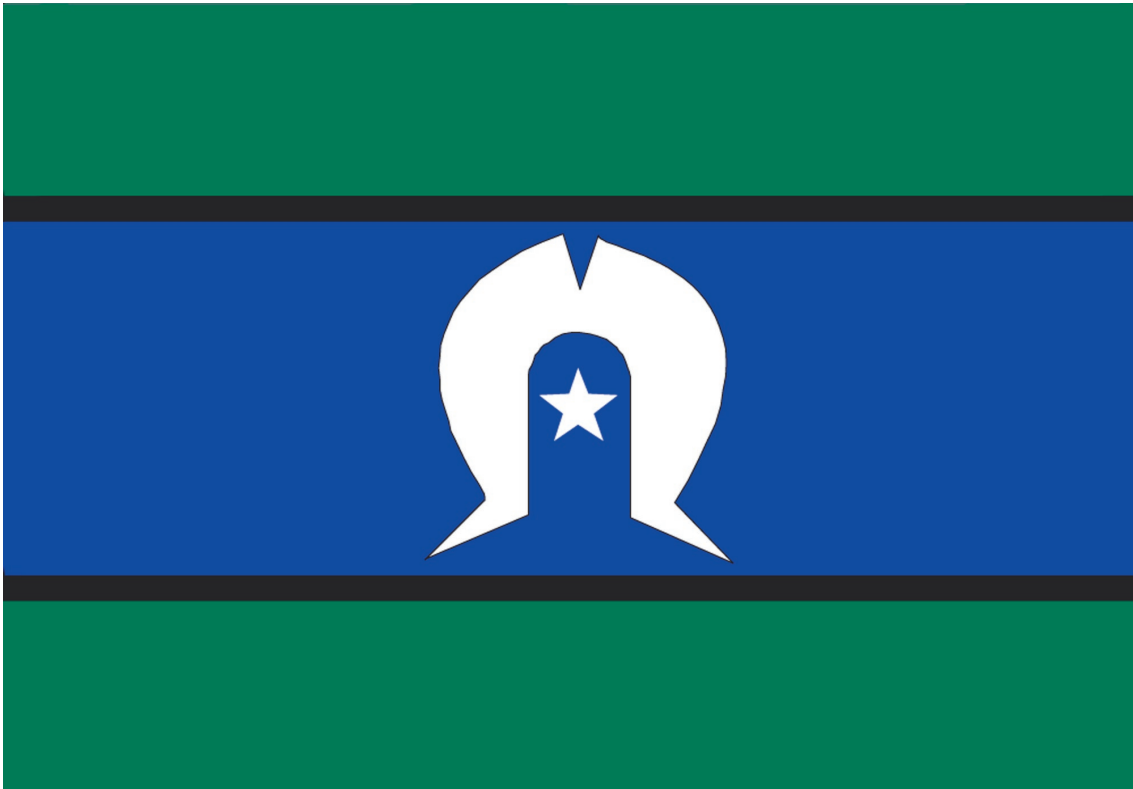
Table 5.1 Languages spoken, 1994

Main language spoken	Homelanders	Mainlanders	Australian Indigenous
	Per cent	Per cent	Per cent
English	12	70	80
Creole	65	12	3
ATSI language	16	8	3
Not stateds	7	10	3

Source: Arthur (1997a).

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[2] 'Bilong' is a Torres Strait Creole word.

Fig. 5-1. The Torres Strait Islander flag.

Table 5.2 Cultural attachments, 1994

	Homelanders	Mainlanders	Australian Indigenous
	Per cent	Per cent	Per cent
Identify with clan, tribal or language group	72	59	60
Recognises homeland	93	79	75
Resides in homelands	70	12	40
Grew up in homelands	78	56	74

Source: Arthur (1997a).

Table 5.3 Attended cultural activities in last 12 months, 1994

	Homelanders	Mainlanders	Australian Indigenous
	Per cent	Per cent	Per cent
Funerals	82	77	54
Festivals and carnivals	62	46	43
Ceremonies	58	45	21

Source: Arthur (1997a).

Islanders also have their own flag officially proclaimed a 'Flag of Australia' under the Commonwealth *Flag Act 1953* in 1995 (Fig. 5.1). The flag is a symbol of both people and region. The blue represents the sea, black the people, and the green the land. Part of the central device is a *dari,* a traditional headdress.[3] Included is a white five-pointed star representing the joining of five notional traditional subdivisions of the Strait[4] and the importance of stars in mythical tradition (Sharp 1993). Aboriginal people also have their own flag, but this applies to all of Australia. Torres Strait Islander flag meanwhile, as well as identifying Islanders separately from Aboriginal people, makes a subtle connection between Islanders and the Strait as a region through the elements of its design.

Islanders also have their own particular body of traditional and contemporary songs, dances, art, musical instruments and set of creation myths, though some of these latter are also linked to those associated with the coastal area of PNG (Mosby 1998; Wilson 1988; Singe 1989). The region has its own radio station called the Torres Strait Islander Media

[3] The flag's design is attributed to the late Bernard Namok of Thursday Island.

Association (TSIMA) which broadcasts daily in Torres Strait Broken and it has a regional newspaper, 'Torres News: The Voice of the Islands', which commonly includes a great many Islander political, economic and cultural articles.

Other contemporary cultural features that are unique to Torres Strait and Islanders include a form of dress, namely the *lava-lava* or *Kalako*. This is a garment a little like a sarong and it was also introduced by SSIs in the nineteenth century (Davis 1988: 269). Beckett (1987) notes how this was worn by an Islander leader as a symbol of ethnic and regional identity when meeting with the Government in Canberra in the 1970s. Similarly, uniforms such as those of the State run schools, and casual shirts often bear the *dari* and the colours of the Torres Strait flag (Fig. 5.2).

Having the same name as Torres Strait also acts as a regional identifier for Torres Strait Islanders. Although some now object to the colonial overtones of the name, as it derives from early European contact with the Strait, it provides Torres Strait Islanders with the same quality of regional identifier as that available to the residents of some more autonomous regions, such as Norfolk and Christmas Islands and of nation states. Few other Australian Indigenous people enjoy this same advantage. Outside Torres Strait, possibly only the Tiwi Islanders in the Northern Territory and the Pitjantjatjara people in central Australia are so readily identified with named regions, namely the 'Tiwi Islands' and the 'Pitjantjatjarra Lands'.

Christianity

The introduction of Christianity by the London Missionary Society (LMS) in 1871 has become a specifically Torres Strait Islander identifier. Although the LMS originally viewed the Strait as a stepping stone to Papua New Guinea, it remained in the Islands for some 45 years and had a considerable impact on all aspects of the society (Chapter 4). Despite the apparently strong traditional culture none of the population give their religious affiliation in the national censuses as 'traditional', while 92 per cent give it as

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[4] These are, Maiem: Western Islands; Kulkalag: Central Islands; Kaurareg: Inner Islands; Maluilgal: Badu, Moa and Mabuiag Islands; Gudhamaluilgal: Northern Islands.

Fig. 5-2. Shirt with Dari design, 2002.

Fig. 5-3. St Pauls church, Moa Island, 1990.

Fig. 5-4. Outside Sabai Island church, 1990.

'Christian' (Australian Bureau of Statistics 1996). Suggesting that traditional culture and Christianity are not exclusive of each other. Every island of Torres Strait has some form of church and several of these are extremely imposing buildings. Figure 5.3 is the community church at St Paul's Community on Moa Island. The arrival of the LMS on the 1st of July 1871 has also become a significant symbol for Islanders living in Torres Strait and on the mainland. The event is celebrated annually by all Islanders no matter where they live and is referred to as the '1st July' or the 'Coming of the Light' celebrations and forms a part of Islander cultural identity. The arrival of the LMS is also marked by a number of memorials throughout Torres Strait. Fig. 5.4 shows one of these in the grounds of Saibai Island church. It is a lighthouse (representing the 'coming of the light') superimposed on a traditional out-rigger canoe.

I would argue that all of the above provide a variety of devices that Islanders can and do utilise to legitimise their connections to the region of Torres Strait. The use of culture to legitimise Islanders' case for greater autonomy will be returned to in Chapters 6 and 7.

Islands and archipelagoes

At a less cultural level, islands are easier to identify as units than are land-locked regions. Although land-locked regions can be formed with respect to valleys, estuaries, mountains and so on, islands are without doubt easier to delineate geographically. Indeed, UN Resolution 1541 of 1966 (liberally interpreted) proposes that it is easier for a region to achieve the status of a non-self-governing territory if it is separated from its parent state by ocean. This is the so-called 'salt - or blue-water thesis' (Anaya 1996). The islands of Torres Strait are so separated from the mainland of Australia. This form of separation also allows Islanders to identify with other more autonomous island places such as the small island states of the Pacific and with Australia's own external territories of Norfolk Island, Christmas Island and Cocos Keeling (Chapter 3). On top of this, being fairly narrow, the Strait tends to enclose the islands within a bounded region giving it a particular unity and identity. This is a regional advantage which widespread

archipelagoes, such as those of the Pacific often lack. All these features help to delineate the region of Torres Strait, and to identify Torres Strait Islanders with this region. The international border between Australia and Papua New Guinea can be said to fulfil similar functions.

Borders and borderlanders

An international border is a legal and political boundary associated with issues of security and sovereignty (Babbage 1990; Wilson and Donnan 1998: 9). Such borders can separate countries with friendly or non-friendly relations, and with similar or dissimilar cultures and political and economic systems. Movement of goods and people across borders may be severely restricted (closed borders) or relatively relaxed (open borders) and the borders may lie on land or water, or, on both (Driessen 1998: 101).

Borders, demarcating the edge of a state's territory, are usually some distance from the state's centre, producing a core-periphery relationship between its major cities and places at or near its border. International relations also exist between the major centres or capitals of neighbouring states. However, relationships can also develop across borders, the intensity of these relationships depending on how open or closed the border is (Newman and Paasi 1998: 190). These conditions have led to the notions of 'frontier' and 'borderland' both of which describe an often dynamic zone or region surrounding the more static border line and which may represent special social domains reaching into the territory of each nation state (Prescott 1978, 1987; House 1981; Wilson and Donnan 1998: 9; Newman and Paasi 1998: 189; Kearney 1998: 118). The populations of these regions may also have particular characteristics and attitudes (Prescott 1978: 193, 203; 1987: 159-74; House 1981). The border population of one state may have close cultural ties with people in the neighbouring state and have to balance these with their allegiances to their national group (Wilson and Donnan 1998: 8-14). Furthermore, because borderlands often centre on notions of territory, borderlanders may seek to define a particular social and geographic territory as their homeland and then politicise this to

pursue their own particular goals, such as that of self-determination or autonomy (Wilson and Donnan 1998: 13; Knight 1994; Newman and Paasi 1998: 194).

Thus, the literature suggests that sets of political, economic and social relations can develop around and across borders, creating a particular kind of region or 'borderland'. The residents of this region then come to see themselves in a particular way and to identify as 'borderlanders', so establishing a link between themselves and this region. This has happened in Torres Strait where the form of international border between Australia and Papua New Guinea has created a borderland with which Islanders have come to identify. The form of this international border has arisen from the conditions of the Treaty between Australia and Papua New Guinea which was ratified in 1985.

The Torres Strait Treaty

Australia's maritime boundary with New Guinea (sic) is one of Coombs' greatest but least-known, achievements (Rowse 2002b: 343).

In 1905, the *Commonwealth of Australia/Papua Act* transformed Papua (formerly British New Guinea) into an Australian colony, German New Guinea was taken over by Australia in 1914 and the two were officially joined as the Australian Territory of Papua New Guinea in 1945 (Sullivan 1978). Papua New Guinea was granted self-governing status in 1973 and full independence in 1975. During this period access to the Strait's fisheries (its waters and reefs) was a feature of the associated negotiations with Australia over the location of the border and of the subsequent Treaty between the two countries. The Treaty was ratified (finalised) in 1985. Previous to PNG independence, the border was situated between the most northerly islands of the Strait and the southern coast of Western Province, a line determined when all of the islands were annexed by the colony of Queensland in 1879 (Mullins 1995). This earlier demarcation had given the colony of Queensland, and then Australia at federation, ownership of and control over all of the Strait's waters, islands and reefs. At one stage during the negotiations, the Commonwealth Government proposed that the border be moved south to the tenth parallel. This would have followed international convention which is to make a marine

border as close as possible to half way between neighbouring countries. This proposal was favoured by Papua New Guinea and would have put several of the Strait's islands and reefs inside Papua New Guinea. Despite the long-standing links between these Islands and Papua New Guinea (Singe 1989), Islanders strongly opposed this suggestion stating that they wished to remain part of Australia, and this remains their position today (see Lui 1994). To organize their opposition to this move, Islanders formed the Border Action Committee and took their grievances to Canberra (see Chapter 4). Research aimed at advising the government on policies regarding the Strait and the location of the border highlighted the relative poverty of the neighbouring Papuan villages and the need for these villages to have some continued access to the rich reef systems of the Strait (Fisk 1974). It was argued at that time that a border, in the sense of a barrier, would not be a fair and equitable outcome, and that what was needed was an arrangement which would provide some flexibility and which would allow the marine resources to be shared between the two countries (Fisk 1974; Fisk et al. 1974a: 19). It also noted the relative poverty of the Strait and the high degree of reliance by Islanders on the Australian welfare system (Treadgold 1974).

In an attempt to meet the various regional demands, the Treaty took a unique focus. In particular, it gave primacy to protecting the traditional way of life and livelihood of the traditional inhabitants of the region (on both sides of the border) and to the economic development of Torres Strait Islanders (Chapter 6). These included for Australia and PNG to jointly manage its environment and to share in its commercial fisheries (Pond, Bishop and O'Brien 1995: 11, 35; Arthur 1999a: 75). To further these arrangements the Treaty defined a complex border arrangement (Map 2.2). This border gave more of the region to Australia than to PNG and included a northern section (now called the 'top hat') which diverged to include those islands inhabited by Islanders lying near the PNG coast and their territorial seas. This ensured that all of the islands inhabited by Islanders (and their coastal seas) remained in Australia. Several other small islands of interest to Australia and Torres Strait Islanders (for example Bramble Cay and Deliverance Island) were also excised from the waters on the PNG side of the border and given to Australia (Map 2.2). In addition to setting the border and as noted earlier, the Treaty established the

Torres Strait Protected Zone (the Zone) (Map 2.2) and a managing body, Torres Strait Protected Zone Joint Authority (PZJA). The Authority has a number of committees which include representatives from Indigenous and non-Indigenous fishers and from the relevant government departments and from research groups. This appears to have given Indigenous people an entry into fisheries management. When the PZJA was first established it was composed of the relevant Commonwealth Minister and the relevant Queensland Minister. Lobbying by Islanders subsequently saw the PZJA modified to include the Chair of the TSRA, first as an observer, and later as a full member alongside the Ministers. This gives Islander representation at the highest level of the PZJA and it elevates the Chair of the TSRA to pseudo-Ministerial status.

In addition, the Treaty specified that meetings should be held between Indigenous representatives from Papua New Guinea and Australia to discuss the joint management of the fisheries in and around the Protected Zone and other cross-border arrangements (PZJA 1997: 12-13), as follows:

The parties shall jointly establish and maintain an advisory and consultative body which shall be known as the Torres Strait Joint Advisory Council…to consider and make recommendations to the Parties on any developments or proposal which might affect the protection of the traditional way of life and livelihood of the traditional inhabitants, their free movement, performance of traditional activities and exercise of traditional customary rights as provided for in this Treaty… (Torres Strait Treaty, Article 19, 1, 2(b))

The Joint Advisory Council (JAC) is made up of a maximum of 18 members drawn from those shown in Table 5.4. In this way, and because the Treaty facilitates on-going discussions between Torres Strait Islanders and Papua New Guinean nationals, the PZJA tends to raise the profile and status of Islanders and Torres Strait, giving them something of an 'international personality'. As noted earlier, Hannum and Lillich (1988) argue that that the formation of an international personality helps groups legitimise their claims for greater regional autonomy.

Table 5.4 The format of the JAC

A representative of Australia	2 minimum
A representative of PNG	2 minimum
A representative of Queensland Government	1 minimum
A representative of the Fly River Provincial Government	1 minimum
Representatives of the PNG traditional inhabitants	3 minimum
Representatives of the Torres Strait traditional inhabitants	3 minimum

Source: Torres Strait Treaty

Free movement provisions

Another important provision of the Treaty is that it allows free cross-border movement. Specifically, it permits Islanders and Papuans who have traditional affiliations to the area to cross the border, to move around within the Protected Zone and to visit and trade with one another without having to go through formal customs inspection, passport control or other formalities:

Subject to the other provisions of this Treaty, each Party shall continue to permit free movement and the performance of lawful traditional activities in and in the vicinity of the Protected Zone by the traditional inhabitants of the other Party (Torres Strait Treaty, Article 11,1)

These are the so-called 'traditional visits' provisions of the Treaty. Trade goods are generally limited to non-food items to reduce the likelihood of transferring agricultural pests in the transactions. All of these Treaty arrangements, from the catch-sharing to the meetings between Indigenous representatives and the traditional visits, have resulted in the border being relatively 'open' and has facilitated certain forms of relationships across the border region.

When the Treaty was put in place, Papuans who were already living on some islands were given the choice of returning to Papua New Guinea or staying. Some stayed, so that there are now an estimated 500 Papua New Guineans living in the Strait. Much of the traditional visiting that occurs is thought to be between these residents and their kin in Western Province. Given that most Papua New Guinean residents are living on the

northern islands, which are only a few kilometres from Papua New Guinea,[5] this is where most traditional visits occur.

One reason that Papuans visit Torres Strait is to join - sometimes illegally - the commercial fishery on the Australian side of the border. Papuans like to work in the Australian rather than the Papuan lobster fishery as prices are higher, and they can earn valuable Australian dollars which can be used to buy Australian goods (see below). This fishery is centred around islands in the southern part of the Zone and so some of the visitors to the northern islands may in fact be Papuans passing through on their way to work in these other places (Maegawa 1994).

Another factor encouraging Papuans to make cross-border visits is the modern goods which are increasingly more available in the Island stores than they are in the Papuan villages. Evidence of this is the way Papuans utilise the money they earn from fishing. For example, the Australian dollars earned in the lobster fishery are invariably used to purchase goods from the island stores and these goods are then sent or taken back to their home villages (Arthur 1992b). In some cases Papuans fishing in the south of the Zone or even from Thursday Island, will remit their earnings to the stores on the northern islands. This money is later collected by relatives on traditional visits and then used to purchase goods. In 1989, it was estimated that around $30,000 was remitted in this way each year (Arthur 1992b: 27). It is interesting to compare these activities with the 'cross-border shopping' which occurs in some other regions of the world such as across the Spain-Morocco border. There however, the dynamic is rather different, with wealthy Spanish tourists travelling south into Morocco to shop for 'exotic' goods (Driessen 1998: 103).

Papuans also earn dollars by selling fish to Islanders. It is estimated that the annual per capita income in Western Province is around $860, while for Islanders in the Strait is $13,000, or some 15 times higher. This means that Islanders, though highly dependant on the welfare system when compared with the Australian average, are comparatively well-

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[5]It is estimated that Papuans make up 25 per cent of the population of one of the northern islands (Davis 1995: 5).

off and can afford to purchase fish from their Papuan neighbours. In one example of this exchange, the author observed Papuan canoes visiting a northern island to obtain flour and other goods for a celebration in Western Province (Fig 5.5). The Papuans arrived with crabs which they sold to Islanders, the money was then used to buy the necessary goods in the island store and then the canoes returned to Papua New Guinea.

This demonstrates one feature of the Australian welfare system which is that, because it is based on notions of equity and redistributive justice (Peterson 1985: 95) it is relatively efficient at distributing its benefits equally throughout the nation. In this way, people on the periphery (in remote border regions, such as Torres Strait) receive the same level of welfare entitlements as people living in central urban centres. On the other hand, without a similar system, there is no such redistribution to the people in Western Province, who are truly on the economic periphery of Papua New Guinea.[6] It is the combination of Australia's greater wealth together with its redistributive welfare system that makes the economic differences across the border so extreme.

Papuan villagers also use the access provided by traditional visits to take advantage of the medical services in the Strait (Arthur 1992b). There are very few medical services on the coast of Western Province whereas each Island has a medical aid post and in many instances these represent the closest medical facility for residents of the Papuan villages. Also, the northern islands of Saibai and Boigu have airstrips which makes it easier to transfer visitors with serious illnesses to the hospital on Thursday Island than to the one at Daru in Papua New Guinea, which must be accessed by boat. It is notable that a significant number of Papuan visitors are evacuated annually from the northern islands to Thursday Island for medical reasons (Arthur 1992b: 27). The Australia Quarantine and Inspection Service (AQIS) on Thursday Island now estimate that trips to access Australian medical services are now the principal *raison detre* for most 'traditional visits' by PNG citizens (AQIS pers. comm. 2004).[7]

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[6] On the other hand, Papua New Guineans residing in remote areas may derive benefits from resource development projects when these occur in their region, such as in the case of Ok Tedi (see Burton 1997: 48-50).

[7] The next most significant reasons are 'economic' and 'family visits', in that order.

Fig. 5-5. PNG canoe visiting a northern island for trade, 1990.

None of the above denies that Islanders and Papuans still visit each other to exchange and trade goods much as in former times and as envisaged by the Treaty. But even in these cases, the nature of this trading relationship reflects the different conditions across the border. For instance, to the best of my knowledge 'traditional goods' in the form of feathers, drums, mats etc. are all traded south from Papua New Guinea to the Strait, whereas it is only modern store goods, such as flour and petrol, that are traded north out of the Islands (Arthur 1992b). In 1985, many visits were from Torres Strait to Daru in Western province, as at that time services were reasonably similar. Now, as conditions in Torres Strait have improved and those in Daru have deteriorated, some 97 per cent of all traditional visits are from PNG into Torres Strait (AQIS pers. comm. 2004).

It has been suggested that Papua New Guinea was not entirely satisfied with the outcome of the Treaty and the location of the border, principally because this limited their outright ownership of the resource-rich reef systems (Arthur 1999a: 75). As noted above, Papua New Guinea favoured relocating the border to 10 degrees south which would have given them the several of the Strait's valuable reefs.[8] However, at a conference on 'policing the open border' in Canberra in 1998, the Assistant High Commissioner for Papua New Guinea indicated that the articles of the Treaty, which allowed for sharing of the marine resources and for the free movement of Indigenous nationals had, as he put it, 'established a balance of competing interests' in the border region. While catch sharing arrangements now appear to be well established (PZJA 1997: 11, 12), we can also speculate that Papua Guinea's satisfaction with current arrangements may derive, in part, from the access that their nationals have to the economy and services in the Strait. Australia is a substantial donor of aid to Papua New Guinea, but it is not clear how much of this aid, if any, finds its way to Western Province. Access to the Strait, may, to an extent, absolve the Papua New Guinea Government from developing Western Province. Taking this view, the access to the Strait provided by the border arrangements can be seen as *de-facto* Australian aid.

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[8] Much of the Strait's wealth, in the form of trochus shell, beche de mer and lobster, derives from its reefs.

The Strait and Australia are certainly attractive to PNG citizens. Fig 5.6 shows a group of PNG residents of a northern island after being made Australian citizens at a ceremony on the island in 1990. One of these had told me beforehand that he was keen to go to the Australian mainland; coincidentally I met him in Cairns a few weeks after the ceremony. The citizenship ceremony can also be seen as a statement of both the level of the Island council's autonomy and of its attachment to Australia. The council chair presided over the ceremony and issued the certificates of citizenship and no non-Islander officials were present, surely a statement of a form of autonomy. At the same time, links to Australia were part of the ceremony; the national anthem was played on a tape recorder draped with the Australian flag. Thus, the island council was bringing the PNG nationals into its national domain, namely Australia.

Torres Strait Islanders meanwhile do not always view the arrangements in the border region positively. For example, there is concern that increased contact with people from Western Province also increases the chance of introducing diseases which are prevalent in Papua New Guinea but which are absent in the Strait. These include Japanese encephalitis, tuberculosis and leprosy. It is also suggested that the visits put additional pressures on the Island medical aid posts and on the limited stock of goods in the Island stores. Certainly, in the early 1990s, there were an estimated 4,000 traditional visits to the northern islands annually, representing almost five times their resident population, in 1992 these visits had risen to around 20,000 (Arthur 1992b: 27) and by 2004 they had risen again to some 52,000 (AQIS pers. comm. 2004). This may indeed put pressure on resources that are designed only to cater for the resident population. Yet other concerns relate to Papuans fishing illegally in the Australian section of the Strait. In one incident in 1996, 37 Papua New Guinea nationals were arrested for fishing illegally for sea cucumber causing one Island leader to state 'poaching by foreign nationals is jeopardising one of the Torres Strait's potentially sustainable industries' (Torres Strait Regional Authority media release 27 February 1996). Some Papuan visitors attempt to stay permanently in the Strait and Islanders are also concerned about the additional pressure this puts on potable water and land, which are both scarce resources on many islands. In addition, in the longer term, any such illegal migration might, on some islands,

Fig. 5-6. PNG residents receiving Australian citizenship on a northern island, 1990.

threaten the Islander majority (Arthur 1992b). Indeed, commenting on the movement of Papuan nationals, one Islander leader has likened it to being 'invaded from the north and the south' (Kehoe-Forutan 1990: 165).[9] On the other hand, the former and long-standing links with PNG are evident and Islanders are no doubt in a position of some conflict. The free-movement provisions of the Treaty were set up in part due to Islander claims that they were connected to PNG and wanted to maintain this link. They now see that their 'kin' in the north are relatively poor (Singe 1989). Their dilemma is to balance obligations to their kin in PNG against their responsibilities for those in the Strait, and to Australia more generally.

Both Islanders and Papuans are also concerned that the open border facilitates the illegal movement of drugs and guns across the region (Torres Strait Regional Authority media releases 25 March, 2 April 1996).[10] These are problems that the Strait shares with other border regions joining developed and less developed nations, for example, the borderlands between Mexico and the United States of America (USA), and the border between Spain and Morocco (House 1981: 306; Chappell 1991: 253; Driessen 1998). The incentive for nationals to be involved in this trade is no doubt influenced by the economic gradients across the borders. For instance, Driessen (1998) has noted that moving drugs from poor Morocco to comparatively wealthy Spain can increase their value by a factor of four. It is possible that the direction of such illegal goods is influenced by the political environments and the legislation on each side of the border. For example, in the case of Torres Strait, it is thought that guns move from politically stable Australia northwards into the rather less stable Papua New Guinea where they are used for tribal warfare, urban crime and possibly, by break-away political groups (McFarlane 1998: 4). Drugs meanwhile, move south from Papua New Guinea where policing is minimal, to Australia where drug laws are more regularly enforced. This again mirrors, to a degree, the situation across the USA-Mexico border where drugs are moved north into the USA and guns are moved south into Mexico (House 1981: 306).

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[9] The reference to the 'south', is to non-Indigenous people.
[10] In September 2004, a Murray Island man was convicted and fined $10,000 for attempting to smuggle a gun and ammunition from Murray Island to Daru in PNG. The man was apprehended by an Australian customs officer (Torres News 22-28 September 2004).

Driessen (1998: 103) suggests that the presence of the Spanish Morocco border provides northerners with a constant reminder that there is a different economic world across the Strait of Gibraltar. It has been argued that this is also one result of the open border in Torres Strait (Arthur 1992b: 28). Historically and within the early pearl shell industry, Islanders always received higher rates of pay than Papuans and so came to feel that they held a superior position in the world (Chapter 4). As a result, it came as a shock to Islanders when Papua New Guinea and other Pacific Island colonies achieved independence in the 1960s and 1970s (Beckett 1987). However, the border arrangements have allowed Islanders to observe how they have benefited (in an economic sense) rather more by being part of the Australian nation-state than have Papua New Guineans from being independent. In fact, as noted earlier, prior to European contact Islanders may have been dependent on Papuans for the supply of their canoes (Beckett 1987); it is fairly clear that this situation has been reversed, with the Papuan residents of the border region becoming relatively dependent on 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 (see Chapter 6) (Altman, Arthur and Sanders 1996).

The increasingly unstable nature of neighbouring regions has also increased security concerns in the wider context. In 1990 Babbage concluded that the Strait had little strategic significance for Australia. However, since that time the surrounding regions have entered a period of political unrest causing some to suggest an 'arc of instability' running from Indonesia through Melanesia and down to Fiji. Torres Strait is contiguous with this arc. It is noticeable that one of the most significant building projects in Torres Strait in the last couple of years has been a large defence facility on Thursday Island. Islanders are also concerned that the Strait is becoming an entry point for illegal immigrants (see McFarlane 1998: 2).[11] These factors are now recognised by Islanders as being associated with the border region and with their place in it, so that they sometimes now describe the Strait as the 'back door' to Australia, and themselves as the residents of

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[11] Between 1992 to the middle of 1997, 189 third country nationals attempted to enter Australia through Torres Strait.

Fig. 5-7. Quarantine card installed in seat pockets of flight between Torres Strait and mainland.

the 'buffer zone', or as Australia's 'first line of defence'. When commenting on the impacts of the border one Islander leader announced that he would 'call on the Commonwealth Government to conduct a high level strategic assessment of the Strait's defence capability following a warning from the Prime Minister that the unrest in Fiji and the Solomons could spread to Papua New Guinea.' The extent to which the Commonwealth and Queensland Governments might value their control over the Strait as a 'buffer zone' can be gauged from Fig. 5.7. This card is now a feature of flights between the Strait and the mainland, and is backed up by inspectors and 'sniffer dogs' in Cairns airport. On the one hand it is an indication of the open border and on the other of the concerns such an open border raises.

Conclusions

There are several unique aspects of geography and history that help one to view the Strait as a fairly discrete region. Aspects of history and culture further allow Islanders to demonstrate links between themselves and the region. Some of these aspects are applied by Islanders as devices to legitimise their identity as Islanders of the Strait. The application of these devices as they relate to the Inquiry is explored more fully in Chapters 6 and 7.

The international border running through Torres Strait marks a meeting place for the economies of First World Australia and Third World Papua New Guinea. Similar borders exist in other parts of the world and the asymmetrical relationships that have developed across them have been the subject of several investigations. For example, the border between Mexico and the USA (House 1981; Chappell 1991; Kearney 1998) and that between Spain and Morocco across the Straits of Gibraltar (Driessen 1998). In some cases, the wealthier countries are an attraction for those living in the poorer, resulting in a significant level of movement - both legal and illegal. Therefore, the border between Australia and Papua New Guinea is not entirely unique. However, in these cases, the borders are relatively 'closed'. This is not the case in Torres Strait. The Torres Strait

Treaty has actually facilitated cross-border contact and, in fact, has acted as something of a bridge between the economic system in the Strait and that in Papua New Guinea's Western Province. The Treaty has also involved Indigenous people on both sides of the border in the management and sharing of its resources and has allowed patterns of traditional movement and trading to continue. In this way the Treaty and the associated Protected Zone have helped create a 'borderland' with its own unique social, economic and political characteristics.

As described above, there are a number of features that together enable residents and outsiders, to identify Islanders with the region called the Torres Strait. This chapter has argued that Islanders have also come to understand their rather special position as residents of the borderland, or, to identify as 'borderlanders'. This additional link between the region and Islanders has, in part, come about because of the unique and open form of border that was designed under the Treaty. We can suggest that the formation of this additional link between Islanders and the region might further the cause of regional autonomy. However, another feature of an international border is that it also has a special significance for the central government and it forms a region with which they also strongly identify because, although a border is by definition on the geographic periphery, it is close to the 'political centre'. Therefore, while the border may help Islanders and their moves for regional autonomy, it may also limit the amount of control that the Australian Government would be willing to devolve to the region.

I will show that this is indeed the position of the commonwealth Government when I present an analysis of the 1996-7 Commonwealth Inquiry into autonomy in the following chapter.