

AN INTERVIEW WITH JOHN HUGHES

Interviewer (I): Dugald Williamson

This interview transcript is part of the 'Australian Documentary Research Interviews Collection'. The transcript is from an audio recording made in Melbourne, 21 February 2001. Minor format and editorial changes have been made in transcribing the interview, with square brackets for information added to the original.

At the time we did the interview, John Hughes was Commissioning Editor, Documentary with SBS Independent. This was a particularly vibrant period for SBS Independent, the commissioning arm of SBS television. SBS Independent has since been dissolved (around 2007) and the priorities, policies and practices of SBS television now diverge radically from those of 2001. John Hughes' commentary on the relationship between broadcasting and documentary in Australia therefore has quite a different emphasis in 2011, than those comments recorded here from 10 years earlier. See:

Hughes, J. (2011) '10 Conditions of documentary' *Arena* 110 (February-March), pp 42-45

Hughes, J. (2011) 'Oz-tak-lihat; (Australia doesn't see)' *Arena* 112 (June-July), pp 42-45

Hughes, J. (2010) 'The (heterogeneous) voice of *Indonesia Calling*', *Studies in Australasian Cinema* 4:3, pp 283-300.

Tape 1 Side A

I: I'm talking with John Hughes, initially about *After Mabo* and then some more general questions about his filmmaking and current issues in documentary. So John, could you tell me about your role in *After Mabo* as a project and why you wanted or agreed to make it?

John: I was producer with Debra Annear and writer and director. The project was Executive Produced by Richard Frankland who called me from a National Indigenous Working Group meeting in Canberra, I think in late August '96, asking if I could help him with a film, which I was happy to do. So I started trying to work out with him what would be the best way for it to proceed and the first thing was to write up some ideas about possible treatment approaches for the project. At that time, I think the Howard government had been in power since March of that year and on their agenda was to amend the *Native Title Act* in a way that would produce 'certainty' for pastoralists. And they were quite clear that their objectives were to produce amendments that would be for the benefit of the mining industry and for pastoralists and not in the interests of native title holders. To 'bring the pendulum back to the centre' became the rhetoric. But at that time, in late 1996, it was an issue that was being covered in the press, but it wasn't foregrounded, it didn't have any of the heat that it had post-Christmas time 1996, which was when the *Wik* decision came back. [This High Court decision was that native title and pastoral leases could coexist.]

So at that time I'd been interested in the whole native title issue, of course, as everyone had been, but I certainly wasn't on top of the detail of what was being proposed, what the amendments were that were being proposed. So basically it required a huge learning curve in getting up to speed on what the government was planning and what the amendments meant, etc. etc.

So that was really the first part of it. There was this two-pronged thing. One was about studying the issues as they were at that time and trying to work out how one might make a work that was pertinent to the issues from the point of view of native title holders, I suppose, or in particular perhaps from the point of view of the National Indigenous Working Group. I'd worked with Richard before on *No Way to Forget*, which I script-edited with him. He was, at the time, the senior executive of Mirimbiak Nations Aboriginal Corporation, which was the Victorian representative body for native title, so he was very busy. And people that he was working with there were closely involved with that National Indigenous Working Group, which met quite regularly in different centres to discuss policy and strategy in relation to how they were going to try and advance the interests of native title holders.

I: I notice at the start of the film it says 'From an idea by Richard Frankland', which you're referring to?

John: Well *that* was the idea. The idea was we should make a film. But we were both aware that one of the opportunities that we had was to try and work out what a model might be for collaboration in a situation like this. I mean the problem is for years and years we've all been trying to work out how we can deal with the contradictory situation where non-Indigenous filmmakers are making films that are in some ways representing an Indigenous point of view or dealing with Indigenous issues. So that was one of the things that we were going to have to deal with, so we worked out a kind of a protocol, if you like, for that, which was that the film finally would be owned by Mirimbiak. It would be owned by the community-based organisation, by the Aboriginal Corporation, not by individuals, and Richard would be the Executive Producer of the film and he and Mirimbiak would have editorial control over the work. And as the technician charged with working out how to make the film, I would have something called 'creative control'. Then we had this other clause which was great, which was that if there was to be a dispute between what was 'creative control' and what was 'editorial control', well, that was an editorial decision. So that's the way we proceeded. But in some ways it was like a lot of these things: from an editorial point of view the film is certainly an advocacy film, it's making an argument in favour of native title holders' position in that debate, and that is quite clear and explicit in the work. But, in fact, it's not actually taking up a speaking position representing Aboriginality. It's actually – because the issues that it's dealing with are really to do with how the political process of that time was negotiating arguments around native title – it's really also a film about the government's political objectives and processes as it is a film representing native title holders.

I: Yes, one of the things that struck me was the way the film moved from observing or working with the collaborators, Mirimbiak or the National Indigenous Working Group and so on, to other situations. At one point an

interview with [Liberal Senator] Minchin follows 1970s footage about educational books; at other points it moves to the Lodge or the corridors of power, and it's picking up the intricacies of political and legislative processes. But on the collaboration, to what extent do you feel the collaboration was there in terms of the form and style of the film? In working out the formats – observational, interview, compilation and so on – was there discussion around the style at the early stage? Or was it at a later stage that the editorial and creative came together on questions of form?

John: There was ongoing discussion. My job was to make the film. I had a little insight about this at one point. When I attended the first National Indigenous Working Group meeting, I noticed how the people who were representing the Land Councils and the legal services and so on often worked with lawyers and advisors. The Indigenous spokespeople would spend a lot of time discussing an issue and they'd come up with a kind of a policy and a position on it. And these are all extremely sophisticated thinkers. And then they'd say 'Oh, OK, well we'll take a break and we'll let the technicians work on that'. And the technicians are the lawyers, and then the lawyers, or various non-Indigenous advisers, would convene a meeting and on the basis of the instructions that they were taking from that Indigenous leadership, if you like, they would formulate clauses or forms of words that would be proposed and they'd be brought back to the table and they'd be argued, they'd be discussed again, and frequently they'd be found wanting in various ways. They'd pick up things in the legal language that the advisers had missed, and so on. There'd be commentary and the technicians would have to go away again and re-work these things. So that was one of the other processes that was constantly going on, the discussion between Indigenous leadership and the non-Indigenous advisers about how they might proceed and there was absolutely no question about where the policies were coming from.

So I thought that's 'Oh, that's what I am, I'm actually a technician, my job is to make the film, and the position that would be most productive to adopt in all this is actually the position of that technician'. So that's was the way that I saw it, so that's why I developed that process of then taking various ideas and possible directions for the work off to Richard. He'd have commentary on it and I would then try and work out how to actually realise that within the framework of the conventions that I was necessarily trying to deploy. So that was a very interesting insight. When I went into that situation, I didn't really understand properly that that was, in fact, the ways things worked.

I: Richard would then talk with others?

John: I did give a presentation to the board at Mirimbiak at one point, and I was constantly talking to others at Mirimbiak, Margaret Gardner in particular was constantly involved, and others. Yes, so there were a lot of people I was engaged with. And I also spoke with people at various regional meetings that Mirimbiak was involved with. So there was a lot of commentary all the time. Partly that was something that Richard was also continually doing. But he was very busy because he was trying to run the Native Title Unit at Mirimbiak through that whole period and I think he was also producing a CD.

I: A music CD?

John: Yes, *Down Three Waterholes Road* [Richard Frankland, Larrikin, 1997]. It's a song of Richard's from that CD, 'Long Tall Ships', that we use as closing titles music, to kind of bring it back to the 'voice' with which the film opens.

One of the interesting things about the project is precisely to do with the process of collaboration and working out how to deal with what are, in some ways, the kinds of incommensurate discourses that are in play between the way that Indigenous political practice works on one hand and the way non-Indigenous political/creative practice works on the other. Often we have fairly rigid ideas about editorial and creative control being invested in the singular imagination of the writer/director character. Whereas in situations like this, there's a whole series of quite complex negotiations that are going on, on an ongoing basis, between a whole range of people who are involved in 'authorising' the work to be made in the first place. So, for example, what Richard was doing was talking to elders who were informing him as the executive director of Mirimbiak, which is formalised in some ways in the board of Mirimbiak, but also other advisers whom he was working with through Mirimbiak.

And then there's another level, which is what the National Indigenous Working Group itself thinks about the project, because obviously the project could only proceed with their endorsement and that's something which is another ongoing process of negotiation. And, in turn, the people who are sitting round the table at the National Indigenous Working Group representing the Land Councils and the legal services and other organisations, are consulting with their own boards and with elders and advisers. So there's a very complex process that's involved in the writing of policy decisions and it is quite different from the hierarchical practices that we tend to engage with, so a lot of decisions take a long time. These National Indigenous Working Groups, for example, go on for days – people sitting around big tables discussing at length various approaches that might be taken to different points that were raised in the debate. Then people would take these ideas back to their own communities and then they'd return several weeks later and so it's quite a different kind of decision-making process that was involved.

Taking seriously the possibility of collaboration in a project like this involves trying to accommodate all of that as much as possible. So the way that we worked was that I'd go and – I mean, there were some papers written, but mostly it was conversation, where I talked with Richard about how it seemed to me at a particular time the film might best work. And I'd get his feedback on what the agendas might be, whether the film ought to be based entirely around the issues that were being developed in Victoria around certain native title claims that were planned for Victoria, and whether we should simply follow those processes in a detailed way and set it in the context of the arguments that were going on, or whether it needed to be primarily national in its focus. And Richard's point of view on most of these sorts of issues was that it had to be everything. So it was about trying to take that on and go 'Oh, OK, well how can we try and make the work comprehensive?'. So I would take those comments on board with the view

that by these means we might actually end up with a work that performs that negotiation process as one of its subtexts, which I think it does to some extent.

That is one of the things that makes the film strange, its attempt to put aside conventional treatment solutions in favour of performing aspects of difference as they occurred in this particular situation. And the clearest instance of that, I think, is the refusal of the film to build its narrative around a central character but rather to try and build a structure where a whole range of Indigenous spokespersons put positions. The role of the central character shifts from individual to individual and tries to build the idea that what we are dealing with here is an Indigenous leadership, for want of another word, that is comprised of a whole range of people in dialogue. Whereas the conventional treatment solution would be to find one central character and observe them going through the processes as a point of contact for an audience.

I: And to embody a conflict?

John: Yes. But I felt that to do that would be an inappropriate compromise because one of the things that I found most interesting in that whole process was how genuine the collaborative mechanisms were in the Indigenous polities.

I: I thought one of the things that communicated that was the observation of the meetings and the collaboration, and also the theme of quite a few of the speakers of the representative role they have. It's established early and towards the end there's again the emphasis on negotiation. You get a kind of stand-off when the Ten Point Plan has broken down. But it's not one main character versus a 'villain' as much as Noel Pearson and a number of others saying this is the way we want to work, we want the recognition at the table and will work with others. So that idea of collaboration, of the different ways of representing viewpoints within the group, though you said it was strange in a way, I felt was something the audience could identify with. Could you comment on the way you anticipated the question of audience, working with Richard and Mirimbiak, perhaps early on, and did that change at all, whom you thought this was for and the sort of work out there you wanted it to do for an audience?

John: I always find that the questions around audience are quite difficult to deal with because ...

I: Or even how much it did feature as a question ...

John: It's an interesting question but often the question of audience is broken down into how one ought to be approaching something called 'as wide as possible audience' or there are presumptions made about what constitutes the audience of a particular work. But in some ways my work's interested in trying to constitute an audience slightly differently. I'm interested in trying to make work that engages people not so much on the basis of a demographic or a quantity but rather to engage or construct a certain mode of reception which is critical, and in some ways contradictory, which is another interesting aspect of this project which has clearly got to be an advocacy film. But part of the convention of the advocacy film is that it makes its argument very simply, whereas I was interested here to

try and work out how to make an advocacy film that was also generating a spectator that was questioning and critical. And in some ways that's the work that screen design is intended to do, to require a spectator that's engaged in a very active process of reading, rather than a spectator who is being persuaded. But, of course, again both movements are in play because essentially it's an advocacy film.

I: Are there any particular instances in the film where you see that happening, that balance between advocacy and active reading? And 'screen design', could you say more about that?

John: Well screen design is one element that requires – not requires, perhaps *invites* – a spectator to read collage and to read the image, to read the layers that are in the image. I suppose another is elements of the montage practice where you're invited to read relationships between representations derived from the past – the quotation of *Bitter Springs* is the most obvious example – and events that are unfolding in the present [*Bitter Springs* (1950), director, Ralph Smart, Ealing Studios. <http://aso.gov.au/titles/features/bitter-springs/>]. So it's not so much that that questioning process is happening on the level of editorial, it's not as though the film is devoting sequences to the point of view of the National Farmers' Federation. I mean, the National Farmers' Federation's advertising campaign is included in the film but very ironically and quite clearly critically. But it's more that the spectator is engaged in an active reading process in relation to the way the work is structured and to the aesthetic surface of the work.

I: One thing that struck me in the film was the issue of remembering even recent events. There are the early historical references, but in 1996-97 you had various Indigenous speakers saying 'Remember what *Mabo*, or native title, meant' – as Noel Pearson was saying – it was already a compromise in the spirit of being at the negotiating table. And then of course there are the long-term historical references. But could you say a little bit about memory in relation to partly the design and the screen composition and also the content – could you link the questions about active reading in a formalist way to memory in the political or cultural context of what's being shown?

John: That's a big question, isn't it? It was important to try and locate the contemporary argument in some ways with the memory of the way that dispossession had taken place and the ideologies that surrounded dispossession. And so there's a reference to the way that educational systems in this country had proposed *terra nullius* in materials that were provided to students in school and that was probably the way that most of the people in power today were taught about Aboriginal people and Aboriginal culture. And yet at the same time it was obviously something that in certain quarters was also contested. And *Bitter Springs* is a very interesting piece of work in the way that it does contest the way that dominant culture was comfortable to dispossess Indigenous people in Australia on the basis of the whole set of fairly obvious arguments. You could imagine a film about the amendments to the *Native Title Act* of 1996 and 1997 that didn't refer to those historical contexts or historical memories, but these events are best understood in a broader context. And Richard wanted the film to

'start with the invasion', so these things are to some extent my creative solution, or response to that perspective.

I: On the development stage, is there anything else you can say about the range of institutional interactions and how they shaped the project? You mentioned the collaboration but also, for instance, at what stage did you have guaranteed broadcast in your dealings with SBS?

John: I can't remember when I first started talking to Claire Jager about it. I wrote a formal proposal to SBS Independent seeking a presale, a non-Accord presale, in probably December or something like that, or perhaps late November/December. [Accords were documentaries funded by the Film Finance Corporation under an investment agreement with television networks, while non-Accords were FFC-funded outside that agreement.] And SBS Independent made an offer, a presale offer on the project which arrived while I was in Cairns at the *Wik* conference, shooting the *Wik* conference. The strategy was that Richard was working on an AFC [Australian Film Commission] contribution to the film and I was working on the presale. They're interdependent in that the SBS presale was dependent on other finance, and other finance is dependent on a broadcast commitment.

Tape 1 Side B

John: SBS presale is normally something like 25% of the budget. So somewhere or other you've got to find the other 75% of the budget. We were both working with David Tiley and through David Tiley with the Indigenous branch of the AFC for support from them, which is the way the film was finally financed.

I: Is it too neat to break up the support into phases? What you were saying before we started to record was about doing a lot of the shooting before any of the money came through. But specifically on the research, did it break up like that, the kinds of support, into development and production stages?

John: No, at the time I started to work on the project, the process was well under way. The National Indigenous Working Group on Native Title had been formed and I think it was probably its second, it was an early, meeting from which Richard called me in Melbourne. And then I attended the next one and shot some of it. And there were events happening in Melbourne and in Victoria at the time that we wanted to shoot, although we were still in the process of trying to work out how we'd proceed with the film. But this is very common practice that you need to be working well and truly before the finance is secured. Unfortunately it's common. In this case, Mirimbiak and I carried the cash flow for the first four months of the project probably August/September till about March, before the first money from the AFC was available. Because there are complicated contractual processes that always take a lot of time, apart from the process of persuading people to be involved financially in a project, which always takes time. In my experience, it usually takes about a year to raise money for a film and about a year to make; and then after that, quite a lot of time is spent in the third year working on distribution in various ways. So in this case there were those months from August/September to March that were cash flowed by a combination of Mirimbiak's contribution and my own contribution.

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- I: The shooting went through till about May 1997?
- John: Yes, I think it was probably June, May/June, because I ended up in Broome trying to find a 'positive' final sequence! (Laughs.) It was very difficult to find a positive final sequence in those circumstances.
- I: There's some change in the genre, too, at the end, the style ...
- John: Yes, it shifts all the way through, it shifts all the way through. At one point there was a much longer sequence about what was happening in Broome, because there was a very interesting precedent of collaborative development taking place in Broome through the Rubibi process in which, because of the Native Title Act, it was necessary for developers to engage with Aboriginal people more or less for the first time in a serious way. The *Native Title Act* required that Aboriginal people be involved in negotiation about development. And what the governments discovered was that it actually worked quite well. They were actually making good progress, so it was potentially a positive story. But it was another story. It was really a whole other story and again quite a complicated story in itself. And so the detail of that, it was just like it couldn't be resolved, even at the extra length we had available. The original contracted length was the normal 52 minutes but the project needed to be longer so it ended up at 84 minutes and there's still not time, really, to develop that Rubibi story properly.
- I: It goes, too, with what you were saying before about the balance or the mixing of the Victorian focus ...
- John: Yes, with a national one.
- I: Cairns, Broome ...
- John: And the present with the past. I remember one night talking to Richard about what was the appropriate timeframe and Richard said that he thought the film should start with the European invasion. So that's one of those examples of an editorial idea that within the conventions of the work which was concerned with the way that the native title amendments were at that time being negotiated politically – with the intention of making some kind of contribution to the debate while the debate was going on, the advocacy concept – you don't want to review the entire history of dispossession. So that was an example of 'Oh, OK, so that's an interesting creative problem, how do we do that?'. In some ways that returns to your earlier question as well, the way to do that is to make citations from the past, as memories of this process. In fact, it's the opening shot of the film that attempts to do that, which is simply a shot of the ocean which evokes a memory of an original moment of invasion.
- I: It's alluded to along the way as well. And it goes to this question of whether there are specific issues or problems relating to *After Mabo* about filming events that are happening in complex ways as you tried to capture them.

John: Yes. I suppose the other thing about Broome was that it also actually helped to establish a very strong national focus for the whole project because I think the voiceover begins with Peter Yu and so the film returns in a way to Peter Yu's area and the communities with whom Peter Yu works. So basically there are sequences in the film that in various ways represent a whole range of nations, and language groups, certainly not everybody, but there is an attempt to say that the Indigenous polity is composed of a whole range of differences, specific locations and specific communities of people.

I: The working title at one point was the *After Mabo: The Amendments*, I think.

John: Yes, well, the original thing that John Foss and Richard Frankland were working with was 'Nation and Country', which is actually a very interesting formulation. But it takes – both terms require – quite a lot of work to see exactly how that dichotomy is working. And, for some reason or other, I got obsessed with the idea of 'The Amendment' because I was thinking of the film as like a study of the negotiation processes that were involved in finally coming up with what that 'amendment' was. In documents I was looking at the other day (I was actually trying to find at what point that title changed, and I didn't find a specific date), but certainly it's a reference to Tim Rowse's book [*After Mabo: Researching Indigenous Traditions*, Carlton, Melbourne University Press, 1993].

And it also seemed to me to be a very strong idea because in some way Tim Rowse's book is about the possibilities that *Mabo* provides for moral community. But, of course, what took place instead was the attempt by the political process to undo those conditions of possibility for a moral community, and in many ways that's what they achieved. So 'After Mabo' becomes a rather kind of ironic affirmation, in a way, or a very troubled affirmation, that there was kind of a moment of possibility that was, of course, co-opted.

I: Some of the participants are interesting there, like Rick Farley, who moved from the position of National Farmer's Federation chair earlier on to being an independent consultant on native title. He's said somewhere that it's no use dying in a ditch for a principle, and it's a question of what mixture of principle and pragmatism is needed ['The Mabo Spiral: A Farm Sector Perspective', in Murray Goot and Tim Rowse (eds), *Make a Better Offer: The Politics of Mabo*, Leichhardt, Pluto Press, 1994, p. 167.]. Coming from where he was, in the NFF position, there were the economic imperatives, but there were the others as well. In his story is again that attempt to grasp the opportunity for negotiation.

John: Yes, and I agree he's a really interesting person, Rick Farley. I think his understanding was probably completely transformed by the processes he experienced of being engaged with Aboriginal people and realising how serious the issues that he was dealing with were. I don't know. I don't know him personally. I've had a couple of conversations with him and found him very thoughtful. I think he's working with the Native Title Tribunal. I think, is he a commissioner, is that a term they use?

I: Yes, consultant? Are there any other points about the research and writing phase that come to mind?

John: Well, the research and writing phase was going on completely contemporaneously with shooting the film. That's the wonderful thing about making documentary films, you get to study things, so it was a constant process of reading and listening and trying to work out how to represent the thing. The other editorial decision I suppose that's important is we decided at some point in 1997 that what we would go for was to complete the work in a way that would allow it to get to air before the thing was resolved. The other possibility would have been to continue shooting and wait until after the Senate had had its say and final amendments were made and then make the film as a comprehensive account of what had taken place. And we decided instead to move into post-production in order to try and get the work delivered when we'd originally said it was going to be delivered, or close to that, which I think was a good thing. I'm pleased we did that. So the film was actually screened on the eve of the Senate debate, which was great.

I: Was there anything – jumping ahead – in terms of feedback or reception echoing that?

John: Well, there are two things. One is that the bloke who writes for *The Age* – there's a whole big question about how much television journalism affects what people watch – but the guy who writes for *The Age* did a kind of two-line paragraph on *After Mabo*, or a very short piece on *After Mabo* – it's probably in those cuttings – in which he said: 'It seems like at the moment there's a native title claim on our time, if you want to watch *After Mabo*, it's on SBS tonight'. And then his main article was about the program that was on at the same time on commercial television, which I think was *Blue Heelers*. So I don't know what that means, but that was a moment of reception. But, on the other hand, if you read the comments that came in through the switchboard in Melbourne and Sydney to SBS, you get quite a different story. And people from the National Indigenous Working Group whom I've spoken to subsequently have been very pleased with the film, which has been extremely heartening because there's a lot of – how can I put it? There's a high degree of difficulty in making work that does really engage with the challenges of collaboration in a situation like that; it was quite a difficult job to be given. So I've been very pleased by the way that Indigenous communities and spokespersons that I've subsequently spoken to about the film have responded to it. I think they've generally found it very useful.

I: Before we were taping you were saying about the distribution, that Mirimbiak had responsibilities more for distribution. How was it circulated? There was the broadcast. And then people from the National Indigenous Working Group and others responded. What's been the mode of circulation there? Have there been screenings, events?

John: There was a series of theatrical screenings around NAIDOC week, which was good, but I think there's also been a very good tape distribution through the AFI who distribute the film. You'd have to get the figures from them, but I think that it was among their best sellers last year, so I think the film's got out. It's certainly got out.

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- I: On the production or post-production area, you mentioned Claire before, but could you say a little about the role of commissioning editor and any other broadcaster, institutional voices, and if that influenced the work.
- John: Well in this case what there was from Claire Jager at SBS Independent was basically a lot of essential support. She supported and argued for the film at its enhanced length and she advocated for the film to find a place in the schedule that would match the intentions of the film. But she wasn't, in this case, particularly involved in a hands-on way with the way the cut was working. Sometimes, with some projects, commissioning editors can make a more detailed contribution than in others and I think she probably found that her time was better served spending detailed time on other projects as this was kind of rolling along comfortably. She saw it at rough cut and she saw it again at fine cut.
- I: Were there previous working relations or suggestions about crew from funding bodies or collaborators? The editor you'd worked with before?
- John: Yes, I worked with Uri on several other projects. Uri is a wonderful editor to work with and I've worked with him, well, with the most recent film, *River of Dreams*, I realised that we'd worked together for ten years.
- I: Back to *All That is Solid*?
- John: No, a little later, starting in 1989 with a project called *Moments Like These*, which was to do with the representation of Aboriginality in Australian film. And he cut *One Way Street* and *What I Have Written* and *After Mabo* and *River of Dreams*. And Debra Annear, who was producer on the film, she'd worked with Richard before. I think she was production manager on *No Way to Forget* and she was both production manager and co-producer on *After Mabo*. We've worked with a number of people shooting in different situations. I was working alone with a DVC camera, just because it was taking place over such a long time. It was necessary to try and work out how to be as non-intrusive as possible in certain situations and so I started shooting a lot of stuff on DVC, which I was able to do basically myself or, in Broome for instance, with Debra working as sound recordist. There were different people crewing in Canberra, and different people working in Broome, and different people in Melbourne. But Peter Zakharov did a lot of the early work and so Peter was probably the principal cinematographer on the film overall, I'd say.
- I: You mentioned DVC; do you remember particular scenes that ended up in the film shot on that? I was also wondering about filming people who were not collaborating on the project. In one of the meetings Minchin turns to the crew and says 'You got enough now, guys?'. And there's a time when they're getting a white balance and someone is about to turf them out. On the one hand, you had this collaboration going, presumably with certain kinds of access possible to Mirimbiak meetings, the Indigenous Working Group, and so on. On the other hand, you were trying to film things like the Minchin meeting, Howard at the Lodge and a whole range of bodies being represented. Any particular situations where there was less collaboration and other dynamics came into play?

John: Well, the question of access was always very contingent. There were a lot of situations, in which the National Indigenous Working Group, for example, was not in favour of having their internal meetings shot, which was perfectly reasonable. And there were a lot of internal discussions in Canberra and in Victoria and elsewhere where people weren't happy to have the camera crew shooting, which was of course absolutely respected. So it wasn't as though there was open slather to shoot anything in any situation. But that was something that was continually being discussed, whether people wanted it to happen or not, whether it was wise to shoot it or not and what the pros and cons were. But I was very happy to err on the side of restraint in those situations because there is that whole kind of politics that's generated by, you know, the poor and the disenfranchised are usually much more accessible to documentary cameras than are the powerful. But the scene at the Lodge is an interesting case in point because there's a scene there that's constructed entirely from the found footage – oh, what do they call it? I can't remember the term for it, it's just slipped my mind, but in news journalism there's a term that's used for the overlay footage that people are allowed to shoot before the actual meeting starts. They've got a beautiful term for it. And so in order to provide that overlay footage for news, the people attending that meeting, which is really a kind of – it was just a photo opportunity for the Prime Minister, it was like the Prime Minister fabricating evidence that he was consulting, which he wasn't. I mean the National Indigenous Working Party were completely locked out of serious negotiations pretty well through the whole process. The treatment of the National Indigenous Working Group by the Prime Minister and Senator Minchin was absolutely appalling. However, there were all the commercial television and the ABC and I think probably SBS as well were all there at the Lodge to shoot that overlay footage as they walked around the garden and then back into the Lodge. So that scene is constructed entirely from the detritus, if you like, the waste materials, of the television news. It's a beautiful piece of work from Uri who really relishes the opportunity to take things that are considered rubbish and build stories out of them.

I: I was going to ask about issues in shooting new material in order to combine it with re-worked found footage or archival material. Did your idea of the ratio between those elements change as time went on?

John: I can't remember. I do like working with found materials, in some ways, because working with found materials is a way of drawing the spectator's attention to the nature of the work as an artefact, rather than as a window. And I like the idea of taking found materials and imbuing them with meanings that are perhaps subtexts in their original formulation or in their production. So there's a kind of artistic interest in deploying materials like that in a context like this. But again I'd have to do more work on that to answer that very coherently.

I: Is there anything else noteworthy about organising the editing stage or cutting for the final version?

Tape 2 Side A

John: There was some terrific work done by Melinda Hinkson, who went off to find particular newsreel items, which was very helpful. But one of the ideas that was never properly realised in the film – that probably wasn't supposed to be anyway – one of the original ideas was to try and have a dialogue taking place between the way that Indigenous media was representing the question on the one hand and the way the mainstream media was representing it on the other, which is present in the film in the form of a little citation from *The Koori Mail*, just the front page, and *that* in relation to some footage that was shot by CAAMA [Central Australian Aboriginal Media Association], of the big meeting in the Northern Territory of elders, that was convened by Galarrwuy Yunupingu, where people make a statement about their refusal of the Ten Point Plan. At one point I was really interested in the idea of trying to contrast the formal practices of mainstream journalism, television news and so on with the way the thing was being represented and discussed in Indigenous media, which non-Indigenous media doesn't pay attention to. But there's a whole world, a whole reality of language, that is circulating in Indigenous life, commenting all the time on what's happening in the dominant culture, which is never recognised. All the speech is English, for a start, and all the speeches dominated by modes of address and conventions that are far from convivial with discourses that are in play in Indigenous communities. But there's very little of that. The only moments are those where it intersects with something like *The Koori Mail*, for example, and the work of CAAMA. It would have been very interesting to have a whole stream through the work of the way that the ongoing debate was being discussed in language all around the country. But that's one of the things that's missing. There's no space for it anyway. Another film.

I: Am I right in thinking that at some point there was an idea of some sort of interactive outcome of this film?

John: No, I worked on a project for a little while called *Media Mabo* which was really going to be an interactive – because I'm really interested in working in interactive form, but I've never got it together to do it, apart from this one little exercise. I was working with Marion Benjamin and we were going to try and do a work on CD-Rom that would be an interactive work around the way that the original *Mabo* debate, the *Mabo* decision, were debated in the dominant culture, with references also to the way that it was represented in Indigenous culture. But the primary thing was going to be about reading the way that the argument had taken place and the kinds of languages that had been used and the kind of imagery that had been used. So it was going to be a whole reading of media's account, so that was called *Media Mabo*. We did a trial of it and then I think I got overtaken by *What I Have Written*. Oh, no, I know what happened. I was told that Film Australia had decided that they were going to make a CD-Rom around Trevor Graham's *Mabo: Life of an Island Man*. So I thought 'Oh, well, someone else is doing this'. *After Mabo* is a fantastic opportunity to work with interactive technologies in building links and other layers around those screen design sequences, which is something that at the time I thought would be really very, very interesting to do. But I've felt that with several films. I wanted to do that

with *One Way Street* as well and I'd like to do it with *River of Dreams* as well, but haven't got time and probably won't get it together to do it.

I: Just to check on distribution: the marketing and distribution was Mirimbiak's role – that was understood from the outset, is that right?

John: Yes, the formal expression of the way that we wanted to work together was contained by Mirimbiak having copyright of the film and any revenue that was generated by the film was going straight to Mirimbiak, so it was Mirimbiak's film. Not that they would end up with any actual money, of course. All revenues are returned to the investors, the AFC in this case, until the investments are recouped, which in the case of documentary – and of course most drama shorts, feature films and quality television drama – seldom occurs, hence the tag 'market failure' which underpins direct subsidy of film industries around the world. So the AFC were also charged with distribution. So to get that information you'll have to go to the AFI or ask Mirimbiak and I think John Foss would probably be managing a lot of that.

I: So the remuneration, as it were, that you've had from the work has been more the satisfaction of doing it that comes from the film rather than payment?

John: You never get any money from distribution anyway because it goes back to the investors. You get a percentage of it, I think, but no, it's not about making money. It's very difficult to survive as an independent filmmaker on the basis of making films. Extremely difficult. So my work has always been supplemented with teaching or other work.

I: How does the final version of *After Mabo* differ, if at all, from the original ideas? How do you feel about the way it evolved? And does anything about the reception of it change the way you view it?

John: No, I don't think so. In that little package I gave you there's a synopsis from very early on, and the synopsis post-print, which is one way of assessing what that difference is. The thing was that it was very difficult to predict precisely what the film was going to be like because I always felt that a key ingredient of it was that process of collaboration and that could go anywhere. I was quite happy for the film to be as strange as it was wanted to be if what it was doing was performing on the screen some kind of Indigenous/non-Indigenous collaborative process in the film, whatever that might turn out to be. And, of course, it's a ridiculous generalisation, anyway, because there are so many other voices that are – I mean, what's determining that film in many ways is what's actually happening. When we started the film, for example, there'd been no *Wik* decision and most people were not anticipating the decision that finally came down in the *Wik* debate. So that transformed the thing because the National Farmers' Federation (and the mining industry more quietly), were able to blow the *Wik* decision into a crisis, which it really ought never to have been. The whole thing was a fantastic propaganda exercise on behalf of the federal government and the National Farmers' Federation and, in particular, Western Australian advisers to the Western Australian government who were really the intellectual impetus in driving that debate. It was an incredible beat-up. It was just very, very

interesting. It really ought to be studied as a propaganda war. It was incredibly interesting the way it was performed.

There's a very good speech that I've got on tape somewhere that Noel Pearson did at the Fitzroy Town Hall, which never appeared in the film, but it's a typical Pearson speech. It's wonderful. In it he talks a lot about an article that I did want to use and, again, didn't turn up in the film. It was a beautiful piece written in about February, or something like that, which I've got in the file somewhere, by a journalist writing for *The Financial Review* about wedge politics. And it was the theory of wedge politics that was being deployed in that case, and you can apply it to all sorts of situations where you find the line that will allow you to split your adversaries. And using native title around the keywords – 'certainty' and 'workability' – just using these kind of terms, they were able to beat up an atmosphere around the country that helped them almost completely wipe away the real right to negotiation that had been negotiated in the original Act, and really generated the whole advance of the Hanson right. It had very little relation to actual issues that were at stake in the *Native Title Act* of 1993. Now there were issues there to be resolved and there were issues in the *Wik* decision to be resolved. And there were questions of how you might read the wide variety of pastoral leases that were in place.

I: It's interesting, too, the immediacy of the reaction to *Wik* compared to *Mabo*, which was something of a sleeper.

John: It took months for them to work out what it meant.

I: Yes, the press left it for quite a while. There was the idea of the threat of native title to your own back yard and so on, so that rhetoric was there to be taken to a higher level, I suppose. But, yes, *Wik* everyone was waiting on it, as you say not perhaps expecting that outcome – though it was consistent with *Mabo*.

John: Yes, it made perfect sense. I don't know whether you're familiar with the book called *Our State of Mind* [Quentin Beresford and Paul Omaji, Fremantle Arts Centre Press, 1998], a study in Western Australia of the way that the youth crime wave was manufactured to advance the interests of conservative forces in Western Australia. It's a beautiful study of this and the same kind of study could be made of that whole post-*Wik* discussion process.

I: Considering *After Mabo* in relation to your overall body of work: what's specific to it in terms of the production framework?

John: I think the consistency is that it represents an attempt to develop an artistic solution or a *treatment* in relation to the actual issues that the material itself throws up. So it's not about trying to superimpose a particular style or a convention onto the present project, but it's trying to find what the distinctive and particular elements are in the present project, from which one might find a creative solution. So I think *After Mabo* does that in its own way, although it is, like in all the other films, it's not necessarily easy to read but it is available. I think.

I: One of the lines of inquiry of our project is in what way the emphasis on television broadcasting is affecting the sorts of work that are made. Some people are saying it has a homogenising, narrowing effect. We're open on that point, and on whether documentary is reaching a wider audience so there's wider debate around it, or the inverse, more documentary getting out there but with less uptake. Do you have any comments on this?

John: There's a lot of stuff in there. It seems to me that the creative challenge for people working in documentary today, because the market really does work around television, the creative challenge is to work out ways of developing your work in ways that engage with those conventions. Certainly the conventions are there and a lot of work simply replays them, but the interesting possibility is to work out how you can engage with those conventions to make new work and shift the conventions in the process. That seems to me to be the task.

In some ways, I suppose work is always made in the context of a tradition, which is evolving for all kinds of reasons, and so those conditions of possibility have not changed. The difference is that as television changes, it brings its own traditions into the foreground and so that's what people working in documentary need to respond to creatively and critically. One of the interesting contradictions there is that part of television's desire is, in fact, for innovation. People say 'Oh, television's completely homogenising and demanding of all kinds of conventions and orthodoxies'. But in fact a primary driving force in television is the desire for innovation. So it's a double movement. It's quite possible to work out ways of shifting those orthodoxies or making work which is implicitly providing critiques of those orthodoxies in the name of innovation. Everyone wants innovation. Everyone wants a work that's never been seen before. It's just difficult. In that sense, it's no different to what takes place in visual art, it seems to me.

The other thing, I think, that ought to be looked at in the study is the differences between the ways that television is used. Television is not homogenous and I think that SBS television in the Australian environment is, in fact, different and part of its difference is that SBS television works on the basis of what is called 'appointment viewing'. The ABC has an audience which is fairly predictable and fairly regular and fairly homogenous and definable, whereas SBS's spread of audiences – although its penetration, the number of people it gets, is much less than the ABC's and commercial television's – its spread is actually much broader. It's a much broader demographic than other television.

I: But fewer hits?

John: Yes. But when it gets those hits they're appointment hits. So my argument is that what SBS provides is like a forward leaning technology in relation to other television. I reckon SBS is different. And the spectator who is engaged with SBS is engaged in a different mode of reception than the spectator for commercial television and the spectator for ABC. Even if that human being is the same, my argument is the mode of reception, and this is why I hesitated so long about your argument about audience because I don't think of audience that way. I think of audience – I think it's like every individual spectator has any number of modes of

reception that's available and the task of the work is to produce a mode of spectatorship, and that's the way to understand audience, in my opinion. So this is an argument I try and make to the FFC [Film Finance Corporation] about why SBS ought to have the same number of Accords available to it as the ABC, and they just say 'No, we're only interested in numbers'. Because numbers you can count, whereas what I'm talking about is hard to count.

End transcript

POSTSCRIPT June 2011

This interview was conducted as part of a research project on Australian documentary by Trish FitzSimons, Pat Laughren and Dugald Williamson, from which a main outcome has been the book *Australian Documentary: History, Practices and Genres* (Cambridge University Press, 2011). It is one of a range of interviews quoted (but not reproduced) in that book.

Work by John Hughes since this interview was recorded includes:

Indonesia Calling: Joris Ivens in Australia (2009)

An Unstoppable Force – Betty Churcher with John Olsen (2008)

Hidden Treasures inside the National Library of Australia (2008)

Moving History – 60 Years of Film Australia (2007): an on-line project at <http://www.abc.net.au/aplacetothink/#watch>

Howard's History, 5 minutes, 2007 ('Time to go John'; You Tube) www.youtube.com/watch?v=PwGHaezOeGs

Howard's Blemish, 5 minutes, 2007 ('Time to go John'; You Tube) www.youtube.com/watch?v=Ffnnf-eYPKU

The Archive Project (2006)

Hidden Treasures inside the National Gallery of Australia (2006)

The Art of War (2005)

See also:

Early Works web site <http://earlyworks.com.au/>

'The Stacks' <http://earlyworks.com.au/the-stacks/>

Australian Screen Online: http://aso.gov.au/people/John_Hughes/

John Hughes' films are available from Contemporary Art Films <http://www.artfilms.com.au>