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CREATING MANGROVES: THE VIBRANT LIVING SPACE BETWEEN POLARISED OTHERS

A REFLECTION ON MY ENCOUNTERS WITH TRADITIONAL OWNERS IN THE NATIVE TITLE SETTING

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Abstract

Entering the applied field of native title anthropology was a daunting experience as I was not prepared for the legal framework within which I was required to work. A framework which sets polarised parameters: a dichotomised objective-subjective paradigm between the objective requirements of an anthropologist working with evidence and the lawyer advocating their client. I felt distanced to what seemed to be the far reaches of objectivity. This was a stance I had not anticipated and soon realised that the objectivity created a polarisation between myself and the traditional owners with whom I worked.

In this paper I use mangroves as a metaphor to describe my lived experience of working within the native title setting: through a phenomenological lens I reflect on my 'being-in-the-[native title] world' as I navigate the objective-subjective paradigm to establish many vibrant symbiotic working relationships with traditional owners, whilst maintaining the required objective stance. I describe how the phenomenological concept of intentionality or the 'directionality of action' has a bearing on the formation of consciousness as two people from polarised positions stand before each other. I explain how emotions play an integral part in this as they are both embodied and 'in-the-world', in that

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emotions are simultaneously experienced physically, psychologically and sociologically. And how sociologically, through processes of intentionality, emotions can both divide and repair these relationships.

Little did I realise what I was getting myself into, when twenty years ago, I was an over enthusiastic graduate entering an applied anthropological career somehow thinking I could change the world! Afterall, I thought I knew how to relate to traditional owners as I have previously worked as a registered nurse in multiple cross-cultural clinical settings, and I was aware of the effects of the intentional gaze¹ on the other. What I wasn't prepared for was the legalised native title framework within which I was required to work. A framework that polarises the anthropologist into evidential objectivity. But as a nurse I had functioned in the role of patient advocate, from a position of subjectivity. Suddenly I felt perplexed wondering how I could relate to traditional owners from an objective stance and how it was even possible to make a worthwhile contribution from this position.

Unfortunately, I naïvely stumbled into this realisation during my first few encounters with traditional owners at native title meetings.² One particular meeting continues to remain clear in my mind and body. For my part of the meeting, I needed to discuss with the claimant group the contents of a letter that we had received from the Queensland State Government detailing their request for further material to substantiate their connection to the land they were claiming. The State had conceded to many parts of the connection report, but they had a number of questions where they sought further clarification and evidence. I remember feeling nervous delivering this news as the State's request seemed over-the-top and very legalistic. To me, the consultant anthropologist had demonstrated within the connection report that the claimant group were the traditional owners who continued to hold traditional connections to that particular tract of country. I recall standing in front of the claimant group nervously presenting the State's request. Immediately I was jeered and could not contain the outburst of emotion that was exploding in the room. At this point I remember experiencing a searing feeling within my body as verbal abuse was being hurled towards me. In particular, I recall one man's display of anger which was targeted at me – in an instant he was on his feet screaming abuse as he rushed towards me with thrusting arms and pointing fingers. Now standing directly before me I could viscerally feel his screams, it was as if they were being yelled directly through his angry piercing eyes. I remember I wanted to escape but I knew it would be

¹ An intentional gaze refers to the look from another, it is when one's body comes into one's awareness through experiences of corporeality with other people as their gazes are directed upon us (Leder 1990:92).

² I work as an anthropologist at a Land Council, where my role involves researching and documenting the ongoing connection of Aboriginal claimant groups to specific areas of country in support of their native title applications.

unprofessional for me to leave, so I remained and attempted to calm the room. My inexperience was certainly evident.

I was quite shaken from this experience and realised that my idealised bubble had burst, that my naïve campaign for social justice had gone up in smoke. I spent some time reflecting on this as I licked my wounds feeling victimised for supporting the cause. In my nursing practice I had been mindful of the intentional gaze. But I had never experienced an intentional gaze on such a collective scale. It seemed that the traditional owners perceived me as the State Government and that I was receiving the full brunt of their collective pent-up anger towards a colonial state³ that was continuing to deny them their rights. Suddenly I realised the vulnerable position of my role, that I was being wedged between a State Government with a continuing colonial agenda, and traditional owners who were continuing to be traumatised. Feeling threatened, I was unsure if I could survive such a volatile liminal space.

This was the point when I dug up my anthropology honours thesis, the topic of which centred on the phenomenological principles associated with emotionally charged intentionality and how it affected Aboriginal health outcomes in the mainstream health services. Although the native title platform is different, the principles underlying intentionality are of course the same. So, revisiting this topic was a turning point for me, as it reminded me of the phenomenological bodily experience that can result from an emotionally charged intentional gaze.⁴ In this way I was able to understand the mechanics behind the interplay of emotions that occurred at the meeting, and I realised that our embroiled consciousnesses⁵ placed both myself and the traditional owners (individually and collectively) in a mutual state of vulnerability.

To briefly explain this, I draw from my thesis which includes the work of Kapferer and Leder. Kapferer claims that intentionality refers to the 'directionality of all action', that an intentional body is directed towards its life-world, and the multiple dimensions found in this life-world constantly shift in the intentional body as it moves through it. In this way intentionality is a dynamic force that becomes manifest through the mediation of a person's consciousness as they stand before 'an other's' consciousness awaiting mutual recognition. Through this intentional gaze a person's consciousness is formed and is brought into one's awareness, allowing the self to be experienced and perceived. In this way a person's body is intersubjective with other bodies through the experience of emotion, which Kapferer claims is a

³ In this context, I refer to the colonial state as the British colony that established and held its sovereignty in Queensland from 1859 to 1901, at which time Queensland became a State in the Commonwealth of Australia.

⁴ Phenomenology is the philosophical study of lived experience as it is structured through consciousness. Experience we undergo relates to the body through intersubjective or social embodiment that forms consciousness. As such a phenomenological perspective is integral to reflection and to anthropological analysis (Turk 2024:455).

⁵ In this context embroiled consciousnesses refers to the conflict held between two consciousnesses as they experience an emotional charged intentionality (Kapferer 1995, 1997).

process that is at once embodied and in-the-world, meaning that emotions are simultaneously physical, psychological and sociological. Sociologically, emotions are made manifest through intentionality. They are the irreducible forms that emerge from the constantly shifting flow of action as human beings engage with their everchanging life worlds and with others. In this way emotions express the intentional direction of action and are fundamental to intersubjectivity as they participate in the formation of consciousness as two people stand before each other (1995 & 1997).

Relating to this paper is the emotion of anger, which Kapferer refers to as an emotionally charged intentionality that can take the form of a 'thingness', like an object, which can penetrate into the body of 'an other'. That is, the 'thingness' is experienced as an acute self-awareness, which sees the body viewing itself as a victim who is being consumed by the senses, immobilising the body in a 'world-within-being' instead of a 'being-in-the-world'. In this situation the body identifies disturbances in the world as disturbances within the body, resulting in a consciousness that ends up depleting its stores of energy, eventually leading to a loss of consciousness⁶. In this way Kapferer refers to anger as being powerful as it acts directly on the body of the victim (1995 & 1997). As Lyon and Barbalet claim, the phenomenal aspects of emotion can be socially originating, and social embodiment can be anchored in emotion, that is, through intentionality emotions can have social consequences (1997).

This theoretical paradigm explains what I experienced at the meeting when I could viscerally feel the abusive screams through angry piercing eyes, and then later during my reflections when I was licking my wounds as I felt victimised and threatened. No doubt the traditional owners experienced something similar when I presented them with the State's request. Ironically though, I stood in solidarity with them as I too did not agree with the State's request. As such I was being perceived as representing an oppositional position, which in fact did not reflect the direction of my own intentionality, subsequently I was misrepresented as a polarised 'other', a position which placed us in a mutual state of vulnerability.

Stumbling into this realisation was a shock to my senses but understanding the principles behind it enabled me to undo the social embodiment that I had experienced. In doing so I was able to overcome my vulnerability by navigating my intentionality to establish many lasting relationships with the traditional owners who were also willing to navigate their intentionality to engage with me. This relates to what Leder refers to as 'co-transcendence'. Leder claims that within a transcendental field, a transcendent subject experiences a state of co-transcendence with 'an other' when they treat each other as a subject, that is, when they experience together the world in which they dwell and when they mutually supplement each other's possibilities (1990). I like to think of this as creating mangroves, that vibrant living space between the land and sea, a place of flourishing unique life. A place where polarised others can

⁶ This refers to a loss of awareness, not to a physical or clinical loss of consciousness.

meld into mutual supplementation, through mutually respectful communication and interactions that manifest understanding, and safely create unique opportunities.

As this is something that cannot be forced, it is only possible to fully experience co-transcendence with willing others. Although I discovered that even when co-transcendence was not established with 'an other', my navigation still prevented or minimised the embroilment of our consciousnesses as I did not engage with their emotionally charged intentionality, that is, I did not allow myself to be socially embodied by their intentionality. At times I found and still find this difficult, especially when the intentionality is personalised in a deliberate way to offend me.

To enable the establishment of co-transcendence and create a vibrant mangrove with traditional owners I realised that I needed to set two distinct boundaries. The first boundary was in relation to establishing the understanding that I was not the State Government, and that I did not represent them. The second boundary related to establishing the understanding that my role was not one of advocacy, instead the Federal Court required me to remain objective. In this way I was clearly articulating the position of my role, within the liminal space between the adversarial position of the State Government as respondent, and the advocacy position of the lawyer representing the traditional owners.

But this was difficult to articulate, as essentially, I needed to communicate to traumatised people that while I am not against you, I am also not for you. This meant I needed to carefully set the boundaries in a way that prevented my intentionality creating a gaze that embroiled our consciousnesses. Instead, paradoxically my intentionality needed to treat the traditional owners as subject whilst maintaining objectivity! – So, I listened. I listened to their pain and trauma. I listened even when it was heated with emotionally charged intentionality. I let them know they had been heard and I showed them genuine compassion and empathy as I felt their pain. Whilst doing this I was able to establish a position of objectivity, by gently but clearly setting the necessary boundaries at opportune moments in our conversation. I did this while I continued to listen and show empathy. In this way, we began to establish our mangrove as our mutual vulnerability was reduced because we heard each other and understood where each other was coming from. By treating traditional owners as subjects, I was able to utilise emotional intentionality to foster co-transcendent relationships, while simultaneously setting the necessary boundaries in a non-confrontational way to establish the required objectivity. Significantly, creating a mangrove requires time and patience, as often the relationships drift in and out of co-transcendence as issues arise.

Over a period of seventeen years, I experienced the ebbs and flows of co-transcendence with a traditional owner who I will call Annie. Although we did not have a dramatic emotionally charged introduction, it nevertheless took us time to develop co-transcendence, as we each navigated our intentionality to foster a good working relationship. During this time Annie and I had many

interesting conversations on a range of topics including her artistic inspirations which we both enjoyed talking about. Unfortunately, after many years our co-transcendence was shattered when I presented my research findings to her and the wider claimant group. My presentation caused a collective outburst of emotion, similar to the meeting I described earlier, as my findings did not completely support Annie or the wider group's assertions. In that moment Annie's usual emotional intentionality towards me turned to being highly charged, with her interruptions making it difficult for me to provide a coherent presentation. After the meeting I approached her to discuss this, but she was still emotionally charged, so we left the meeting with our co-transcendence shattered. About twelve months later, outside of native title business, we happened to be at the same event when we saw each other across the room, but I could see she was not wanting to engage with me, so I respected her distance and did not approach her. It took another twelve months before we finally had a breakthrough. Again, outside of native title business, I was walking along and heard my name being called loudly from behind, I turned around to see Annie excitedly running towards me, she was on for chat, so we stood there for ages chatting about a whole range of topics including her art. After two years she was ready to reestablish our co-transcendence and I was eager to engage with her emotional intentionality to reestablish it. Finally, we once again met in our mangrove!

As this paper outlines, emotional intentionality can divide a relationship, but it also creates and repairs them. It is all about how you navigate your emotional intentionality with others. Over the last twenty years I have developed many vibrant working relationships with traditional owners, while simultaneously maintaining the required objective stance. Some of these relationships have maintained a stable state of co-transcendence, while others have tryingly ebbed and flowed in and out of co-transcendence. During this journey, my lived experience has repeatedly taught me that self-reflection is key to co-transcendence – key, to a vibrant mangrove.

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