Don McLeod: The Rock that Changed the Pilbara

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Abstract: In Western Australia in the 1930s, Don McLeod, a white man, was a prospector and miner in the remote northwest Pilbara. He worked throughout this vast region of mineral-bearing rocks that, if they could be cracked, could bring a miner great wealth. McLeod was successful, and he hoped to become a millionaire, but instead, a chance encounter with an Aboriginal pastoral worker changed his life. He became an activist for Aboriginal rights, and amongst his own people it made him the most hated man in the north-west. For the Aboriginal people it made him a key to their liberation. They had endured nearly a century of oppression under state laws that were intended, but failed, to protect them from exploitation by Western Australian settlers. McLeod was instrumental in challenging this situation, and in 1946 empowered the Aboriginal pastoral workers to organise a strike for better wages and conditions. The strike lasted three years, by which time the workers had reframed their strike from an industrial issue to a human rights struggle. Many never returned to the pastoral stations, choosing instead to form a collective and, advised by McLeod, became financially independent through alluvial mining. Pilbara social, political and economic structures were irrevocably changed. McLeod was vilified and persecuted to prevent him empowering the Aboriginal strikers, but his philosophy and traits made him a man as hard as the Pilbara rocks and he could not be defeated. This article looks at McLeod’s characteristics to understand why.

Keywords: Don McLeod, Pilbara Strike, Western Australia, History of Indigenous Protest, Mining
The Boy McLeod

Adversity was normal for Don McLeod, and early in his life he exhibited the characteristics that interest this article. He was born in 1908, his parents’ sixth surviving child - the first having drowned before the age of two. His family was living in the small Murchison regional township of Meekatharra in 1912 when his mother died giving birth to her ninth child. To distract the children from her agonising cries, the adults took them for a picnic, but the four-year old McLeod became lost. He was only found after 30 hours. Writing in the local paper, a journalist described how the boy had slept under a bush, despite which he “sturdily asserted he was alright, but he was very stiff and sore and there were big lumps on his groin evidently caused by the strain in negotiating tree trunks and boulders”. Some searchers could barely believe that “such a tiny chap could have travelled so far, perhaps more than 20 miles [32 kilometres] over the hilly and rough country”. It showed “that the little fellow possesses considerable powers of endurance”, the journalist noted.¹

So that he was free to travel widely and for months at a time prospecting and mining in remote areas, the children’s father placed them in a Catholic boarding school. About those years in the convent, aged four to ten, McLeod told interviewer Chris Jeffery, “It wasn’t a very happy experience, I think the less said about it the better.”² In most interviews he was reticent to share his personal life.³ To Leslie Marchant, however, he confided “I objected to the discipline … and I refused to submit myself to them.”⁴ Three times his brothers helped him to run away until he finally left the Catholic educational system in 1918 at age ten, as reported in the only academic study of McLeod's early life.⁵ Lutze shows that in his early life and family of origin, McLeod “rebelled against authority structures.”⁶ At age 15 or 16, he left school without completing his school certificate.

² Chris Jeffery interview with Donald William McLeod (Perth: State Library of Western Australia, 1978), OH 331.
⁴ Leslie R. Marchant, Unpublished draft chapters 1-5, Biography of Don McLeod, (Perth, University of Western Australia, 118/13/1, 1955). I thank Anne Scrimgeour for alerting me to this material. I thank the Executor of Marchant’s Estate for permission to use his draft chapters in this article.
The Young Man McLeod

Post-school work began with conflict; he walked off his first job when he considered he was being exploited. He then undertook work as a stockman and had "scraps" with the squatters. Adopting his father's entrepreneurial spirit and ethics, he subsequently worked for himself as a miner and general contractor across the vast distances of the isolated Northwest. Mining could be lucrative but was hazardous in nature. The risks were great in that era, as a miner in the Mid-West experienced; he fell down a shaft and died. Another fell into an agitating vat and was instantly killed. Also ever-present was the possibility of succumbing to heat stress, snakes and ubiquitous biting insects.

The Mature Man McLeod

When McLeod was 24 years old, his father died from a stroke while prospecting alone. McLeod learned to rely on himself, and model his father's philosophy to do good to others:

Not as a pathway from earth to heaven,
and not on an altar to any creed,
but a simple service freely given,
to his own kind in times of need.

The mineral-rich rocks of the Murchison and Pilbara regions contained asbestos, tin, manganese and copper and McLeod prospected amongst them. He acquired competencies in many of the skills valuable to the pastoral industry as back-up when mining was not productive. He could sink water wells, erect windmills, select and cut trees to build fences, cart goods, shoot kangaroos, undertake general handyman tasks, mend machinery and lump wheat-bags from the wharf into the ships for transport. McLeod told an interviewer that during the Great Depression 1929-1939 the Australian mining industry experienced recession, "You

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7 Lutze, "Donald McLeod", 5.
8 Marchant. Biography of Don McLeod.
9 Murchison Times and Day Dawn Gazette, 27 August 1920, 3.
10 Daily Telegraph and North Murchison and Pilbara Gazette, 30 June 1944, 2
11 Temperatures during the summer months could exceed 32°C almost every day and occasionally higher than 45°C.
12 Marchant, chapter 1: 8. This is a slightly incorrect rendition of Rudyard Kipling's The Sons of Martha. Kipling wrote: "Not as a ladder from earth to Heaven, not as a witness to any creed, but simple service simply given to his own kind in their common need."
13 William Walker, "Pilbara", in Historical Encyclopedia of Western Australia, eds. Jenny Gregory and Jan Gothard (Crawley: University of Western Australia Press, 2009), 691-693.
14 All-important skills to have in the harsh Western Australian environment. See F.K. Crowley, Australia's Western Third: A history of Western Australia from the first settlements to modern times (London: Macmillan and Co Ltd, 1960), 292.
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had to make your own work as much as you could.”¹⁵ Those who could work asbestos were advantaged, while bankruptcy for many farmers and others less-fortunate was not uncommon.¹⁶ McLeod had enough financial success to state “I was on my way to establishing an empire.”¹⁷

The Miner's Life

McLeod’s peripatetic lifestyle, mining in remote areas of the Murchison and Pilbara regions afforded him opportunities to observe the social and political conditions in the northwest. His increasing awareness encouraged him to explore the Aboriginal people’s perspective, although thwarted in this desire by legal restrictions on interactions between non-Aboriginal and Aboriginal people. The Aborigines Act 1905 (WA), s.36, prevented a white man from visiting Aboriginal people where they were camping, unless he had a permit to employ an Aboriginal person.¹⁸ He was able to enter into dialogue with some Aboriginal men when granted Permit 7198 to employ Aboriginal pastoral workers - and recruited Dooley Binbin and Mick Kitchener on one of his station projects.

Binbin and Kitchener eventually discussed with him their people's grievances about their treatment on the pastoral stations. Both men were also Lawmen for their people and became intermediaries for the flow of information between McLeod and the other Aboriginal leaders.¹⁹ This was an unusual collaboration, for it galvanised their belief that they did not have to put up with their treatment by their white oppressors. These constraints were summarised by historian Peter Biskup:

> The pastoralists agreed to look after all destitute Aborigines on their stations; as a quid pro quo the administration pegged wages in the pastoral industry and instructed protectors to “discourage” Aboriginal station hands from leaving

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¹⁸ s.36: “It shall not be lawful for any person, other than a superintendent or protector, or a person acting under the direction of a superintendent, or under a written permit of a protector, without lawful excuse, to enter or remain or be within or upon any place where aborigines or female half-castes are camped. Any person, save as aforesaid, who, without lawful excuse, the proof whereof shall lie upon him, is found in or within five chains of any such camp shall be guilty of an offence against this Act; but no person shall be prosecuted for an offence under this section except by the direction of a protector”. Five chains are the equivalent of 110 metres.
Prompted by Binbin and Kitchener, McLeod sought a framework in which to analyse these new ideas.

**Developing an Analytical Framework**

Daytime work was not conducive to peaceful contemplation of concepts about the economic and political structures of society. It demanded considerable physical effort and powers of endurance. Notwithstanding these impediments to consideration of social theories, McLeod had a great thirst for thought-provoking opinions. At night he slung an aerial high into a tree and on a small transistor radio, tuned in to the BBC. In Western Australia, Edward ‘Bill’ Beeby further met his need. Beeby, President of the Anti-Fascist League in Perth and a member of the Communist Party of Australia, gave nightly talks for the League in Perth that were broadcast over the radio. From him McLeod gained new understandings of how social and political structures were conceived of, developed, and established. McLeod became so interested in Beeby’s political analyses that he contacted him when he went to Perth some time before 1943. This meeting introduced McLeod to a new political network; he joined the Anti-Fascist League. On the same radio station, he also heard broadcasts by the Communist Party of Australia, with which the League was strongly linked. The Communist Party additionally had a policy on Aboriginal issues prepared by Tom Wright and published in 1939 as a pamphlet. Lawyer Lloyd Davies claimed that McLeod found Wright’s arguments crystallised his own ideas. He began to apply his new ideas to his own environment.

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21 John Bucknall, pers. comm., 2015.
25 Lloyd Davies, “Protecting Natives?”: The law and the 1946 Aboriginal pastoral workers' strike, *Papers in Labour History*, (1988) 1, 34. At the time of writing, Lloyd Davies, a barrister, was employed by the Aboriginal Legal Service of WA (Inc).
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The Political McLeod

McLeod's nomadic lifestyle exposed him to vast expanses of the Pilbara. According to McLeod, he regularly went up the coast of Western Australia and south inland to his camp in the Shire of Ashburton. He noticed the role of Aboriginal workers on the stations and in the homesteads but had no contact with them. There were political reasons for this; Pilbara society in McLeod's lifetime was divided along social lines.

Two Peoples

Europeans and Asians, generally referred to as whites, were in one social category, Indigenous people in another, although government used terms such as “native” or “Aboriginal”. According to Aboriginal Lawman, Clancy McKenna, the terms “blackfella” and “whitefella” were acceptable. The term “Aboriginal” suggests it was a homogenous group but as historian Bain Attwood pointed out, this is not accurate. Instead, the Indigenous peoples named themselves according to their language and kinship affiliations. It was Europeans during the colonisation process who introduced the term “Aborigine.” On the Pilbara pastoral stations, the standardised nomenclature for the vast and various Indigenous tribes ignored their unique social and political reality, for they each had different histories and tribal affiliations. A simplistic division recognised those from the desert and those from the coastal areas and The Wangka Maya Pilbara Language Centre lists twenty-six languages. Two language groups with strong ties to country and traditional Law were the Nyangumarta and Manyjilyjarra, whose speakers traditionally came from the Great Sandy Desert. Nyamal people came from the coastal country. In their own terminology, those of mixed descent called themselves madamada or “Half-Caste”. Naming was one way that delineated two major Pilbara social communities; another was government legislation. Both shaped McLeod and influenced his activities.

26 Many of McLeod’s memories recorded as oral histories are difficult to corroborate because of lack of evidence from other sources.
27 In his book detailing why and how he became involved in the Aboriginal pastoral workers” movement for independence, McLeod claimed to be mining in the Ashburton in 1937. See D.W. McLeod, How the West was Lost: The native question in the development of Western Australia. (Port Hedland: the author, 1984), 37.
31 Palmer and McKenna, Somewhere Between Black and White, x.
Over the 60,000 or so years that Indigenous people lived on the continent of Australia before colonisation, they had developed laws to manage their societies. Western laws interrupted traditional Law by classifying the people as an entity different from settlers and legislating to control them. After decades, this legislation had normalised the separation between the majority white society and Aboriginal workers in the Pilbara pastoral industry.\textsuperscript{32} As the Pilbara developed into a major wool producer, pastoralists relied upon the Aboriginal stockmen to maintain their economy, and Aboriginal women domestic workers, their social class.\textsuperscript{33} This class system reproduced “a version of the class structure of the English countryside: a landed gentry with a quiescent and respectful labour force.”\textsuperscript{34} During World War II, Australia’s war effort was increased by the production of Pilbara wool,\textsuperscript{35} and the need for a stable industry consequently intensified.\textsuperscript{36} Its management was within the purview of the Commissioner for Native Affairs, a position of considerable power over Aboriginal people. War historian Robert Hall believed one Commissioner’s “main concern was the preservation of cheap Aboriginal labour for the pastoral and agricultural industries.”\textsuperscript{37} Historian Mark McKenna argued that were Australia to become a republic, both Aboriginal and European cultures would be recognised as equal and the category of “native” would no longer imply inferiority, which had remained the status quo throughout the 1940s.\textsuperscript{38} However implicit in the Pilbara culture of the 1940s was the assumption that the Aboriginal people, the “natives”, were inferior to the settlers. Classification of “natives” and whites and legislation that valorised “one culture over another” continued to be entrenched in Pilbara society through amended government legislation.\textsuperscript{39}

\textsuperscript{32} Initially, when Britain’s King George IV gave Royal Assent on 14 May 1829 to the founding of Western Australia as a British colony, no special legislation was enacted. Its first constitution of 1 June 1829, the Western Australia Act, 1829 (UK) ignored the original inhabitants of the country. Instead it “effected a settlement upon certain wild and unoccupied lands on the western coast of New Holland and the islands adjacent which settlements have (?) and are known by the name of Western Australia”. Later legislation specific to Aboriginal people was enacted, outlining how they were to be controlled and punishments for non-authorized persons who transgressed.


\textsuperscript{34} Charlie Fox, “Class”, in Jenny Gregory and Jan Gothard, eds., \textit{Historical Encyclopedia}, 203.

\textsuperscript{35} F.K. Crowley reported that when World War II began, Australia’s total wool clip was sold to the United Kingdom, see F.K. Crowley, \textit{Australia’s Western Third}, 291.

\textsuperscript{36} Joseph Patrick Lorback, “We Are All Workers”: the 1949 “Black Ban” by the Seamen’s Union to Support the Aboriginal Pilbara Strike, unpublished Honours thesis, (Bundoora: La Trobe University, 2010), 22.

\textsuperscript{37} Robert A. Hall, \textit{The Black Diggers: Aborigines and Torres Strait Islanders in the Second World War}, (North Sydney: Allen & Unwin, 1989), 79. Hall was referring to Francis Illingworth Bray, Commissioner for Native Affairs in the WA Department of Native Affairs, 1940-1947.

\textsuperscript{38} McKenna, “Moment of Truth”, 1.

\textsuperscript{39} Mark McKenna, \textit{This Country: A reconciled republic?} (Sydney: University of New South Wales Press, 2004), 121.
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Government Legislation

The terminology reflected a change in naming the Indigenous people when the Native Administration (WA) Act, 1936 came into force. Under this act, a Department of Native Affairs was established, headed by a Commissioner of Native Affairs. It introduced an employment permit system.40 Historian Paul Hasluck described it as a “system that confines the native within a legal status that has more in common with that of a born idiot than of any other class of British subject.”41 Barrister Kate Auty noted how “The statute presented a bundle of contradictory impulses. It ‘protected’ the Aborigines and it pilloried them; it ousted the rule of law and the common law and increased the power of administrators to an extraordinary degree”.42 Historian Sue Taffe had another name for it: “draconian.”43 Throughout the following years this legislation was amended and government controls over Indigenous peoples became further entrenched. The Aboriginal people were not informed about the impact on them of this legislation.44 McLeod later believed this was not an oversight but that Aboriginal people had been kept “deliberately illiterate, isolated and destitute”.45 He told oral historian Bill Bunbury that he knew about this “notorious Native Affairs Act” and that he “felt he had no alternative but to assist the Pilbara people.”46 By “assisting”, he meant, resisting the Act. In addition to the controls of government, the Aboriginal workers were disadvantaged by their isolation on the pastoral stations.

Virtual Apartheid

This prominent social imbalance was conveyed not only legally, but also through informal social conventions. One consequence of the Aborigines Act 1905 (WA) was the creation of an apartheid-like situation in which those who controlled Aboriginal people were perceived as superior to those whom they controlled.47 A multitude of small signifiers conveyed this social imbalance. One such practice, for example, was that Aboriginal employees did not enter the

40 Section 36 of the Native Administration Act, 1936.
46 Bill Bunbury, It's not the money it's the land: Aboriginal Stockman and the equal wages case, (Fremantle: Fremantle Arts Centre Press, 2002), 49.
47 Jolly Read and Peter Coppin, Kangkushot: The Life of Nyamal Lawman Peter Coppin (Canberra: Aboriginal Studies Press, 1999), 47.
pastoral station homesteads unless it was women engaged in domestic work.\textsuperscript{48} Another was that bureaucrats and station managers could give their Aboriginal employees (arguably demeaning) names to match their idiosyncrasies, such as One-Leg Jimmy, or Half-Caste Billy. Station workers were expected to live in camps on the property, eat food that was inferior to that provided for other workers, keep out the cold night winds by sleeping in the river beds instead of in accommodation units, and work for minimal wages.\textsuperscript{49} Historian W.F. Mandle studied the Aboriginal workers’ situation and reported that “the majority of them accepted the certainty of low-grade food and accommodation and a pittance of cash in return for surrender of independence.”\textsuperscript{50} Thalia Anthony described labour relations in the north as feudal arrangements whereby the pastoralists made their workers dependent by “denying them a place in the market.”\textsuperscript{51}

The hegemonic system was, however, a mere social construct and as such, open to challenge. After his own conversations with local Aboriginals revealed that behind the appearance of a contented labour force, the pastoral workers were aware of the fundamental social injustices to which they had fallen victim. McLeod began to question his own society’s notion of normality in the Pilbara. He recalled that they asked him “what could they do to get out of the mess they were in”. They elaborated,

“We can’t leave our work, we are tied here, we don’t get any wages for what we are doing, and we can’t leave. If we run away the policeman brings us back. This is our country and yet we’ve got to work here for this bloke, how did this come about?”\textsuperscript{52}

Lawyer Nicholas Hasluck summarised the “mess.”\textsuperscript{53} He described administration in the Pilbara before World War Two as a “severe, paternalistic regime in which it was normal for Aboriginal workers to receive no payment other than rations of food and clothing.”\textsuperscript{54} McLeod determined to understand why and to report his finding to the Lawmen. On a business trip to Perth, he

\textsuperscript{48} Personal communication with pastoral workers, 1968.
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\textsuperscript{52} Chris Jeffery interview with Donald William McLeod. Victoria Haskins and Anne Scrimgeour confirm their protest about police powers to inhibit them moving around freely, see Haskins and Scrimgeour, “Strike Strike, We Strike”, 91.
\textsuperscript{53} Nicholas Hasluck was a lawyer in the Pilbara Aboriginal Legal Aid Service and a judge on the Supreme Court of Western Australia.
\textsuperscript{54} Nicholas Hasluck, “Don McLeod’s unusual quest” in \textit{Jigsaw: Patterns in law and literature} (North Melbourne: Australian Scholarly Publishing, 2018), 258.
investigated government correspondence going back to the 1889 negotiations with the British Crown regarding a Constitution to give Western Australia sovereignty. He discovered the original British intention to protect Aboriginal people through insertion of a clause, Section 70. It stated that the British would control a set amount of the Western Australian annual revenue for their education and welfare. When McLeod tracked the negotiations that saw Section 70 repealed, he believed he could solve the Lawmen's quandary. “From then on, of course”, he told a colleague, “I was committed.” It was the moment he changed his allegiance from working for his own prosperity to working to obtain justice for the Aboriginal pastoral workers of the Pilbara. He returned to the Pilbara and when invited, presented his finding to the Lawmen.

Conversations between McLeod and the Lawmen led to further meetings with Aboriginal leaders, held in secret to avoid McLeod being arrested under Section 36 of the Native Administration Act, 1936. He and the leaders planned to redress the injustice they had endured for generations. They would strike. They set the date as May 1st, 1946 and began planning. They appointed McLeod to be their representative in the Western domain and instructed him to restore Section 70 in the constitution.

The Strike

The strikers' leaders directed their people living on more than twenty sheep and cattle pastoral stations in the Pilbara. In what Haskins and Scrimgeour define as a “series of strikes”, between 1946 and 1946 two or three hundred workers left the stations. According to Bob Boughton

55 Analyses of Section 70 by lawyers and historians and McLeod's efforts to have its repeal overturned have been increasing since 1981, see R.J.T. Butler, *The Significance of Section 70 of the 1889 Constitution Act for Western Australian Aborigines*, unpublished UWA Social Science Project (University of Western Australia, 1981). See also a special edition of *Studies in Western Australian History* 30 (2016) with articles on S.70 – many of these articles reference work by others.

56 McLeod conversation with Stan Davey, Port Hedland, 1969, in possession of author.

57 McLeod, *How the West was Lost*, 38.

58 Descendants of the strikers stated “In the Pilbara it was common practise to forcibly retain Aboriginal people on pastoral stations to be used as slave labour. This practise continued until 1946 when a mass walk off the stations by Pilbara Aboriginal people occurred.” *Wangka Maya Pilbara Aboriginal Language Centre*, wangkamaya.org.au (accessed 10/02/2018). Scrimgeour specifies the objectives of the strike as being not only for better wage and conditions but “control over their lives”, see Anne Scrimgeour, “Leprosy, labour and the 'low-wage line’”, *History Australia* 9, no. 3 (2012): 109. The story of the strike is told in a film by some of the original strikers, see David Noakes, and Heather Williams, *How the West was Lost: The story of the 1946 Aboriginal Pastoral Workers' Strike*, (Ronin Films, 1987).


60 Haskins and Scrimgeour, “Strike, Strike, We Strike”, 88.
their struggle “earned them a place in Australian labour history, for mounting the country’s longest continuous strike.” At the time McLeod was the only member of the dominant Pilbara society who actively aligned himself with their cause. Once the strike began to disrupt the profitable Pilbara pastoral industry, he became a target. He had briefly joined the Communist Party and was a suspected communist subversive who had “caused quite a lot of unrest amongst the natives.” As stated in a drama production about the strike, “McLeod’s beliefs … tap into deep anti-Communist sentiment that runs through much of Australian politics after World War II and into the Cold War era.” But McLeod’s association with the Party was not the cause of the strike.

The Pilbara strike that began in 1946 became, according to Anne Scrimgeour, a movement to achieve their autonomy from the dominant society. Initially the Pilbara pastoral workers needed a member of white society to help them interpret its cultural mores and laws, and campaign in the lingua franca of the state, English. Once they had successfully withdrawn their labour from the stations they could have dispensed with his services. Instead, they co-opted him for ongoing advice on managing economic enterprises as the key to their ability to remain financially self-sufficient.

**Insider or Outsider?**

The Lawmen’s appointment of McLeod allowed him to view himself as an insider to their plan. Anthropologist Ghassan Hage defined an insider as a person who feels they can identify with a group, one who can say “we” when an outsider cannot. McLeod maintained he was an insider. Twice the group split over this perception, rejecting him and his intransigence over how to achieve their intended outcome of self-sufficiency. The breakaway strikers’ groups created new organisations without McLeod, and both accepted assistance from white people so long as it was not McLeod. The first split followed a meeting during which the philosophy of independence was discussed. Some leaders favoured seeking integration with the broader community, McLeod insisted on remaining separate, and his intransigence polarised the

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62 Commissioner of Native Affairs Bray to Deputy Director-General of Manpower in Perth, 26 January 1944, State Records Office of Western Australia, Department of Native Affairs, 685/43.
64 Anne Scrimgeour, “‘We only want our rights and freedom’: The Pastoral workers strike, 1946-1949”, *History Australia*, 11, 2 (2014), 123.
Those who were in accord with McLeod’s interpretation of independence stayed with him, and those who disagreed formed their own group with Lawmen Ernie Mitchell and Peter Coppin. The second split occurred in 1983. The Manyjilyjarra people were not happy with McLeod. The authority that the Lawmen gave him in 1942 no longer applied to them, they said, and they formed an independent group. As he got older, those who stayed with him acknowledged his “increasing crankiness.” Nevertheless, reported Office of Aboriginal Affairs officer Ted Egan, they were “extremely loyal to him, he is their ‘spokesman’.” Lawman Jacob Oberdoo told Egan, “When everybody else was trying to starve us and smash us, that’s the only man who stayed with us.” After a group became dissatisfied with McLeod’s philosophy and behaviour, Lawman Minyjun agreed with Oberdoo. McLeod "has always stuck by us," he told the group. "We’re going to stay with him, he got the stations for us. Well go if you must; we’re going to stay here… Mirta (McLeod) brought all us marrngu (Aboriginal people) together and we’re going to stick with his word."

In the 1970s McLeod was still available as an intermediary in disputes with settler institutions, as Yinhawangka member Doris Cooke reports. Cooke remembered being terrified of a hostel manager when she was a child, and informing her parents, who “told the old McLeod.” She thinks he took some action because she was removed from the hostel. Attwood and Markus acknowledge the value of non-Aboriginal supporters of Aboriginal struggles for their rights but note that the records they create can overshadow Aboriginal voices. In documenting the history of these struggles, they therefore chose to focus on “Aboriginal perspectives and agency” at the risk of marginalising the non-Aboriginal activists’ contributions. Historian Richard Broome also selects, from the Aboriginal perspective, stories of Aboriginal protests and campaigns to survive colonisation. He comments that the Pilbara strikers invited the white man McLeod to attend the meeting during which the strike was planned. Aboriginal activist Oodgeroo Noonuccal (Kath Walker) made another point about the participation of non-Aboriginal activists. "White 'good-will' is a shaky foundation on which to build", she wrote, “for

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66 John Wilson, “Authority and Leadership”, 387.
70 "Doris Cooke", Karijini Mirrimiri, ed. Noel Olive, (South Fremantle: Fremantle Arts Centre Press, 1997), 156.
they can withdraw the good-will.” In her study of the Federal organisation based on collaboration between non-Aboriginal and Aboriginal people for an Aboriginal cause, historian Sue Taffe demonstrates that the opposite can happen. The coalition that successfully founded an organisation and functioned effectively for 22 years was split when Black Power became an important ideology and black people asked white people to leave. The Pilbara strikers, on the other hand, continued to utilise McLeod’s business expertise as they progressed their plans to retain the independence they had gained through the strike. Their immediate need was for income producing activities and as Attwood recorded, the cooperatives that they later worked with had been “organised by a former Communist, Don McLeod.”

In studying the motives of non-Aboriginal activists in Aboriginal campaigns, Attwood suggests that many were “passionately committed to the fight against racism.” Others held political, social or religious principles of which they were not conscious. McLeod belonged in Attwood’s passionate category. McLeod stated his motive as being justice for the Pilbara Aboriginal people whom he regarded as “slaves.” This was a word used by Katharine Susannah Prichard when she and other humanitarians formed a committee to support the strikers. In fact, Prichard used this contentious term in a handout she wrote entitled, “Are Aboriginal workers slaves?” McLeod, changed by the teachings of the Aboriginal Lawmen, now interpreted his society through their eyes. What he saw appalled him. When given an opportunity to overcome the constraints imposed upon them, they determined, he said, to “gain control of their estate.” He saw that in the northwest the state had a mandate called “protection,” which implied protection of the Aboriginal people but was, in reality, protection of the pastoral industry. From the pastoral workers’ perspective instead of “protection,” McLeod asserted one should read “enslavement” and this assessment informed his developing philosophy. Once McLeod became committed to the pastoral workers’ claim for justice, the only means he had to assist them were his experiences as a miner, prospector and small businessman. I select three of his actions to investigate the skills and attitudes upon which he drew: his creation of a tool for the pastoral workers to use in organising their strike,

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74 Ibid., 260.
76 Ibid., xiii.
77 The Committee for the Defence of Native Rights (CDNR).
78 “S.O.S”. handout issued by Hodge, State Records office of Western Australia, Native Welfare Department, Acc. 933, 800/45.
79 D.W. McLeod, *How the West was Lost*, 38.
80 As in the *Native Administration Act 1905-1941*: “to make provision for the better protection and care of the Native inhabitants of Western Australia.”
81 D.W. McLeod, *How the West was Lost*, 2.
opportunities he opened for the Aboriginal voice, so long suppressed, to be heard in the public sphere, and his appropriation of a Western business model through which the pastoral workers could gain their civil rights.

**McLeod’s Methods**

*An Organisational Tool*

McLeod was pivotal to the pastoral workers’ capacity to organise, inventing a communication device to overcome multiple difficulties. Binbin and he were out in the bush in 1946 discussing how the leaders could advise the families of their decision to strike. Senior Lawmen had appointed two of their leaders to reach all the families on the 22 pastoral stations on which their people worked. Senior Lawmen chose Dooley Binbin and Clancy McKenna. Dooley was a desert man and had authority amongst the desert people. Clancy McKenna was the other man selected, he was a coastal man, and similarly had authority amongst his people. They were to take their word about the strike to each of their family groups but were challenged to find a method that families could use to identify 1st May, the date chosen to start the strike. The date was symbolic, being International Workers’ Day, but also significantly the date on which the profitable shearing season began. Yet dates were a Western creation and likely to be meaningless to many of the families working on the stations, most of whom communicated orally or by sign language and had not been taught to read and write English. Yet for the strike to gain maximum effectiveness, it was imperative that they act in solidarity at the same time. As McLeod told his colleague, “this would put the Australian blackfellows right at the forefront of all the struggles of the working-class peoples of the world, shoulder to shoulder.” He added that this was dangerous business for himself, “Because any man that pokes his nose into what the squatters are doing to the blackfellows was looking for trouble.”

Despite this concern for his safety, McLeod attempted to create a tool that could be used by the Aboriginals in the place of the traditional Gregorian calendar. He imagined a device that was pictorial and accurate. He drew a prototype calendar showing each day in the month of April. Each day was represented by a square with a red ring around the first of May. A family member could mark a box each time the sun went down and when the box with the red ring was the last one, it was time to leave. John Wilson reported that a storekeeper copied it for

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82 Scrimgeour, ‘We only want our rights and freedom’, 112.
83 McLeod interviewed by Chris Jeffery.
84 O’Neill notes “a crude drawing of a calendar showing the date on which the strike was to commence”, O’Neill to Commissioner of Native Affairs 11 May 1946
This calendar enabled the families to act in unison. But it also had to meet another criterion: the device had to be, as far as possible, undetectable by those in authority. For if it could be intercepted by pastoralists and departmental officers or police, and withdrawn from circulation, as a communication tool it would fail. With it would go the intention to coordinate the strike on the one day. Such concealment was impossible to safeguard. One of the leaders, Billy Moses-Martin, was taking the calendars around to his people on the stations, and the police, he said, knew something was going on but not know what it was. They were searching Aboriginal people for clues. The one safe place Billy could keep the calendars that he was circulating was in the toe of his “filthy, sockless sandshoe” which, he said, was so odious that the cops would not possibly look in there. Binbin used the same strategy. Police did, however, acquire some calendars and learnt that the Aboriginals were attempting a co-ordinated strike.

Although McLeod’s role in organising the strike was discreet, it had a considerable impact on him for the authorities held him responsible. Evidence for this was contradictory. In a court case to determine a charge against McLeod for persuading Aboriginal workers to leave their employment, Aboriginal witnesses gave two different accounts. Doogiebee Nick said that “we told strike by Dooley”. Dooley said that “McLeod first fellow come around blackfellow talk to him properly and so we all follow him”. Clancy reported, “We told him we go on strike and he to do it for them”. Reggie claimed, “McLeod and Clancy told me to strike”. The storeman, Kenneth Duncan, confirmed that McLeod had drawn the map (calendar). McLeod agreed that he “suggested the date all sit down until demand is met”. Ronnie Captain added that “boys had made up minds long time go on strike”. These quotations were recorded in the transcript of the court proceedings. They reveal an unintended consequence of arresting McLeod. Because his network of supporters for the strikers engaged a lawyer who called some strikers as witnesses, the Aboriginal voice was expressed in public. This breached the practice of Protectors speaking for the Aboriginal people who were facing a charge, thereby silencing them. Now they spoke for themselves.

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87 Peter Dowding, pers. comm., May 2015. Dowding was a lawyer with the Aboriginal Legal Aid Service in Port Hedland.
88 Campbell, “Yandy”, 2.
89 O’Neill stated that “a native gave Constable Fletcher a portion of the calendar”, 24 May 1946, SROWA Acc. 993, item 800/45.
90 Haskins and Scrimgeour, “Strike Strike, We Strike”, 98.
91 McLeod, Donald William versus Richards, George Ronald, NAA 1947/8, 9, 10.
Jan Richardson

McLeod had committed a major offence: he had challenged the government's control over Aboriginal people in the Pilbara. The premise of this authority in 1946 was based on nineteenth century descriptions of the “natives” as childlike. In a different court case, it was stated that “it is well known that the native is childlike and easily prevailed on.”

In this model the “natives” were incapable of autonomy and their welfare and happiness could only be achieved by government management. This view had prevailed; Government and pastoral station personnel could therefore not believe that “their natives” could organise a strike; the operative had to be McLeod, the Communist troublemaker. Douglas Jordan concluded that McLeod’s membership of the Communist Party “became a focal point of the attack on him and the aims of the strike.”

Antagonism towards McLeod arose not only because he had interfered with the “squatters’ natives” but also because his motive was attributed to Communism. Several threats were made against him. McLeod recalled an incident in 1946 where a publican believed he had a reason to “blow my head off with a 303 [rifle].” A journalist reported that “he is ostracised by most white people there. Some have threatened him with violence if he approaches their homesteads.”

McLeod told colleague Roy Ockendon that he had “grossly underestimated the savagery and persistence of the opposition of the white population, particularly the squatters and the West Australian government and its officers”. Barrister Steven Churches learned that McLeod was “once the most hated man in Western Australia.”

McLeod’s introduction of a seemingly-innocuous “calendar” as an organising tool was a political act and he accepted the consequences. Since childhood he had “rebelled against authority structures,” and as a young man had walked off the job when he felt he was being exploited. He was hardened by those experiences. Then, his defiance was against injustice.

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93 In the latest research into the strike, Deborah Wilson investigated the roles of McLeod, the Aboriginal leaders and the supporters who rallied behind them, showing that McLeod did not usurp the leaders’ authority, see Deborah Wilson, Different White Men: radical activism for Aboriginal rights 1946-1972, (Crawley, UWA Publishing, 2015). Two separate current studies of the strike are being conducted by historians Bain Attwood and Anne Scrimgeour.

94 Douglas Jordan, Conflict in The Unions: 199. Jordan based his conclusion on evidence from Wilson and Max Brown’s account of the strike. Decades later, individuals interested in Aboriginal affairs could still be branded a communist, as historian Henry Reynolds found when he went to Queensland in the 1970s. He remarked that his wife and he were perceived as “dangerous people, either communists or dupes of communists,” see Henry Reynolds, “History from the frontier”, in Bernard Smith, and Bain Attwood eds., Boundaries of The Past (Carlton: The History Institute, Victoria, 1990), 11.

96D.W. McLeod, How the West was Lost, 44.

97 Roy Ockendon’s material for a talk on McLeod, Atkinson private collection.


concerning himself, now it was injustice concerning those with whom he now identified, the Aboriginal pastoral workers.

*Aboriginal Voices Heard in Public*

To contain the strike, a government strategy focussed on arresting the “ringleaders,” Clancy McKenna, Dooley Binbin and Don McLeod. Detective Sergeant Ron Richards was sent to Port Hedland “to conduct inquiries on behalf of the Police Department.”¹⁰⁰ In his first arrest in 1946, Constable Fletcher charged Clancy McKenna under Section 47 of the *Native Administration Act 1905-1936* for persuading natives to leave their employment “on or about 10/3/46”.¹⁰¹ Richards then arrested Dooley on May 16, 1946 in Marble Bar for the same offence.¹⁰² The objective was, however, to arrest McLeod.¹⁰³ Detective Sergeant Richards would eventually do so on May 16, 1946 when he charged McLeod under the same section of the Act for the same offence that Clancy and Dooley committed. In addition, under Section 39, Richards charged McLeod for counselling Clancy and Dooley “to persuade natives employed in the Pilbarra [sic] District that on the 1st day of May 1946 they were to leave their lawful service without the consent of a Protector of Natives.”¹⁰⁴ He was remanded until 21 June with bail set at $200 pounds.¹⁰⁵

News of such an arrest would normally be confined to Port Hedland, however McLeod found a way to inform some humanitarianists in Perth. Although he was held in the Port Hedland Police

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¹⁰⁰ Acting Commissioner of Native Affairs to Minister for Native Affairs, 9 April 1947, State Records Office Western Australia, 305/47, Acc. 993.

¹⁰¹ Transcript of court proceedings, National Archives of Australia, *McLeod Donald William versus Richards George Ronald*, NAA: A10078 1946/13 Pt 1. Section 47 prescribed that “any person who entices or persuades or persuades a native to leave any lawful service without the consent of a protector shall be guilty of an offence against this Act”. See also Palmer and McKenna, *Somewhere Between Black and White*, 79. McLeod was arrested on May 8, 1946 under Section 47 of the *Native Administration Act 1905-1936* for persuading natives to leave their employment “on or about 10/3/46”. Two Justices of the Peace in Port Hedland convicted Clancy and sentenced him to three months’ jail. Clancy described these arrests in his book.

¹⁰² *McLeod, Donald William versus Richards, George Ronald*, National Archives of Australia: A10074, 1947/8,9,10. Dooley was transported to Port Hedland and also sentenced to three months’ imprisonment.

¹⁰³ When McLeod was arrested “immediate action was taken to place a recommendation before Hon. Minister for the Northwest that the Hon. Minister for Justice extend clemency to the natives … and both natives were accordingly released”. Acting Commissioner of Native Affairs to Minister for Native Affairs, 9 April 1947, State Records Office Western Australia, 305/47, Acc. 993. Hannah Middleton stated that the Western Australian authorities “thought that once he was behind bars the strike would collapse”, see Hannah Middleton, *But Now We Want our Land Back*, (Sussex St: New Age Publishers, 1977), 97; Michael Hess, “Black and Red: The Pilbara Pastoral Workers’ Strike”, *Aboriginal History* 18, no. 1 (1994): p. 74.

¹⁰⁴ *McLeod, Donald William versus Richards, George Ronald*, National Archives of Australia: A10074, 1947/8,9,10.36

Lock-Up, he was able to contact the Committee for the Defence of Native Rights (CDNR) of these arrests. He sent a letter delivered by the secret services of the Aboriginal network, Tommy Nunganunga. Nunganunga was working as the Police boy but was part of the strikers’ movement and collected McLeod’s mail, thus sabotaging any intention the police may have had to keep McLeod incommunicado and thus reduce his influence.\textsuperscript{106} McLeod began his letter, “Although I had no misgivings that ultimately freedom-loving people would actively take up the very just cause of native workers, it is heartening to have news of your timely intervention.”\textsuperscript{107} The \textit{Workers Star} printed it on the front page under the heading “He Writes from Jail.”\textsuperscript{108} The CDNR engaged solicitor Fred Curran to defend McKenna, Binbin and McLeod.

In court, Aboriginal defendants were customarily represented by a Departmental official, a Protector, who could also be a policeman and as such the arresting officer.\textsuperscript{109} The nature of this relationship, resultantly, was one with an unusually large power distance between the defendant and Protector, which often denied the Aboriginal plaintiff or witness an opportunity to tell their story. Engaging a lawyer to defend the Aboriginal strikers and McLeod changed the way information about the strike and conditions for the pastoral workers was managed. It brought the court proceedings into the Western Australian press.\textsuperscript{110} More importantly, it brought the Aboriginal voice into the court room. The court was obliged to listen to them speak for themselves, and to record their words. In the Port Hedland Court of Petty Sessions on June 20 and 21, 1946, Curran called six Aboriginal witnesses.\textsuperscript{111} According to the Magistrate’s notes, Dooley detailed his actions to organise the strike and named those to whom he “gave him word to strike 1st May.”\textsuperscript{112} “Don McLeod first fellow come round blackfellow talk to him properly and so we follow him.” Stories of their poor conditions were revealed. Jackson maintained that he did station work, “slept in creek, no blankets”. Roy McKay stated, “we wanted McLeod be Protector so he could help us … sleep in river, no lavs, [sic] have two blankets each man, we pay twenty-five shillings each new blanket, no mosquito nets, no houses.” Paddy Northover said “camped river, no sanitary conveniences, no mosquito nets or

\textsuperscript{106} John Wilson, “Authority and Leadership,” 60. McLeod’s actions to publicise the group’s plans and actions to achieve them were important, especially in campaigns such as breaking unjust legislation, see Anne Scrimgeour, ‘Battlin’ for their rights’: Aboriginal activism and the Leper Line, \textit{Aboriginal History} 36, (2012), 52.
\textsuperscript{107} McLeod to Rev Peter Hodge, CDNR Treasurer-Secretary Hodge 23 May 1946, \textit{Workers Star} 31 May 1946, 1.
\textsuperscript{108} McLeod to Hodge 23 May 1946, \textit{Workers Star} 31 May 1946, 1.
\textsuperscript{109} \textit{Native Administration Act} 1936
\textsuperscript{110} “Fly North for McLeod hearing”, \textit{Sunday Times}, 16 June 1946,12. The article also reported that the CDNR had sent statements about the arrests to the UNO, Federal and State Ministers, and included a photo of McLeod.
\textsuperscript{111} Dooley, Clancy, Kitchener, Jackson, Tommy Dodd, Paddy Northover.
\textsuperscript{112} \textit{McLeod, Donald William versus Richards, George Ronald}, National Archives of Australia: A10078, 1946/13 Part 1, Exhibit “D”.

Don McLeod

ground sheets, more wages, better treatment – housing.” Clancy confirmed that the strike was being orchestrated by his own people: “I took job on myself – he did not ask me do it – I did it.” Clancy listed some stations that did not provide facilities. Police were called as witnesses and denied the Aboriginal statements about poor conditions. These witness statements opened the chasm of misunderstanding and different experiences between the protected and their protectors.

The Magistrate found “All charges were proved.” On 21 June, McLeod was found guilty and fined $50 plus costs of $46/16/6d. Paradoxically, the court system had become a platform for the strikers to speak their own voice, to learn that they had rights to express their views. John Wilson affirmed that mangered were impressed when McLeod provided a lawyer to present their case. They were convinced of McLeod’s sincerity when he went to prison for them. Secretary of the CDNR, Padre Hodge, then travelled to Port Hedland to meet the strikers and see their situation for himself. He arrived on August 13, 1946 and McLeod drove him to the strikers’ camp. Constable Needle followed them and arrested them both for being “within five chains of a group of natives.” Dr Jolly, president of the CDNR, told the Workers Star that convicting McLeod “has no moral justification.” Section 39 was, he claimed, “originally formed to protect natives from immoral white men, and to prevent the sale of liquor to natives, and has been distorted to serve the ends of the reactionary squatters.”

113 Clancy listed some of his grievances: natives not sat. [satisfied] with condition, they being beat for money taken from wages. They wanted him rep, then see they got justice. We told him we go on strike and he to do it for them. He advised against it as war on and wool wanted. We wanted him [McLeod] as Protector. … I was at camp when Fletcher came, … sd [said] wd [would] all be forced to desert to eat lizards.” The magistrate took notes in his own shorthand. “sd” meant “said”, “wd” meant “would”.
114 By “facilities”, the witnesses meant “no conveniences for natives, they sleep in river”. Kitchener also stated “We wanted him (McLeod) to be made Ptr [Protector] to help us as we not getting fair treatment … I sleep in river, no lavs – mosquito nets – no house”. Solicitor Curran’s strongest argument was that the term “leaving” did not apply to men on strike as striking was not severing or terminating employment. However, in the Port Hedland Court of Petty Sessions on 20 and 21 June 1946, Resident Magistrate Maurice Harwood found McLeod found guilty on all charges. On the first charge, for counselling Dooley, he was fined £10 + £15.12.2 costs, in default 45 days” hard labour. On the second charge, for counselling Clancy, he was fined £20 + £15.12.2 costs, in default 105 days’ hard labour (third or subsequent offence), and on the third charge, for attempting to persuade natives to leave their employment, he was charged £20 + £15.12.2 costs, default 105 days” imprisonment cumulative. Clancy and Dooley were also convicted but later released.
117 “Mangered” is the Aboriginal people’s Nyangumarta language word for themselves, who were of the full Aboriginal descent.
118 John Wilson, “Authority and Leadership”, 59.
119 Section 39 of the Native Administration Act 1905-1936,
120 “Dr Jolly Stands for Midland”, Workers Star, 1 November 1946, 6.
custody for two weeks; upon being found guilty he was given a sentence of three months.\footnote{Michael Hess, “The Pilbara Pastoral Workers” Uprising of 1946”, Papers in Labour History 3 (1989), 29.} The CDNR engaged Curran to defend Hodge and McLeod.

In the case against both men, Hodge was tried first. Hodge lost and finally appealed to the High Court of Australia where the Justices made a judgment on March 4, 1947 to quash the conviction. Members of the CDNR perceived this as “their victory.”\footnote{“Not Right and Proper to Aid Natives Says Nulsen”, Workers Star, 4 April 1947, 5.} McLeod also appealed to the Supreme Court against the JPs’ decision. On March 27, 1947, Mr Justice Walker upheld his appeal as his circumstances were the same as Hodge’s successful appeal in the Full High Court.\footnote{Daily News, 27 March 1947, State Records Office of Western Australia 993, 305/47. Mr Justice Walker is reported to have said “In this case there is exactly the same transaction and circumstances. The same decision as in Hodge’s case applies in this one”. McLeod’s appeal was originally suspended pending the outcome of Hodge’s appeal.} Section 39 was now “almost unenforceable.”\footnote{Hess, “Black and Red”, 79.} McLeod was now free to associate with his Aboriginal colleagues. Later, the leaders adopted McLeod’s methods of using the courts to change the law, for “Mitchell and Coppin were not afraid to use the whitefellas’ legal system to fight for their rights. They had seen how it worked and witnessed success early in the strike days.”\footnote{Read and Peter Coppin, Kangkushot, 129. Anne Scrimgeour recounts their ability in 1957 to use the court system to obtain justice, see Scrimgeour, “Battlin’ for their rights”, 51.} Anne Scrimgeour demonstrates how, during the strikers’ campaign in 1957 to break an unjust law in which they employed a solicitor to act for them, the leaders could confidently use the courts to their advantage. When police informed them they would be prosecuted unless they ceased their activities, it was “a prospect welcomed by the group as a means of testing the legislation in court.”\footnote{Scrimgeour, “Battlin’ for their rights”, 55}

By allowing himself to be arrested, and bringing Aboriginal witnesses into the court system, McLeod had used his defiance against authority to transform the practice of denying the Aboriginal their voice in the Western sphere, and to gain one small act of justice for them. McLeod later generated another method for the people to gain their civil rights: a registered company.

Companies

While working in private enterprise McLeod exhibited an entrepreneurial spirit.\footnote{As a young man he worked with his brothers or alone, across a wide range of station and mining enterprises.} When he considered the strikers' objective to retain the freedom they had gained by striking, he understood they needed an income sufficient to feed and clothe a large number of families.
One type of work was alluvial mining, at which many individuals were already proficient. However sales of the minerals thus gained needed to be organised efficiently to maximise the workers’ efforts. A different strategy was needed, and by 1951 McLeod was able to realise an idea he had introduced in 1948: a company “to handle the Group’s business operations.” He established a company on the strikers’ behalf. It was named *Northern Development & Mining Company Pty Ltd* (NODAM) and was incorporated on November 19, 1951. NODAM was owned and managed by the strikers and its purpose, said McLeod, was “economic freedom. Through it they could exercise their civil rights. It meant freedom from slavery.” McLeod claimed NODAM was “the first private company registered by the Beneficial Owners of Western Australia”. Within a year about 600 strikers were working within this company. 

A legal entity would give authority to the blackfellows and be a formidable power in the hands of people rendered helpless by Departmental controls. McLeod explained to the Minister for Aboriginal Affairs, WC Wentworth, that NODAM was

Registered as a company since a company, being an artificial individual, could do anything any citizen can do except vote in elections and be converted to a religious faith. That is to say in this way we got around all the restrictive legislation then on the statute books discriminating against Blackfellows.

It would contribute to the ideal he espoused, portrayed by Scrimgeour “that Aboriginal people were capable of running their own affairs and determining their own future.” McLeod’s work was admired by outsiders. A newspaper journalist reported in 1951 that Mcleod “an expert miner”, was organising the “natives” to prospect for wolfram, scheelite, columbite, tantalite and tin that he sold on their behalf. They already had £6,000 in their bank, and about 200 people

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130 Read and Coppin, *Kangkushot*, 102.

131 Researcher Sarah Holcombe examined NODAM as part of a case study for an ARC project “Indigenous community organisations and miners partnering sustainable regional development?”, see Sarah Holcombe, “Indigenous Organisations and Mining in The Pilbara, Western Australia: Lessons from A Historical Perspective”, *Aboriginal History* 29 (2005), 132.

132 D.W. McLeod *How the West Was Lost*, 1984, 99. Sarah Holcombe confirmed that NODAM was the “first private company set up by Aboriginal people in Western Australia,” see Holcombe, “Indigenous Organisations and Mining in the Pilbara”, 107.

133 Scrimgeour, “We only want our rights and freedom”, 123.


had a "new and better standard of living." McLeod later affirmed "That's how we got our civil rights, otherwise we would have never been able to operate." McLeod later affirmed "That's how we got our civil rights, otherwise we would have never been able to operate." Social scientist Charles Rowley was impressed with the concept of corporate bodies for Indigenous people. He theorised that they could provide a "carapace which the Aboriginal social group has always lacked, the protective shell within which … adjustments to change … may be worked out." McLeod's proposition went further than the idea of a carapace; it was a major step towards transferring concrete power to the powerless. He explained his thinking to Jessie Street. Until November 1951, the people were working in what may be called a collective partnership unregistered, known as the North West Workers Co-operative, and in his name. This transition into a registered company gave those previously known as The Group, an official identity. In the early days of NODAM’s operation, it needed to employ their own people in the mining industry. The company successfully applied for a Permit and the Department issued General Permit Number 6368. Commissioner Middleton was impressed with NODAM. He noted “This native company is unique in Western Australian native history and its proper development is being encouraged by this Department. There are about 500 natives connected with it.” A Patrol Report by F.E. Gare declared that McLeod had overcome many problems and his ultimate success was undoubted. Furthermore, he wrote “his achievements over the past few years have been remarkable, when it is considered what opposition he encountered.”

The strikers were managing alluvial mining with picks, shovels and crowbars; it was slow work. When an Adelaide company, Western Wolfram, began expanding their operations, NODAM entered into an agreement with them in 1952 whereby NODAM supplied the labour and the larger company supplied mechanical equipment. NODAM had a policy that instead of paying themselves wages they would establish a cooperative fund to receive their earnings. From this fund, through the company, they leased the sheep stations Meentheena and Riverdale.

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137 McLeod to Ken Liberman, pers. comm. 2015.
139 Jessie Street was a campaigner for women’s and Aboriginal people’s rights, see Heather Radi, “Street, Jessie Mary (1889-1970)”, Australian Dictionary of Biography, accessed online 30 May 2016.
140 McLeod to Jessie Street, National Library of Australia, Street papers, MS2683/10/70, 6. Confirmed in "memorandum Pindan Pty. Ltd. and Donald William McLeod", 10 May 1955, State Records Office of Western Australia, Pindan, Acc. 2782, item 1959/0049.
141 Confirmed in copy of letter Middleton to Western Wolfram, Adelaide, 5 February 1952. The Commissioner wrote “This native Company is unique in Western Australian Native history, and its proper development is being encouraged by this Department”. Donated by Atkinson.
142 Middleton to Western Wolfram, 5 February 1952, State Records Office of Western Australia, Acc. 3390, item 1952/830 vol. 1.
143 F.E. Gare copy of extract on “Native situation”, no. 2/1951-52, Department of Native Affairs, State Records Office of Western Australia, 3390/1952/830 vol. 1.
These acquisitions were to fulfil one of the Lawmen’s instructions to McLeod to “secure a tract of land in the Pilbara and to bring this land back to its original state with the use of modern technology so that 8,000 desert people could be settled there.”\textsuperscript{144} This action to reclaim their land pre-dated the \emph{Aboriginal Land Rights Act 1976} by thirty-four years; it is also noteworthy because the Lawmen were not waiting for government approval or funding. In 1952 the strikers used the money they earned through their mining to buy the pastoral station Yandeyarra, plus machinery.\textsuperscript{145} The group paid £6,500 of the £9,000 purchase price for 433,933 acres of Yandeyarra.\textsuperscript{146} Title to the property was in McLeod’s name to overcome the legal restriction, as Aboriginal people were unable to obtain leasehold properties. All other assets of the group were held by NODAM.\textsuperscript{147}

The Western Australian Cabinet decided to investigate McLeod.\textsuperscript{148} After interviewing and taking written submissions from a wide range of pastoralists, policemen, Departmental officers and miners, McDonald and Bateman reported to Parliament. They observed that “a group of this kind of this magnitude is a new development in the history of our native population.”\textsuperscript{149} In their summaries McDonald and Bateman reported that in March 1952 the company comprised 663 native men, women and children, their earnings and organisation.\textsuperscript{150} The group had, they noted,

prejudicially affected the supply of native labour in the pastoral industry in the Pilbara district’ and it would be in the interests of the District and of the natives themselves if a more balanced distribution of native labour between the pastoral industry and the mining industry could be effected.\textsuperscript{151}

In a recent study of the growth of an Indigenous bourgeoisie, NODAM is presented as “an exemplar of the early commercial activities by indigenes.”\textsuperscript{152} McLeod’s childhood rebellion

\textsuperscript{144} The Nomads Group of Aborigines, Submission to the Federal Government, 1972, 10, 6.
\textsuperscript{145} C. Byrne to O’Rourke, 16 July 1970, National Archives of Australia, Nomads Ltd, correspondence with McLeod, NAA: A2354, 1970/297, item 218; Report by Sir Ross McDonald QC and FEA Bateman RM, 12 August 1952, Mines Department 1952/0831 vol. 2, State Archives of Western Australia, Mines Department, 3593/66, 6.
\textsuperscript{146} 433,933 acres are the equivalent of 175,606 hectares.
\textsuperscript{147} John Wilson, “Authority and Leadership”, 81.
\textsuperscript{148} On January 24, 1952 the Premier authorised magistrates McDonald, QC and Bateman, RM to form a “Committee of Inquiry into Activities of D.W. McLeod and Associates re interests of natives working under his direction.” Report by Sir Ross McDonald QC and FEA Bateman RM, 12 August 1952, Mines Department 1952/0831 vol. 2, 1. State Archives of Western Australia, Mines Department, 3593/66.
\textsuperscript{149} McDonald and Bateman to the Premier, Report 12 August 1952, Mines Department 1952/0831 vol. 2, 2.
\textsuperscript{150} McDonald and Bateman Inquiry, Report, 12 August 1952. The committee held sixteen meetings.
\textsuperscript{151} A.J. Smith, and Scott Macwilliam, “Agrarian Change and the Initial Development of an Aboriginal Bourgeoisie in Australia”, \emph{Journal of Agrarian Change} 15, 1 (2013), 4- 5.
against authority became an asset to the strikers when he refused to accept the state restrictions on their civil rights. His philosophy to provide a simple service freely given, to his own kind in times of need, stimulated him to appropriate systems in the modern economy for the Aboriginal strikers' political as well as economic benefit.

**Conclusion**

McLeod’s childhood and early adulthood experiences developed his characteristic of defiance against authority. When confronted with the injustices perpetrated by the state against the Pilbara Aboriginal pastoral workers, he had the fortitude to oppose it. His natural gifts of endurance, demonstrated as young as four years old, were developed in the outdoor work he undertook, and when his adversaries placed him in danger or threatening places such as jail, he had the strength to resist their intention to intimidate and undermine him. These attributes were useful to the Aboriginal strikers when they initially planned strategies to wrest their liberty from the controls of the state. His youthful need to create his own income-earning opportunities fostered an entrepreneurial spirit that was also an advantage to the strikers. He could generate unusual ideas to meet extraordinary challenges, such as creating an organising tool for people with no access to normal communication devices or establishing a registered company to bypass legislation restricting Aboriginal people’s private enterprise. His personality and philosophy afforded him physical and mental vigour that toughened him; he would not give in. Like the Pilbara rocks, he was hard; the forces of colonial culture and the self-interest of the pastoralists could not crack him. It made him a formidable fighter for the strikers' struggle for justice and pivotal to the changed Pilbara social, political and economic culture that they secured.
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