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10.1 Rights and freedoms: a timeline

1938
Australia's sesquicentenary (150th anniversary) celebrated around Australia. Aboriginal leaders in Melbourne and Sydney hold 'Day of Mourning' events and call for citizenship rights.

1961
American Freedom Riders travel on racially mixed buses in the southern United States to challenge segregation laws.

Freedom Riders outside their bus

1965
Australia's Freedom Riders discover de facto segregation throughout country NSW while touring the regions on a 'fact finding' mission.

1975
The Whitlam Government returns 3300 square kilometres of land to the Gurindji people – a beginning to land rights for Aboriginal people in Australia.

1935 | 1945 | 1960 | 1970

1942
Universal Declaration of Human Rights adopted by United Nations.

1963
Martin Luther King Jnr delivers his 'I have a dream' speech during the March on Washington.

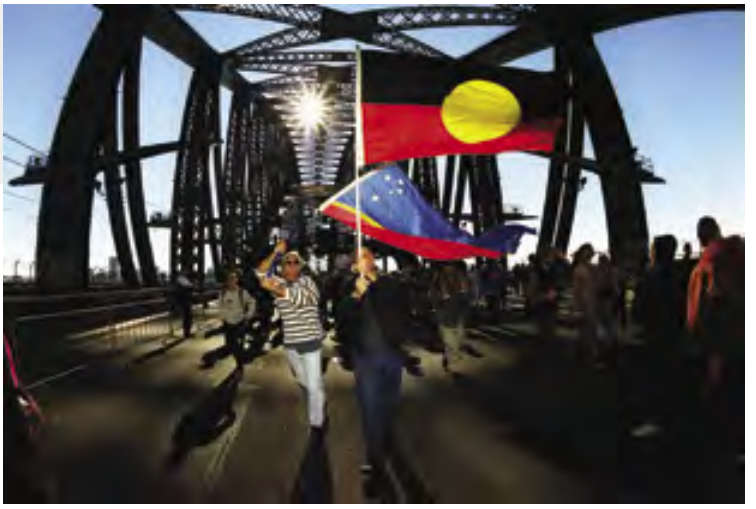
1967
Overwhelming support for referendum to change the Constitution to allow the Commonwealth to make laws for Aborigines and to include them in the census.

1972
Aboriginal Tent Embassy established on the lawns of Parliament House in response to the McMahon Government's refusal to accept native title.

The Day of Mourning Protest in 1938 was held in defiance of the national sesquicentenary (150th anniversary) celebrations.

Source 1 A timeline of some key events and developments relating to civil rights and freedoms

Prime Minister Gough Whitlam pours local sand into Aboriginal man Vincent Lingiari's hand in a symbolic gesture



Crossing the Sydney Harbour Bridge during the reconciliation march

1990

1990
The Aboriginal and Torres Strait Islander Commission (ATSIC) formally established as the key representative body responsible for the implementation of self-determination policies.

1992
The High Court overturns *terra nullius* and acknowledges native title in historic Mabo ruling. Prime Minister Paul Keating's Redfern Park address includes frank admissions about the removal of Aboriginal children from their families.

1997
The *Bringing Them Home* report is tabled in Parliament. The report includes thousands of testimonies from members of the Stolen Generations.

2000

2000
Massive numbers join walks for reconciliation across Australia.

2004
The Howard Government abolishes ATSIC.

2008
Prime Minister Kevin Rudd issues a formal apology to the Stolen Generations.

2010

Supporters at the Aboriginal Tent Embassy

Check your learning 10.1

Remember and understand

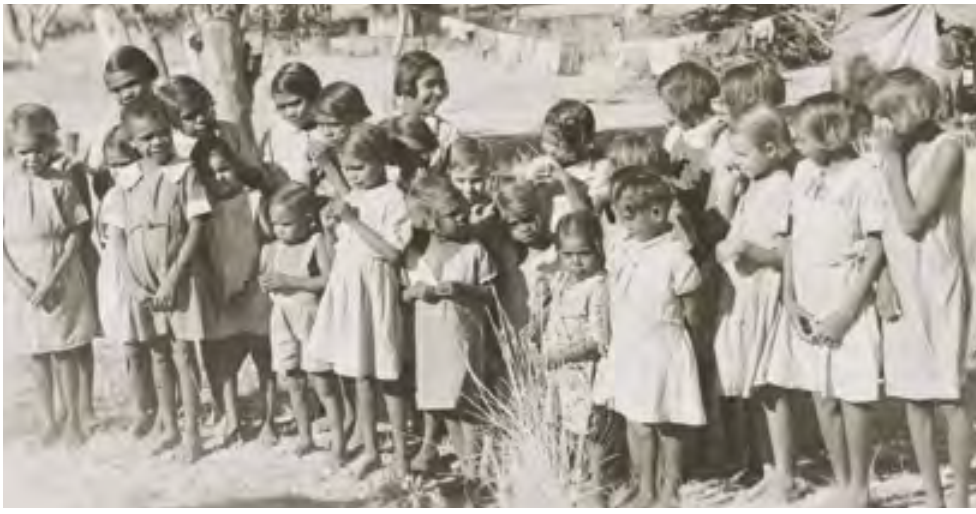
1 When was the 'Day of Mourning' held?
2 When was *terra nullius* overturned by the High Court?
3 When did Prime Minister Kevin Rudd make a formal apology to the Stolen Generations?

Apply and analyse

4 In what ways do you think the American Freedom Riders might have inspired and influenced the Australian Freedom Riders?
5 Using the timeline, calculate how long the Aboriginal and Torres Strait Islander Commission (ATSIC) existed for.

10.2 Background to the struggle for Indigenous rights

When British explorers and settlers arrived on the east coast of Australia in 1788, they did not understand the Indigenous population. The British looked for signs of permanent residence, and could find none, so they didn't negotiate any treaties. They also looked for evidence of farming, and could find none, so they proclaimed Australia *terra nullius* – a Latin term that literally translates as 'nobody's land'.



Source 1 Aboriginal children at the Catholic Little Flower Mission in Arltunga, Northern Territory, *c.* 1946

The negative effects of European settlement on Indigenous Australians that had started in 1788 continued with the policies of Australian colonial and state governments in the late 19th and early 20th centuries. The expansion of British colonial settlements into established Aboriginal lands destroyed traditional ways of life. High numbers of Indigenous Australian premature deaths were the result of violence and disease. By the time of **Federation** in 1901, European settlements dominated most of the continent.

Aboriginal and Torres Strait Islander cultures were not officially recognised, and public policy was dominated by ideas of **segregation** (separating blacks from whites) and **assimilation** (integrating blacks into white society). Both of these ideas were based on the assumption that Aboriginal people were inferior to Europeans.

Aboriginal Protection Boards

Before Federation in 1901, Aboriginal Protection Boards were established in the colonies around Australia to 'manage' Aboriginal populations. After Federation, these boards became the responsibility of state governments. Removing children was the core work of these boards. The new Commonwealth took no responsibility for the wellbeing of this significant minority. Chief Protectors were appointed to watch over the Aboriginal people in each state and oversee what many thought to be a 'dying race' of people.

Aboriginal **reserves** and **missions** were established by governments and religious organisations across Australia to support the assimilation policy (see Source 1). But most agree that the real reason for these missions was segregation – to keep blacks away from white society. For many Aboriginal and Torres Strait Islander peoples these institutions meant separation from families and communities, isolation and loss of culture, identity and control.

The situation at Federation

When the Australian colonies federated in 1901, Aboriginal and Torres Strait Islander peoples remained politically and legally marginalised. Many of the rights extended to the citizens of the new Commonwealth of Australia were denied to the original inhabitants. A number of Acts passed by the new Commonwealth Parliament specifically excluded them. They were not entitled to vote in federal elections unless previously registered to vote in their state. They did not receive the basic wage and they were not eligible for aged and invalid pensions. Travel restrictions were often enforced on them. They were excluded from military training and Aboriginal mothers did not receive the baby bonus that was given to non-Indigenous mothers. When a

census was held, Aboriginal and Torres Strait Islander people were not counted as members of the Australian population.

Western Australian Senator Alexander Matheson was one of the strongest opponents of Aboriginal people being given the right to vote (see Source 2).

After Federation, state governments and religious organisations continued to dominate Aboriginal policy. The new Commonwealth government took no responsibility for the wellbeing of this significant minority. The common trend to assimilation underpinned work by authorities in each state; however, insufficient resources meant that often work was simply neglected. Assimilation did guide two key areas of work – the Christian missions and the removal of mixed-race Aboriginal children.

Source 2

> We must take steps to prevent any Aboriginal from acquiring the right to vote. Surely it is absolutely repugnant to the greater number of the people of the Commonwealth that an Aboriginal man or Aboriginal lubra or gin [woman] – a horrible, degraded, dirty creature – should have the same rights that we have decided to give to our wives and daughters … The honourable gentleman fails to recognise that we have taken this country from the blacks, and made it a white man's country, and intend to keep it a white man's country, so that there is no earthly use in the honourable gentleman saying that 100 years ago this was a black man's country … We are aware of the fact that it is very regrettable, and the only consolation we have is that they are gradually dying out.
>
> Western Australian Senator Alexander Matheson, Commonwealth Parliamentary Debates, Senate, 22 May 1901

Controlled by colour

The 'assimilation policy' was officially adopted at the Aboriginal Welfare Conference of Commonwealth and State Authorities in 1937. Aboriginal people of mixed race were to be assimilated into white society whether they wanted to be or not. This was a new form of control. If these people were not going to simply 'die out' then all efforts should be directed to ensuring that mixed-race Aboriginal people, in particular, could be integrated (see Sources 3 and 4). The removal of Aboriginal children continued and new powers were given to 'Welfare' officials to judge whether children were 'progressing'.

Source 3

> The destiny of the natives of aboriginal origin, but not of the full blood, lies in their ultimate absorption … with a view to their taking their place in the white community on an equal footing with the whites.
>
> From a conference paper from the Aboriginal Welfare Conference of Commonwealth and State Authorities in 1937

New government resources were aimed at changing the ways that Aboriginal people lived. Traditional camps were demolished and additional assistance was given to missions to 'do the job'. Jackson's Track in Gippsland, Victoria, was a 'dry' sawmill settlement occupied by many Aboriginal families – including the family of Lionel Rose, Australia's first boxing world champion.

Daryl Tonkin, who married an Aboriginal woman and settled at Jackson's Track, recalls the idyllic life of those living there in his book *Jackson's Track*. However, from the 1940s, government and church officials began putting pressure on the Aboriginal elders to move their families to somewhere more 'civilised'. 'Welfare' would visit frequently, and in 1961 the community was dismantled (see Sources 4 and 5).

Source 4

> It wasn't long before people at the Track found out what the authorities had decided to do. The church people came around to all the camps and explained how they had the welfare of the blackfellas in mind and that they truly felt this was the best thing for them. They said the good people of the church had worked together to build some housing for the blackfellas and that in one week a truck would be out to fetch them.
>
> Extract from *Jackson's Track* by Daryl Tonkin, page 254

Source 5 Two dwellings at Jackson's Track, Victoria, *c.* 1947–1960 (Source: Museum Victoria. Photographer: Richard Seeger)

Homes Are Sought For These Children

A GROUP OF TINY HALF-CASTE AND QUADROON CHILDREN at the Darwin half-caste home. The Minister for the Interior (Mr Perkins) recently appealed to charitable organisations in Melbourne and Sydney to find homes for the children and rescue them from becoming outcasts.

Source 6 A newspaper article seeking homes for children of mixed race

Tonkin explains a few pages later that the promised 'houses' were actually tents and that a number of previously employed, teetotaller Aboriginal men began drinking for the first time in their lives to escape the boredom and depression of their new lives away from 'the Track'.

Segregation

Another effective means of controlling Aboriginal and Torres Strait Islander people was to prevent them from fully participating in society. 'Colour bars' – bans that prevented Aboriginal people from entering clubs, pubs, restaurants, theatres, public swimming pools or using public transport – resulted in a form of **apartheid**. Aboriginal people were also prohibited from working particular jobs – including working in post offices – and were expected to work for much less money. For the first 30 years after Federation, this segregation was applied quite consistently across the states and territories of Australia.

Despite assimilation being the official policy of the government, the practice of segregation continued until the 1960s. Separate sections in theatres, separate wards in hospitals, and denial of school enrolment to Aboriginal children were common. Aboriginal rights activists in the 1960s had plenty of evidence that obvious discrimination continued across Australia.

The Stolen Generations

From the late 1800s to the 1970s many thousands of Aboriginal children were forcibly removed from their families and placed into state care or placed with white families. These children, now referred to as the Stolen Generations, faced ongoing emotional and social difficulties because of their removal from their families.

In most states, it was believed that if mixed-race Aboriginal children could be brought up in a 'white' community, their Aboriginality could be overcome and their 'white' attributes would shine through. These children were taken from their families and raised in missions or with white families (see Source 6). Unfortunately, these children often ended up being rejected by both the Aboriginal and European communities.

Full-blooded Aboriginal children were also removed from their families and put into state-run institutions where they were prepared for unskilled and semi-skilled work. For example, the Cootamundra Girls' Home in New South Wales trained girls to be domestic servants.

The *Bringing Them Home* report

The Human Rights and Equal Opportunity Commission collated the stories of the Stolen Generations for the Commonwealth Parliament in 1997. Their report, entitled *Bringing Them Home*, revealed the hurt felt by the many Australians who were affected by this policy (see Source 7).

Source 7

> Most of us girls were thinking white in the head but were feeling black inside. We weren't black or white. We were a very lonely, lost and sad displaced group of people. We were taught to think and act like a white person, but we didn't know how to think and act like an Aboriginal. We didn't know anything about our culture.
>
> We were completely brainwashed to think only like a white person. When they went to mix in white society, they found they were not accepted [because] they were Aboriginal. When they went and mixed with Aborigines, some found they couldn't identify with them either, because they had too much white ways in them.

So that they were neither black nor white. They were simply a lost generation of children. I know. I was one of them.

Extract from *Bringing Them Home: Report of the National Inquiry into the Separation of Aboriginal and Torres Strait Islander Children from Their Families April 1997,* Human Rights and Equal Opportunity Commission

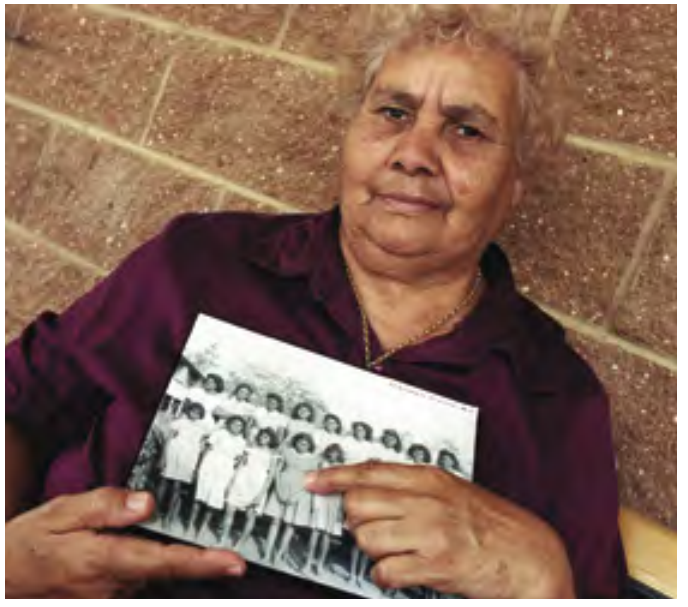
The extent to which mixed-race Aboriginal and Torres Strait Islander children were forcibly removed from their families has recently been a subject of debate. Some historians and commentators question whether there is enough common ground in the experiences of the removed children for them to be thought of as a single group. For example, the removal of children to attend secondary schooling, unavailable in many remote locations, might not be considered in the same way as the removal of whole families of children without justification. Other justifications dominated discussions when *Bringing Them Home* was released. These included 'child protection', beliefs that Australia's Indigenous people would 'die out', and a desire to 'civilise' Indigenous children through their assimilation into white society. However, the report dealt with many of these questions by making comparisons with non-Indigenous children removed from their families (see Source 8).

Source 8

In contrast with the removal of non-Indigenous children, proof of 'neglect' was not always required before an Indigenous child could be removed. Their Aboriginality would suffice. Therefore, while some removals might be 'justifiable' after the event as being in the child's best interests, they often did not need to be justified at the time.

Extract from *Bringing Them Home,* page 9

Proof that children were being neglected was not the main motive behind the forcible removal of Aboriginal children from their families. More often, it was the desire of European settlers to civilise or 'breed out' Aboriginality. Dr Cecil Cook, Chief Protector of the Northern Territory between the years of 1927 and 1939, was perhaps the most famous government official involved in the removal of Aboriginal children during this period. His views were that part-Aboriginal women should be elevated 'to white standard with a view to their absorption by mating into the white population'. This argument was used as motivation to remove thousands of Aboriginal children from their families.



Source 9 Marita Ah Chee was taken from her family to Garden Point Mission on Melvin Island in 1947. After 13 years she came back to work as a nanny in Alice Springs and her Aboriginal mother, having heard through the nuns that she was in Alice Springs, went 'doorknocking' until mother and daughter were finally reunited after 15 years.

Check your learning 10.2

Remember and understand

1 List some of the main ways in which Indigenous people were discriminated against in Australia from 1788 to the 1960s.
2 Describe the policy of assimilation.
3 What happened to the Jackson's Track community?
4 What does the term 'Stolen Generations' refer to?

Apply and analyse

5 Research the *Bringing Them Home* report. What was its purpose? What contribution to Australian history do you think it has made?

Evaluate and create

6 In your opinion, what was the greatest impact that the European settlers had on Indigenous Australians? Could this impact have been lessened if the policy of *terra nullius* had not been applied when Australia was colonised? Explain your point of view in a 200-word written response citing at least two historical sources.

10.3 Indigenous protests during the 19th and 20th centuries

Despite the many discriminatory policies of Australian colonial and state governments in the late 19th and early 20th centuries, Indigenous Australians made repeated attempts to have their traditions and rights recognised.

Many of the people who would go on to become important figures in the struggle for Indigenous **civil rights** came from the Aboriginal reserves and missions that had been set up by Aboriginal Protection Boards.

key**concept:** Significance

The Cummeragunja Station: birthplace of a movement?

Cummeragunja Aboriginal Station was established in 1881 on the New South Wales side of the Murray River. It was set on 1800 acres of land not far from the Maloga Mission, which is where many of the original inhabitants came from. It was in the heart of the Yorta Yorta Nation, not far from Corowa where colonial leaders would meet 12 years later to plan for a 'new' Australian Commonwealth. Originally, the Aboriginal residents managed Cummeragunja Station with little interference from the government. It was a productive farm and was home to many Aboriginal families when neighbouring Maloga Mission closed down some years later.

For a time, the school at Cummeragunja Station allowed Aboriginal children to continue studying well beyond the legislated three years. The outcome of this was that in the early part of the century, a number of future Aboriginal leaders acquired knowledge and skills that would later support their efforts to bring greater rights and freedoms to their people. Jack Patten (see 10.4 Significant individual: Jack Patten) attended primary school there, Doug Nicholls attended the school until he turned 14, and William Cooper was one of many leaders to take advantage of adult literacy classes.

William Cooper, who had spent most of his life fighting for justice for the Yorta Yorta people from his home at Cummeragunja, eventually left in 1933. He moved to Footscray in Melbourne at the age of 72 in order to qualify for the aged pension. From his new home in Footscray, he joined together with many other Cummeragunja exiles – forming the Australian Aborigines League. Exiles who joined this league included Doug Nicholls, Margaret Tucker and Thomas Shadrach James, who had been one of the schoolteachers at Cummeragunja decades before.

In 1939, Cummeragunja was again the focus of the national Aboriginal Rights movement as more than 200 Aboriginal people walked off the mission and crossed the river to Victoria to protest against poor treatment and conditions. This was the first ever mass strike of Aboriginal people in Australia.

For more information on the key concept of significance, refer to page 227 of 'The history toolkit'.

Source 1 William Cooper (left) and his family in 1936 – his cousin, Margaret Tucker, is standing next to him

The first protests

When the centenary (100th anniversary) of British colonisation in Australia was celebrated in 1888, little attention was paid to Aboriginal and Torres Strait Islander peoples. All colonies except South Australia proclaimed 'Anniversary Day' a public holiday in order to allow people to celebrate the European settlement.

Indigenous Australians boycotted celebrations, but very few people of European descent noticed. Indigenous people were excluded from public life and largely ignored. When the sesquicentenary (150th anniversary) of British settlement took place in 1938, organised groups of Indigenous Australians decided to use it as a chance to protest for their rights. They referred to the celebrations as a Day of Mourning and Protest (see Source 2).

The Australian Aborigines League (in Victoria) and the Aborigines Progressive Association (in New South Wales) had been involved in previous petitions seeking civil rights for Indigenous Australians. They refused to participate in the re-enactment of the First Fleet's landing at Farm Cove in Sydney, which was the focus of white celebrations. Instead, the Indigenous groups planned a protest march from the Sydney Town Hall.

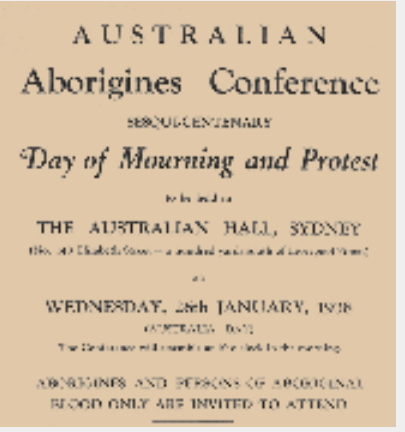
After they were refused permission to meet at the Town Hall, they decided to march to the Australian Hall in Elizabeth Street instead. Even though this was to be a meeting of only Indigenous Australians, they were refused entry to the Australian Hall through the front door and were forced to enter through a rear door. The meeting was the first really effective all-Indigenous civil rights meeting in Australian history.

key**concept:** Significance

The Day of Mourning and Protest

The Day of Mourning and Protest is remembered as one of the most historically significant events in the struggle for Indigenous civil rights in Australia. A **manifesto** (written declaration) titled *Aborigines Claim Citizen Rights* was distributed at the meeting. The manifesto opened with a declaration that 'This festival of 150 years of so-called "progress" in Australia commemorates also 150 years of misery and degradation imposed on the original native inhabitants by white invaders of this country'. It was a powerful statement that introduced white Australians to an alternative view of their history. One of the protesters at the meeting, Jack Patten, delivered an address that marked a turning point in the fight for acceptance by Indigenous Australians (see Source 2 on the next page). Patten would go on to be one of the most significant figures in this struggle.

For more information on the key concept of significance, refer to page 227 of 'The history toolkit'.


AUSTRALIAN
Aborigines Conference
SESQUICENTENARY
Day of Mourning and Protest
THE AUSTRALIAN HALL, SYDNEY
WEDNESDAY, 26th JANUARY, 1938
ABORIGINES AND PERSONS OF ABORIGINAL BLOOD ONLY ARE INVITED TO ATTEND

Source 2 Flyer advertising the Day of Mourning and Protest, 1938

Check your learning 10.3

Remember and understand

1 Describe the action taken by the Australian Aborigines League (in Victoria) and the Aborigines Progressive Association (in New South Wales) on 26 January 1938.

2 What event was to be the focus of white celebrations for Australia's sesquicentenary? Who refused to participate in this event?

Apply and analyse

3 Why do you think Cummeragunja Aboriginal Station produced so many important leaders of the civil rights movement in Australia?

Evaluate and create

4 Conduct some additional research to complete the following task.

a Choose one of the following individuals who (at some point) lived on Cummeragunja Aboriginal Station:

- Doug Nicholls
- Margaret Tucker
- William Cooper
- Thomas Shadrach James.

b Create a short biography outlining some interesting facts about this person's early life and provide a summary of their key achievements in the struggle for civil rights by Indigenous Australians.

10.9 Australia's civil rights movement

Australia's Aboriginal rights leaders in the 1960s inherited a movement that had evolved from the Day of Mourning protests a generation before. The success of the US civil rights movement also inspired many non-Indigenous Australians to fight for greater equality for Aborigines.

By the 1960s, Indigenous Australians had a life expectancy almost 20 years less than non-Indigenous Australians. In 1959, the government agreed to provide welfare payments to Aborigines under the *Social Services Act*, though the Act required that these payments be paid to a third party. In 1962, all Aborigines and Torres Strait Islanders were given the right to vote in federal elections. In 1968, they achieved equal pay with other Australians. Unfortunately this had some unintended consequences. Until that time, most Aboriginal workers had only been receiving half the minimum wage paid to white Australians. In some areas, particularly in farming communities, some Aborigines were sacked because their bosses could not afford to pay the higher wages.

Despite these legislative changes, racist attitudes towards Aborigines were still prominent in society. As in the United States, the small steps of some brave individuals created a momentum for genuine change.

Source 1 Vincent Lingiari

The Wave Hill walk-off

Arguably, one of the most significant turning points in the struggle for Indigenous rights was the Wave Hill Station walk-off. The walk-off on 23 August 1966 was initially in response to the British Vestey Company's refusal to pay the Gurindji farm workers wages of $25.00 per week. The Commonwealth had granted 'equal pay' to Aboriginal workers a year earlier, but there was little evidence that companies were complying with the new law, and the Wave Hill workers chose to take a stand.

The walk-off highlighted the entrenched discrimination that existed in Australian society. But it also brought attention to the issue that would become central to Aboriginal claims for the next two generations – land rights.

Vincent Lingiari, who entered public life dramatically when he led the Gurindji people in the walk-off, quickly ensured that this protest had a more fundamental goal – returning traditional lands. Lingiari and other Gurindji leaders petitioned the governor-general in 1967, arguing that morally the land was theirs and should be returned to them. This claim was refused by the governor-general.

In 1971, a song called 'The Gurindji Blues' was written and released by white folk artist Ted Egan. It was created in response to the Wave Hill walk-off. The lyrics of the song supported the fight for acceptance of the Gurindji people. It features the voice of Galarrwuy Yunupingu and is introduced by Vincent Lingiari.

Although the song received very little radio play due to racist attitudes of the time, it continued the battle for recognition of the rights of the Gurindji people.

The walk-off finally ended in 1973, and in 1975 one of the decisive moments in Indigenous Australian history took place. Prime Minister Gough Whitlam symbolically poured earth into Vincent Lingiari's hand as he handed over 3300 square kilometres of land to the Gurindji people (see Source 2). The *Aboriginal Land Rights (Northern Territory) Act 1976* granted the Gurindji and other Aboriginal tribes in the Northern Territory title to some of their traditional land. For the first time,

a specific group of Aboriginal and Torres Strait Islander peoples had recognition of their connection to their land.

The story of the Wave Hill struggle has become a part of Australian popular culture. Indigenous singer Kev Carmody and white singer Paul Kelly wrote the song 'From Little Things Big Things Grow' as a tribute to the pioneering campaign of Vincent Lingiari.

Source 2 Lingiari and Gough Whitlam, 1975

The Australian Freedom Riders

The Australian Freedom Riders who toured regional New South Wales in early 1965 had a similar agenda to their American Freedom Rider comrades. The tour began as a fact-finding mission by a group officially known as Student Action for Aborigines, and ended as a genuine protest against segregation across Australia. The students were mostly non-Aboriginal and had been involved in organised protests in Sydney. Many of them probably did not know what to expect.

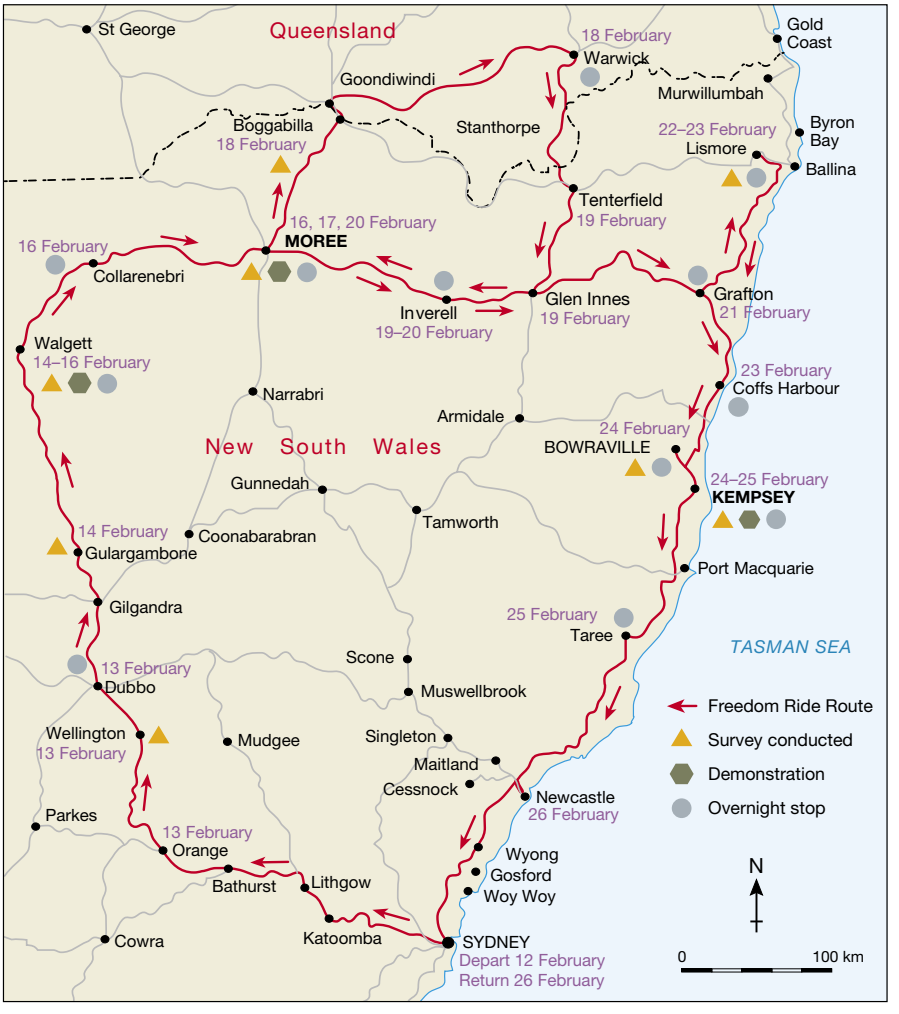
The Freedom Riders were led by a man called Charles Perkins. Perkins modelled the Australian rides on the 1961 American Freedom Rides. He took a bus into parts of rural New South Wales where racist attitudes were most prominent. The Australian Freedom Riders left Sydney on 12 February 1965 and headed initially for Wellington and Gulargambone (see Source 3).

Walgett and Moree

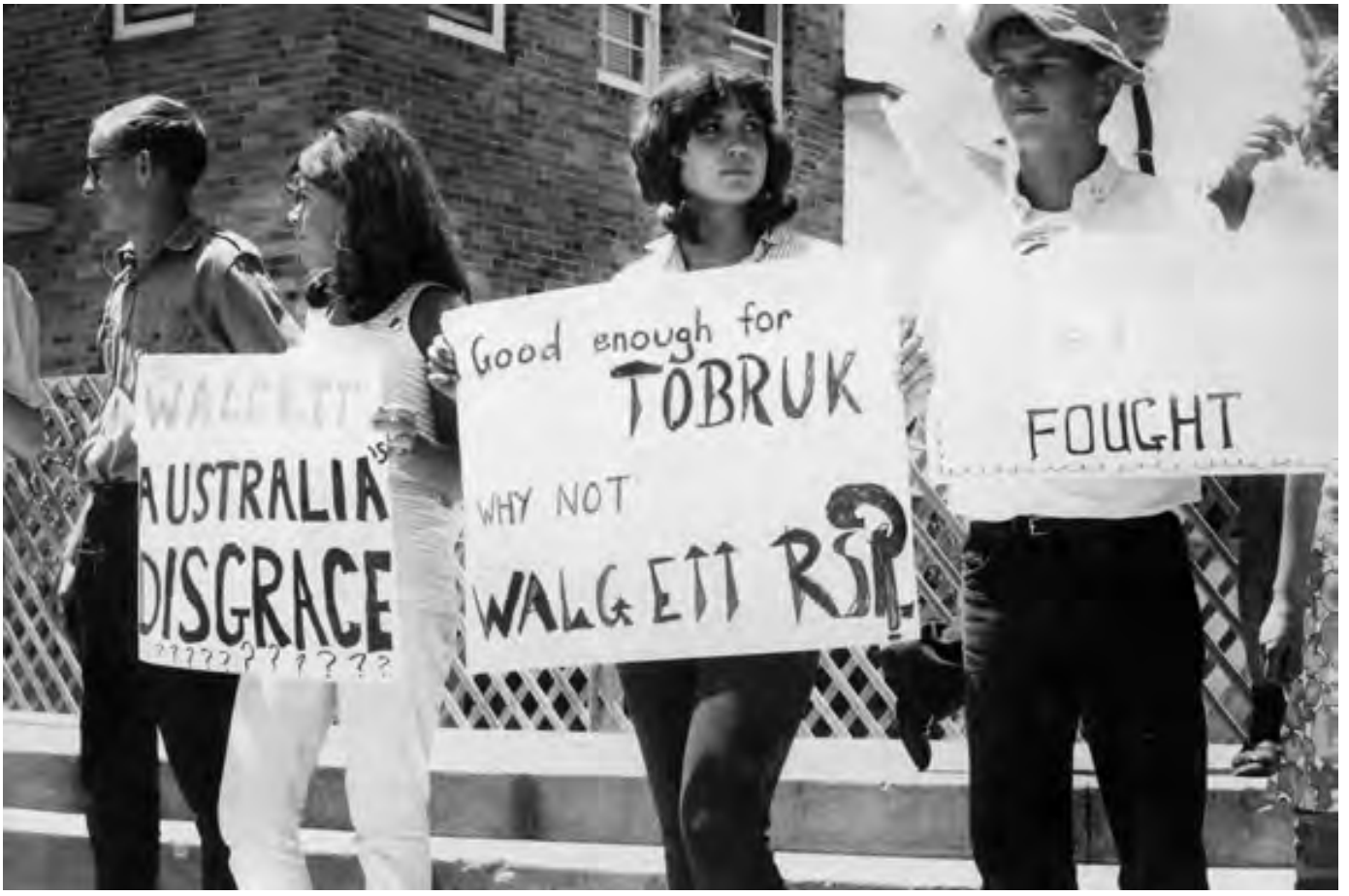
In Walgett, Aborigines were banned from entering the town's Returned and Services League (RSL) Club. This 'home' of the Anzac spirit was a symbolic target for the Freedom Riders who protested outside the club (see Source 4). The actions of the Freedom Riders angered some in the town and their bus was run off the road as they left.

In Moree, Aborigines were banned from swimming in the council swimming pool. The Freedom Riders staged protests at the town hall and the local swimming pool – ensuring that Aboriginal children could enter the swimming pool alongside their non-Aboriginal peers. Again, the Freedom Riders were attacked by up to 500 locals and were forced to leave town. By this stage, the Freedom Rides were being followed closely by journalists (including television reporters), and as a result their protests were known countrywide.

NEW SOUTH WALES: THE ROUTE TAKEN BY THE AUSTRALIAN FREEDOM RIDERS



Source 3 Source: Oxford University Press



Source 4 Freedom Riders protesting outside the RSL Club in Walgett

While the Australian Freedom Rides did not stop these racist actions, they highlighted the practice to millions of urban Australians who were not aware that this type of discrimination was common in many Australian country towns. The media coverage they attracted helped develop a movement for further change. As Australians moved towards a referendum to include Aboriginal people in the census and enable the Commonwealth to deliver direct services to Aboriginal people, the media played an important role in the Indigenous rights campaign.

The 1967 referendum

In 1967, the Liberal government of Harold Holt had rejected the land rights claim of the Gurindji people at Wave Hill in the Northern Territory. However, recognising that there were inequalities to address, Holt called a **referendum** seeking authority to count Aborigines in the Australian census that same year. The referendum would also allow the federal government to legislate for Aboriginal and Torres Strait Islander peoples rather than leaving this to different state governments.

All major political parties supported the proposal. The referendum was the most successful ever passed, with more than 90 per cent of Australians agreeing to the proposal (see Source 6). (However, the 'Yes' vote was closer to 80 per cent in Queensland and far lower in some rural areas.) In Australian political history, this was an extraordinary result. Between 1901 and 2011 there have been 44 referendums, of which only eight have been carried.

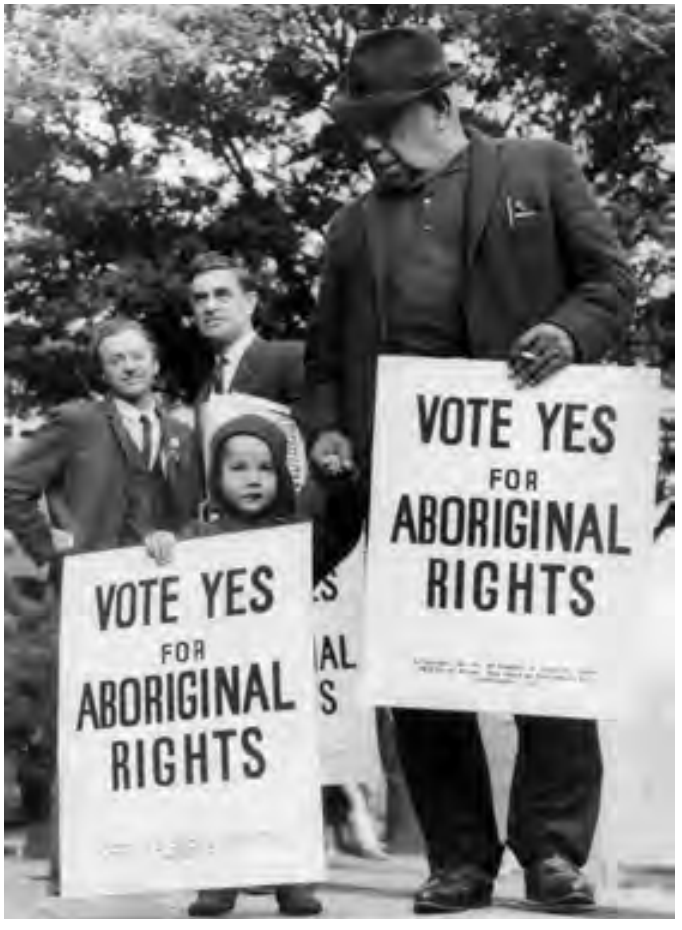
As in all referendums, campaigns were organised and leaders mobilised to explain the reasons for and against change (see Source 5). By 1967, 87 per cent of households owned a television, so in addition to the traditional poster and newspaper campaigns of previous referendums, voters could actually watch the debate take place on their televisions.

During the lead-up to the referendum, both major political parties publicly endorsed the 'Yes' case and the Federal Council for the Advancement of Aborigines and Torres Strait Islanders (FCAATSI) arranged a number of public actions in Canberra and the capital cities to promote the cause. The churches were also big supporters.

One of the main issues of discrepancy was the confusion that was created by having different state laws. Indigenous Australians, who were acting within the law in New South Wales, could be arrested for doing the same thing in Queensland. Others voted 'Yes' because there was a view that resources for Aboriginal people, including welfare, would be more readily available if delivered by the Commonwealth. A more conservative argument related to the inclusion of Aboriginal people in the census – people simply thought it was fair that Aboriginal people be counted as human beings in the Commonwealth of Australia.

Contrary to popular belief, this referendum did not 'give Aborigines the vote'. That right had already been granted in all states by an Act of Parliament in 1962. In fact, between 8000 and 10000 Aboriginal people voted in the referendum.

Many Indigenous leaders today question the success of the referendum in changing attitudes. Mick Dodson, an Indigenous leader and member of the Yawuru people of north-west Australia, expressed concerns that when native title was being debated in federal parliament in the late 1990s, few Aboriginal leaders were even consulted – even after 30 years of public land rights campaigns.



Source 5 Campaigning for 'Yes' in the 1967 Referendum

Source 6 Referendum results by state

State	YES		NO		Informal (invalid votes)
	Votes	%	Votes	%	
New South Wales	1 949 036	91.46	182 010	8.54	3 461
Victoria	1 525 026	94.68	85 611	5.32	19 957
Queensland	748 612	89.21	85 611	10.79	9 529
South Australia	473 440	86.26	75 383	13.74	12 021
Western Australia	319 823	80.95	75 282	19.05	10 561
Tasmania	167 176	90.21	18 134	9.79	3 935
Total for Commonwealth	5 163 113	90.77	527 007	9.23	91 464

Check your learning 10.9

Remember and understand

1 On which Indigenous people's land was the Wave Hill Station?
2 Which prime minister ceremonially gave the land to its Indigenous inhabitants?
3 Who led the Australian Freedom Riders?
4 How were the Australian Freedom Riders received by rural Australians in 1965?
5 What did the 1967 referendum achieve?

Apply and analyse

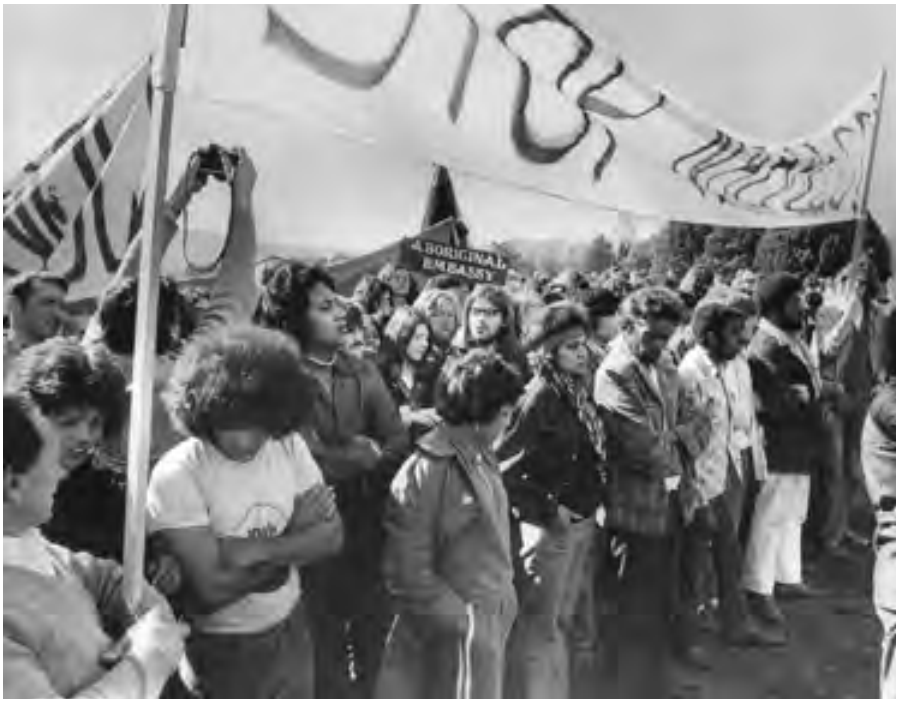
6 Search for the lyrics to 'From Little Things Big Things Grow' by Kev Carmody and Paul Kelly, and 'Gurindji Blues' by Ted Egan featuring Galarrwuy Yunupingu. Looking at the content of the songs, what do the two songs have in common?

Evaluate and create

7 Write a diary entry from the perspective of one of the students on the Freedom Ride of 1965. Make sure you describe:
   a your motivation for joining the Freedom Riders
   b what you hoped the Freedom Ride might achieve
   c some of your key experiences, such as in the Moree baths.

10.10 Land rights: a continuing struggle

The Indigenous struggle for land rights has a long and important history in Australia. Throughout the 19th century, the 'frontiers' of British settlement continued to expand onto Aboriginal land almost without restriction. The concept of *terra nullius* established at the time of British settlement, and reinforced by the declaration of Governor Bourke in 1835, ensured that there would be no recognition of Aboriginal rights to land. Early farmers leased large amounts of land, including traditional Aboriginal land, from the Crown (British government) and white occupation of the land equated to ownership.



Source 1 The Tent Embassy in 1972

However, there is some evidence that this situation was challenged from time to time. From the 1840s onwards, the British Colonial Office wanted the Australian colonies to give formal recognition to native title and to grant rights for Aborigines to share rural lands. Farmers and their allies rejected this. In the 1870s, Indigenous groups in parts of New South Wales petitioned for their right to own farming land.

The challenges faced by Aboriginal and Torres Strait Islander peoples were immense. The 1970s offered some hope for activists. The Whitlam Government was elected in 1972 and announced **self-determination** as the framework for Aboriginal Affairs policy. This introduced the idea that Aboriginal people were best placed to determine what happened to them and their lands. This approach put an end to applications for mining licences on Commonwealth Aboriginal Reserves – but only for a short time. In 1976, after Gough Whitlam had left office, the Fraser Government passed the *Aboriginal Land Rights Act*, which officially granted land title to the Gurindji and other tribes in the Northern Territory. This represented the beginning of a powerful shift in the Indigenous rights movement.

While these power shifts provided some hope to Aboriginal people, Indigenous leaders knew they still had a long way to go. State governments continued to negotiate directly with mining companies to grant leases without consulting traditional land owners. The civil rights movement and land rights campaigns of the 1960s and 1970s laid the basis for great change, but many issues remained unresolved.

Tent embassy

Before Whitlam's election, an Aboriginal Tent Embassy was established on the lawn in front of the Australian Parliament in 1972 (see Source 1) to keep the issue of Aboriginal rights in the public eye.

The embassy was erected in response to the slow progress being made on Aboriginal land rights. The 1967 referendum had delivered administrative responsibility for Aboriginal and Torres Strait Islander peoples to the Commonwealth, but many felt that there

still needed to be an acknowledgement of traditional ownership. In particular, radical 'black' groups, such as 'Black Power', considered militancy to be the next step. For a short time, an Australian branch of the Black Panthers (a militant activist group based in the United States) operated in Melbourne and Sydney.

Key figures of the embassy, including Roberta (Bobbi) Sykes, Gary Foley and Michael Anderson, established the Tent Embassy in the middle of the night on Australia Day in 1972. As well as highlighting significant symbolic goals, the embassy leaders had a list of practical demands that they wanted to negotiate. These included:

- legal and title rights to land currently being mined
- the preservation of all sacred sites
- compensation for lands not returnable – a $6 billion down payment plus an annual percentage of gross national income.

The demands were rejected and the police removed the tents and arrested a number of activists.

Over the next five years, the embassy was erected, demolished and re-erected several times until Charles Perkins negotiated its temporary removal on the promise of action on land rights. In that time, a number of commitments by the Commonwealth led many to believe that progress was being made. Whitlam established a significant bureaucracy to support Aboriginal welfare and land rights claims and Fraser passed the *Aboriginal Land Rights Act 1976*.

The Tent Embassy was re-established on the grounds of Old Parliament House in 1992, where it continues to remind the nation of the ongoing issues relating to reconciliation.

Source 2 The Tent Embassy was re-established in 1992 and remains in place today.

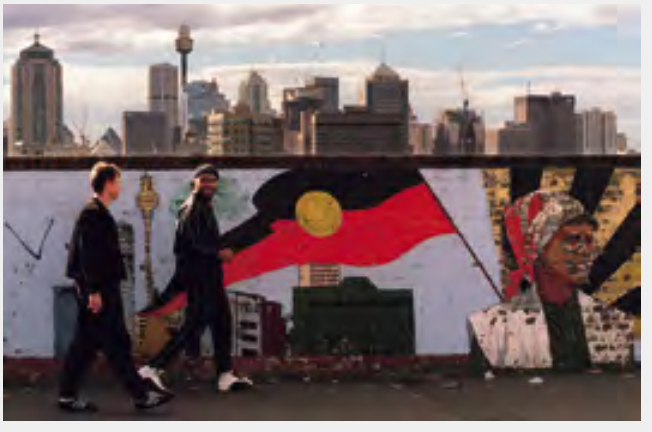
key**concept:** Significance

The Aboriginal flag

In 1971, Aboriginal artist Harold Thomas designed the Aboriginal flag. The colours of the flag have been interpreted in different ways. The black is seen as either representing Aboriginal people or the night sky. The red is seen as either representing the red earth or the Aboriginal blood that was shed when the Europeans arrived. The yellow is usually interpreted as representing the sun.

The flag is one of the most significant symbols of Aboriginal rights because it is so powerful visually and provides a single banner under which all Aboriginal nations can unite. The flag was flown when the Tent Embassy was set up in Canberra on 26 January 1972. The embassy sought to draw attention to wrongs carried out against Aboriginal people and air their grievances. It did so successfully. One of its placards linked it to land rights, reading: 'White Australia you are living on stolen land'.

For more information on the key concept of significance refer to page 225 of 'The history toolkit'.



Source 3 The Aboriginal flag

Mabo decision and *Native Title Act*

In June 1992, a group of Torres Strait Islander people led by activist Eddie Mabo won a historic land rights case in the High Court of Australia. The judgment meant that the Islanders had a right to their traditional land because they had been the original owners before European settlement. The court ruled that **native title** may apply to all claims to land that had not been sold or given away; in other words, **Crown land** (land considered to belong to the state). The ruling stated that 'there may be other areas of Australia where an Aboriginal people maintaining their identity and their customs are entitled to enjoy their native title'.

In December 1993, the government passed the *Native Title Act* to place the *Mabo* decision in Australian law. The *Native Title Act* also addressed some concerns of non-Indigenous Australians who felt their ownership of property could be challenged as a result – it confirmed land ownership for those who had purchased property. It also declared that future native title claimants must prove that Indigenous people had an unbroken link with the land in question. The federal government established a National Native Title Tribunal and developed a research process that was necessary before a native title application could be made. This was done to reassure groups such as landowners and miners who feared that their titles or claims might be taken from them.

key concept: Significance

Eddie Mabo

Eddie Koiki Mabo was a Torres Strait Islander born in 1936 on Mer Island (known as Murray Island in the Torres Strait). His mother died shortly after his birth and he was adopted by his mother's brother, Benny Mabo, and his wife.

Mabo learned from a young age that he would inherit his uncle Benny's land and he knew exactly where the boundaries were by looking at land features, trees and rocks. After breaking Island law as a teenager, Eddie was exiled and it was many years before he returned to his land.

On the mainland, he worked on pearling boats and on the railways. He became involved in the trade union movement and began speaking out for Aboriginal people. A few years after marrying Bonita Neehow at 23, he secured a job as a gardener at James Cook University in Townsville, where he began to read and attend lectures.

When the 1981 Land Rights Conference was held at James Cook University, Eddie Mabo made an important speech about his ownership of land on Mer Island. He was immediately encouraged to test his ownership claims in the courts. When he told the people of Mer Island they were very supportive, and a 10-year legal battle began with Eddie as the leader. In particular, the Mer Islanders were challenging the legal concept of *terra nullius*.

The case was known as *Mabo v Queensland* and, in the course of proceedings, officials of the Queensland Supreme Court visited Mer Island to clarify details of Mabo's claim. He was able to show the judges (and the media) exactly where his land started and finished.

Source 4 Eddie Mabo on Mer Island

The legal battle took a toll on Eddie Mabo's health. In 1991, he became ill and in January 1992 he died of cancer. The High Court of Australia ruled in favour of Mabo five months later. His name has become linked with the most important legal judgment for Indigenous Australians in the 20th century. When his body was reburied on Mer Island after his grave in Townsville had been vandalised, he was given a chief's ceremony, which had not been seen in the islands for 80 years.

For more information on the key concept of significance refer to page 225 of 'The history toolkit'.

The Wik decision

In 1996, the question of native title on pastoral leases was raised and investigated in the High Court of Australia in the Wik case. Pastoral leases are unique to Australia as they allow publicly owned land to be used by farmers and graziers but do not grant them sole tenure. As these leases account for 42 per cent of the Australian land mass, it was a major issue in the land rights campaigns.

The Wik people of Cape York argued in court that native title could exist alongside a current or defunct pastoral lease. The court agreed but stressed that where pastoralists' rights and Indigenous rights were in conflict, the rights of the pastoralist would prevail. The court pointed out that pastoralists had the exclusive right to pasture but not exclusive rights to the possession of land.

Because of criticism and concern expressed by pastoralists and conservative leaders, the Howard Government introduced a Native Title Amendment Bill in 1997. This legislation effectively extinguished native title, not only on pastoral land but also on most other Crown land. The United Nations Committee for the Elimination of Racial Discrimination demanded that Australia explain its stance. Australia was the first Western nation to have to explain its human rights position to this UN committee.

Source 5 Mabo decision in 1992 – High Court celebrations

Check your learning 10.10

Remember and understand

1. Who was prime minister when the *Aboriginal Land Rights Act* was introduced in 1976? What did this Act mean for Indigenous people?
2. When was the Tent Embassy first established?
3. What was the purpose of the Tent Embassy? List the key demands.
4. Where was Eddie Mabo's traditional land?
5. What was the High Court's ruling in the Wik case?
6. What do the colours on the Aboriginal flag symbolise?

Evaluate and create

7. The Mabo case represents one of the most significant moments in Australian history. Explain why this is so.
8. Research the Torres Strait Islander flag and its history. Prepare a brief presentation for the class using PowerPoint or Prezi. Be sure to explain the origins of the flag, the symbolism in the design, and any significant individuals who had a role in the development of the flag, up to its final acceptance as a flag of Australia.

10.11 Towards reconciliation

The concept of **reconciliation** is best understood as a continuing process and not a single event. It is the way in which Indigenous and non-Indigenous Australians can come together and share common goals as unified Australians. The acceptance of the 1967 referendum, a bipartisan commitment to land rights in the mid-1970s and the passage of the *Aboriginal Land Rights Act 1976* saw the Gurundji people achieve land recognition. These events were seen as steps towards genuine reconciliation.

These small successes paved the way for more organised and consistent efforts to acknowledge the wrongs committed by governments and individuals against Aboriginal and Torres Strait Islander peoples in the past.

ATSIC and Indigenous rights movements

The Hawke Government established the Aboriginal and Torres Strait Islander Commission (ATSIC) in March 1990. ATSIC was an elected body selected by Indigenous Australians. It was designed to be an organisation through which all Indigenous peoples could be formally involved in government processes. It was also seen as a first step towards Aboriginal self-determination – that is, Aboriginal people taking control of their own affairs.

ATSIC was to have both representative and executive roles, with 35 regional offices and a budget. The Hawke Government saw it as an important vehicle for managing Aboriginal affairs.

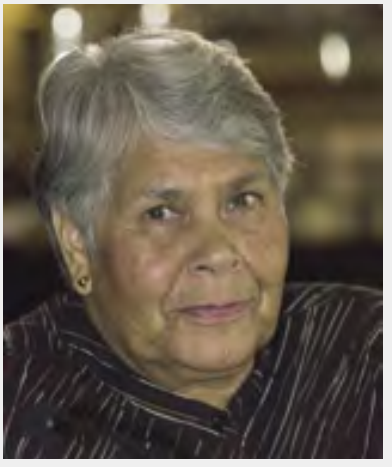
The *Aboriginal and Torres Strait Islander Commission Act 1989* was passed by the Parliament in early November. Its objectives were designed to ensure full participation by Aboriginal people in decision-making:

- to ensure maximum participation of Aboriginal and Torres Strait Islander peoples in government policy formulation and implementation
- to promote Indigenous self-management and self-sufficiency
- to further Indigenous economic, social and cultural development

key concept: Significance

Lowitja O'Donoghue

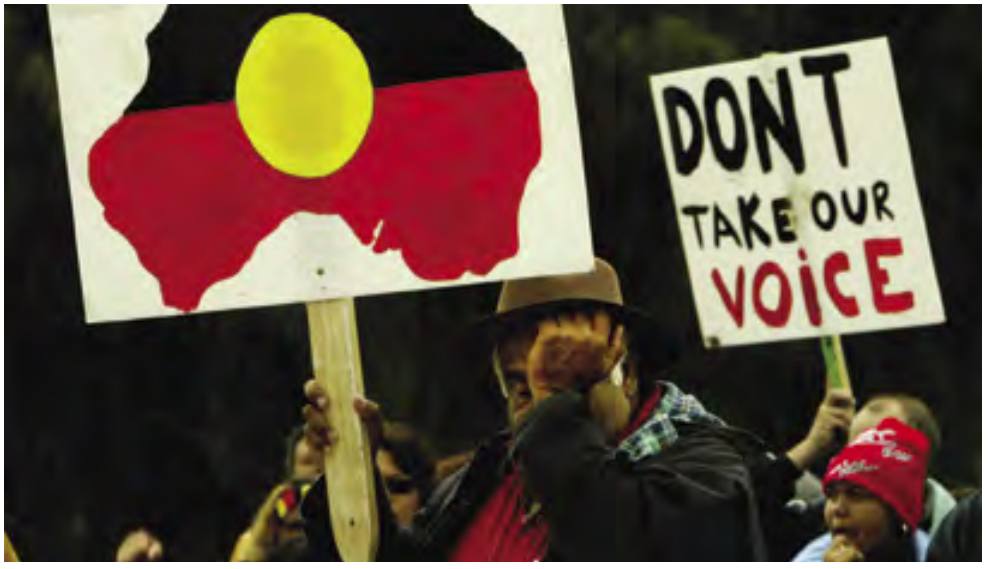
Lowitja O'Donoghue, who was born in 1932, was taken away from her mother at the age of two and did not see her again for 33 years. She never knew her father, who was white and of Irish descent. O'Donoghue grew up away from her community in Indulkana, South Australia (Granite Downs Station). She struggled to become a nurse after winning admission to the nursing school at the Royal Adelaide Hospital, where she was the first Indigenous Australian to qualify. She worked as a public servant in Aboriginal Affairs, first in South Australia and then for the Commonwealth. Since that time, she has been involved in various senior positions, gaining a voice for the Indigenous people of Australia. She was the founding chairperson of ATSIC and co-chairperson of the Australian Citizen's Parliament.



Source 1 Lowitja O'Donoghue

For her work, she was awarded an Order of Australia in 1976, when she became the first Indigenous woman to receive this award. She became a Commander of the Order of the British Empire in 1983. In 1984, she was named Australian of the Year. In 1992, at the launch of the United Nations International Year of Indigenous People, O'Donoghue was the first Australian Aboriginal person to address the UN General Assembly. Since then, she has been further honoured by awards of the Companion of the Order of Australia in 1999 and the Papal Award (Dame of the Order of St Gregory) in 2005. Prime Minister Kevin Rudd stood with O'Donoghue beside him as he made the nation's apology on 13 February 2008.

For more information on the key concept of significance refer to page 225 of 'The history toolkit'.



Source 2 Aboriginal people protesting against the abolition of ATSIC

- to ensure coordination of Commonwealth, state, territory and local government policy affecting Indigenous people.

By the early 2000s, however, criticism was growing in regard to what was seen as a lack of achievements by ATSIC for Aboriginal communities. Some felt that there were problems due to the structure of ATSIC and that the Western democratic process did not sit easily with traditional Indigenous values, where family group relationships are most important.

Lowitja O'Donoghue, first chairperson of ATSIC (see Source 1), described the problems this way: 'You elect your own mob [and they] vote for funding for their own mob rather than those who have the greater need … What I've always said is, "We're dealing here with taxpayers' money. This is a white fella organisation, not a black fella one. And so we've got to operate in a different way." That's the dilemma.'

But ATSIC was also constrained in regard to its funding. In 2003–04, ATSIC only received 46 per cent of the total budgeted Commonwealth expenditure for Indigenous affairs. ATSIC was not given responsibility for the areas of health care, social security or education. This severely limited what ATSIC could achieve.

In its last few years, the majority of ATSIC's budget was spent on economic development programs, including the Community Development Employment Project (CDEP) scheme. Supporters saw it as providing genuine work for young Indigenous people who chose to live in traditional communities. Others were concerned that it could never deliver the skills training and economic benefits that it set out to.

Following continued concerns over mismanagement and funding discrepancies, ATSIC was abolished in 2004 by the Howard Government. The CDEP continued to operate, although a number of CDEP programs were abolished in 2007 as part of the Howard Government's 'intervention'.

Check your learning 10.11

Remember and understand

1 What was ATSIC? Who established it, and when?
2 What was the main objective of the *Aboriginal and Torres Strait Islander Commission Act 1989*?
3 List some of Lowitja O'Donoghue's main achievements.

Apply and analyse

4 Explain what reconciliation means in an Australian political sense.
5 Explain why criticism of ATSIC began in the early 2000s. What other factors were responsible for limiting ATSIC's achievements?
6 Why do you think Kevin Rudd asked Lowitja O'Donoghue to stand next to him at the Sorry Day ceremony?

Evaluate and create

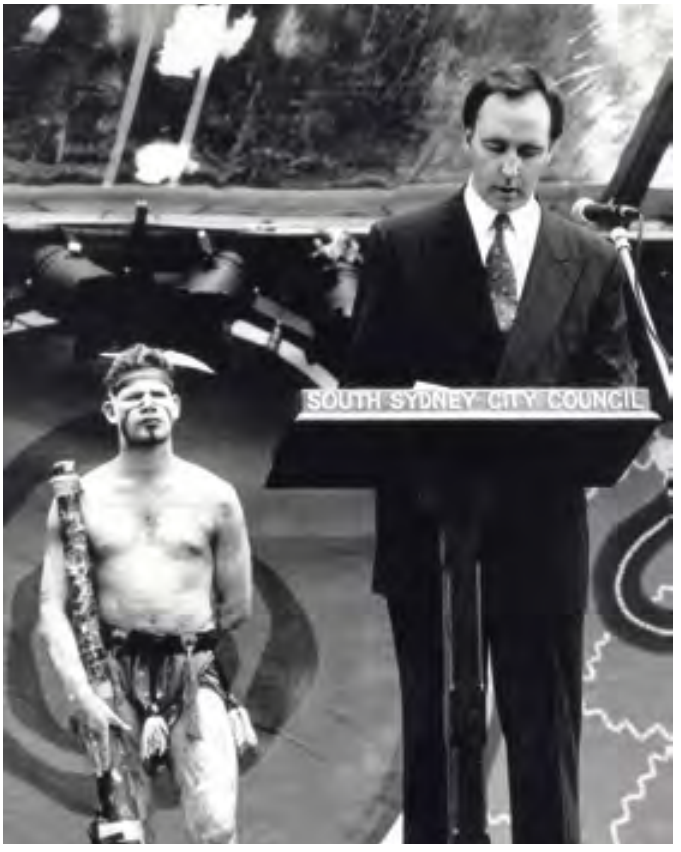
7 Did Kevin Rudd's apology in 2008 mean that reconciliation had been achieved in Australia? Explain your response.

10.12 Two speeches, two perspectives

Civil rights remains a divisive and contentious issue for some people to this day. This division and the different positions taken by political parties in Australia over the years are clearly reflected in two major speeches made by two different prime ministers during the 1990s.

The Redfern Park speech

Six months after the Mabo decision – in December 1992 – Prime Minister Paul Keating launched Australia into what the United Nations had declared the 'International Year of the World's Indigenous People'. Keating spoke to a mainly Indigenous audience in the Sydney suburb of Redfern (see Source 1). Keating's speech is now seen as one of the most significant delivered by an Australian prime minister on Indigenous issues. It challenged Australians to imagine what it would have been like if they had experienced such injustices. It kept the reconciliation debate alive by keeping the issue in the public eye.



Source 1 Paul Keating giving his Redfern Park speech in December 1992

It was historic because it was the first time an Australian prime minister had publicly acknowledged the injustices Indigenous people had experienced because of past policies. The speech was written by one of Keating's main speechwriters, Don Watson. In 2007, Radio National listeners voted the Redfern Park speech as the third most unforgettable speech in history, behind those of Martin Luther King and Jesus.

Official recognition

Perhaps the most powerful moment of the speech was when Keating said: 'Recognition that it was we who did the dispossessing. We took the traditional lands and smashed the traditional way of life. We brought the diseases. The alcohol. We committed the murders. We took the children from their mothers. We practised discrimination and exclusion.'

They were the words many Aboriginal and Torres Strait Islander peoples never thought they would hear from an Australian prime minister.

It was thought the Redfern Park speech heralded a major breakthrough on the path to reconciliation by honestly recognising the injustices of Australia's past.

Rejection of an official apology

In 1997, Prime Minister John Howard rejected the idea that an official apology to Indigenous people was needed. During his term as prime minister, John Howard made it clear that no apology would be made to Australia's Indigenous people for the past actions of non-Indigenous people or to groups such as the Stolen Generations.

Contrary to this view, a groundswell of opinion saw state premiers offering such apologies. Queensland started the process with a parliamentary apology on 26 May 1997. Western Australia followed on 27 May, South Australia on 28 May, the ACT on 17 June, New South Wales on 18 June, Tasmania on 13 August, Victoria on 17 August and the Northern Territory on 28 October 2001.

Source 2 John Howard's speech at the Reconciliation Convention upset some delegates who responded by turning their backs on him.

The federal government, however, did speak of reconciliation. On 26 August 1999, John Howard said that Parliament expressed 'its deep and sincere regret that Indigenous Australians suffered injustices under the practices of past generations, and for the hurt and trauma that many Indigenous people continue to feel as a consequence of those practices'.

The leader of the Opposition, Kim Beazley, spoke emotively of the need to 'unreservedly [apologise] to Indigenous Australians for the injustice they have suffered, and for the hurt and trauma that many Indigenous people continue to suffer as a consequence of this injustice'.

Prime Minister Howard and other conservative political and social leaders argued that previous generations were responsible for the experience of Australia's Aboriginal peoples. An apology was therefore not necessary from members of today's society and would place 'blame' on those who were not responsible. They also argued that the intent of those who initiated the actions or events was good, even if the result was damaging.

The Australian Reconciliation Convention

In May 1997, Howard gave a speech at the Australian Reconciliation Convention in Melbourne. This was designed to celebrate the 30 years since the famous referendum of 1967. The aim was to achieve reconciliation by 2001. As prime minister, Howard was to deliver the keynote address. His stance against a formal apology had angered delegates, and when he spoke some turned their backs on him, while others booed (see Source 2).

Howard made his position clear when he stated: 'In facing the realities of the past, however, we must not join those who would portray Australia's history since 1788 as little more than a disgraceful record of imperialism, exploitation and racism.'

He also made it clear that 'Australians of this generation should not be required to accept guilt and blame for past actions and policies over which they had no control'.

For those who saw such hope in Keating's Redfern Park speech, Howard's approach seemed a step backwards. As prime minister he controlled the political agenda, and Australia had to wait until he lost his seat in the 2007 election to move towards a formal apology to Indigenous Australians.

Check your learning 10.12

Remember and understand

1 Why did Prime Minister Keating make the Redfern Park speech?

2 How was Prime Minister Howard's Reconciliation Convention speech received?

Apply and analyse

3 Explain Prime Minister Howard's reasoning for not wanting to make an official apology. Do you agree or disagree? Why?

Evaluate and create

4 Use the Internet to locate the full text of both Prime Minister Paul Keating's Redfern Park speech and Martin Luther King's 'I have a dream' speech. Create a Venn diagram to identify the similarities and differences between these two speeches.

10.13 The reconciliation movement

Popular support for the Stolen Generations grew significantly around the end of the 1990s. Central to the claims of many Australians was the view that Australia would be strengthened by a formal acknowledgement of past wrongs. This idea was suggested by Governor-General William Deane in 1996 and featured as recommendation five in the *Bringing Them Home* report.

The first 'Sorry Day' was held on 26 May 1998, to mark the anniversary of the handing down of the *Bringing Them Home* report. Each year since then, events have been staged to commemorate the findings and consider the government's scorecard on responding to the recommendations in the report (see Source 1). In 2005, the day was temporarily renamed the National Day of Healing for All Australians – a gesture of goodwill from the National Sorry Day Committee who frequently acknowledged the support given to its movement by a wide range of Australians.

Source 1 Sorry Day March in Sydney, 2007

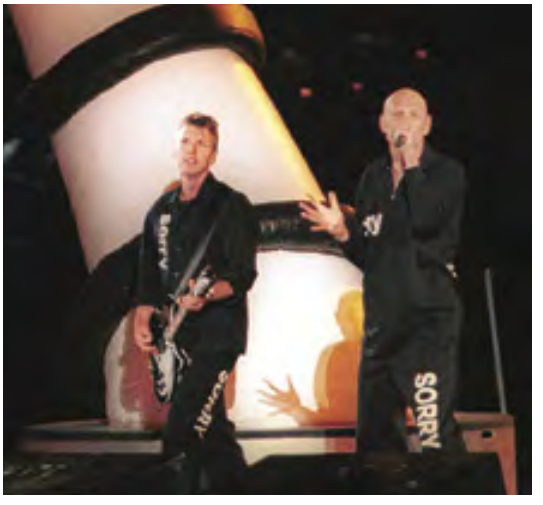
Popular culture and the 2000 Olympics

The reconciliation movement stimulated wide-ranging creative expression, from films such as *Rabbit-Proof Fence* to songs by Archie Roach and Ruby Hunter, and works by performance artists such as the Bangarra Dance Company. Roach's award-winning album, *Charcoal Lane*, contained the heartbreaking song 'Took the Children Away'. Roach had been removed from his family as a young child and the honesty of his songwriting awoke a wide audience to the pain and trauma that would later surface in the *Bringing Them Home* report.

The 2000 Sydney Olympics also provided a stage for popular support of reconciliation. Cathy Freeman became one of the most popular individuals in Australia when she both lit the Olympic flame at the opening ceremony and then won the 400-metre final (see Source 2). Her victory lap, where she draped herself in both the Aboriginal and Australian flags, was seen as a decisive moment in the history of reconciliation.

Source 2 Cathy Freeman lights the Olympic Torch at the opening ceremony of the 2000. Olympics in Sydney

The closing ceremony of the Sydney Olympics provided one further step towards reconciliation. The rock band Midnight Oil performed as part of the ceremony. The band chose to perform its song 'Beds Are Burning', a statement of support for Aboriginal and Torres Strait Islander peoples. To Prime Minister Howard's chagrin, the band also performed in specially designed 'Sorry suits' (see Source 3).



Source 3 The rock band Midnight Oil performs a concert wearing 'Sorry suits' at the closing ceremony of the 2000 Olympics in Sydney.

The international scene

The 2000s saw significant global interest in Indigenous rights. In New Zealand, Māori people had secured more historic rights than Indigenous Australians, yet problems linked to poverty within the Māori population remained significant throughout the 1990s. The film *Once Were Warriors* highlighted the degrading influence of alcohol and violence on poor Māori families.

Government efforts over the following decade saw some gains made, particularly with respect to cultural reconciliation and politics. A Māori Party was formed in 2004 and won five seats at the 2005 election. Māori television began broadcasting in Te Reo (Indigenous language) in 2004.

In Canada, formal recognition of First Nations, Inuit and Métis people was marked by a Statement of Reconciliation in 1998. In 2008, the Canadian government established the Truth and Reconciliation Commission to investigate the impacts and consequences of the Indian Residential Schools on Indigenous Canadian children during the 20th century.

The United Nations declared 2007 the International Year of Indigenous People. By 2010, most governments around the world endorsed the United Nations Declaration of the Rights of Indigenous People.

The apology to the Stolen Generations

In his first week in parliament in 2008, the new Prime Minister, Kevin Rudd, apologised to Indigenous Australians for poor or unwise treatment from the time of European settlement through to recent years. No offer of compensation was made but a nation recognised that Indigenous Australians had been wronged. This had been one of the key election promises, and a moment that many people had been waiting for. Brendan Nelson, the leader of the Opposition, affirmed Rudd's sentiment.

The parliament was packed as the apology was made, and many people gathered in public spaces, schools and offices, all over the country, to view the live telecast of the speeches.

Source 4

> We apologise especially for the removal of Aboriginal and Torres Strait Islander children from their families, their communities and their country.
>
> For the pain, suffering and hurt of these Stolen Generations, their descendants and for their families left behind, we say sorry.
>
> To the mothers and the fathers, the brothers and the sisters, for the breaking up of families and communities, we say sorry.
>
> And for the indignity and degradation thus inflicted on a proud people and a proud culture, we say sorry.
>
> An extract from Rudd's speech, 2008

These were words that many Indigenous Australians had died without ever hearing. It was a turning point in our national history, and brought Australia into line with other Commonwealth countries, such as Canada, who had already dealt with this issue.

Many prominent Aboriginal Rights leaders were in Parliament, including Pat Dodson – sometimes described as the father of the reconciliation movement. Media coverage of the apology continued for many days, with the word 'Sorry' featuring prominently on all major newspapers on 14 February. Opinion polls showed that a significant number of Australians rated Rudd's apology as 'good', 'great' or 'excellent'.

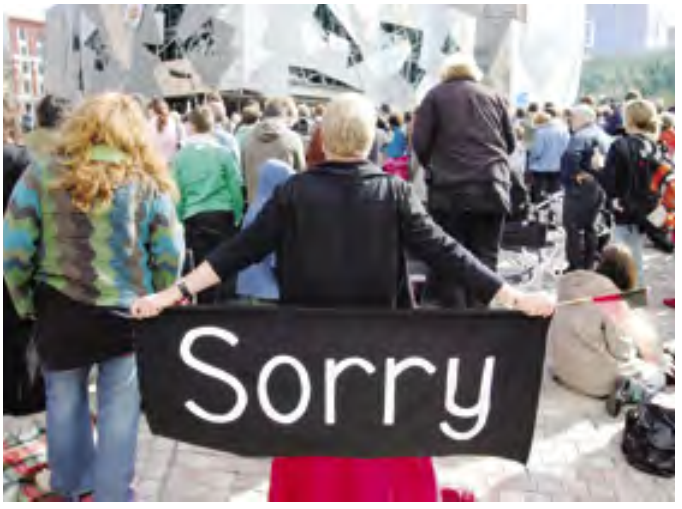
The major criticism of the apology was the ambiguity over compensation. Many in the community still regarded this as a major challenge that the government would have to meet. Others saw the symbolism of the apology as meaningless unless it was immediately accompanied by practical measures to remove Aboriginal and Torres Strait Islander disadvantage and implement true reconciliation.

Source 5 Kevin Rudd giving the Apology

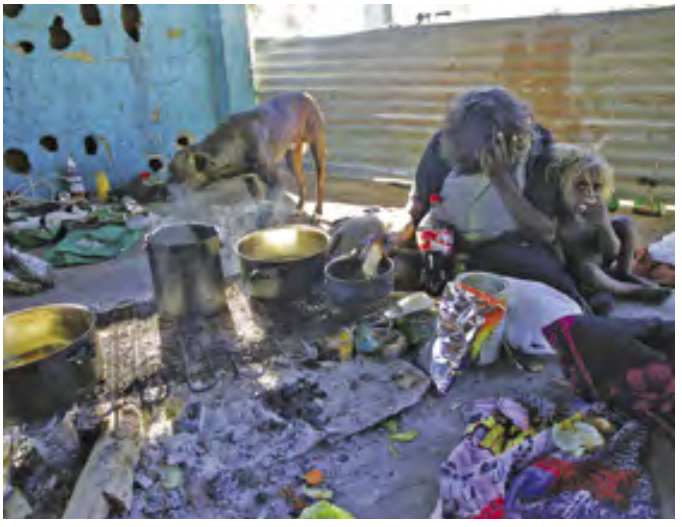
Looking to the future

The path to reconciliation is a long one. It requires much effort to deal with the continuing misery, poverty, poor physical and mental health, low life expectancy, and general social and political marginalisation of Australia's Indigenous peoples.

Following Prime Minister Rudd's address it was noted by Indigenous leaders that although an official apology is an important step, practical things need to be done as well. They argue that practical measures, rather than symbolic gestures, will be necessary for Aborigines to be in a position where they are on an equal footing with other Australians. Only once health, education and job opportunities are similar to those of non-Aboriginal Australians will it be possible to feel that a true reconciliation has come about and that Indigenous Australians have been recognised fully.



Source 6 Public support at the time of the Apology was high – the word 'sorry' appeared everywhere.



Source 7 Aboriginal Australians at one of the camps in Alice Springs, Northern Territory, 2007

Source 8 Life expectancy and infant mortality in Australia (2014)

	Indigenous	Non-Indigenous
Male life expectancy (in years)	69	79
Female life expectancy (in years)	73	83
Infant mortality (per 1000 births)	6.2	3.7

Source: Australian Institute of Health and Welfare

A sense of urgency

Unfortunately, the apology to the Stolen Generations and the Mabo victory were not accompanied by improvements in social outcomes for Aboriginal and Torres Strait Islander peoples. In fact, there has been significant worsening of social wellbeing in many communities. Disadvantage is particularly concentrated in rural Aboriginal communities around Australia.

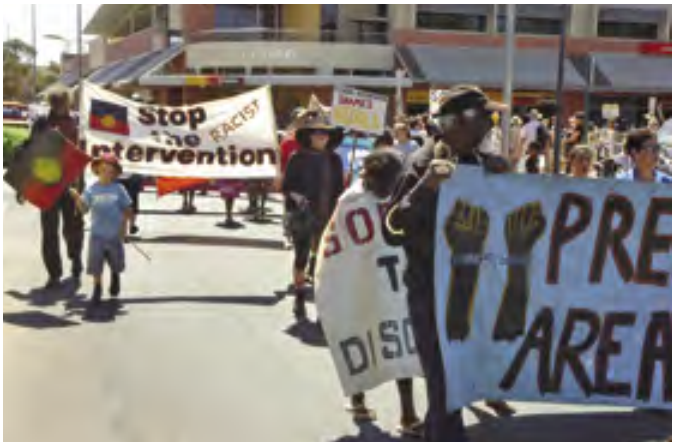
This was certainly not expected by Aboriginal leaders who fought for improved rights from the 1960s onwards. In *The Politics of Suffering*, Peter Sutton chronicles how well-intentioned Aboriginal Affairs policies in Australia from the 1970s, including improved services and welfare, inadvertently resulted in increased child abuse, domestic violence, and drugs and alcohol use. Sutton's message has been difficult to comprehend by politicians and non-Indigenous Australians. How could self-determination, the opposite of the enforced assimilation of generations past, not deliver significant improvements?

Obviously the answers to this question are complicated. Fundamentally, while the policies provided some funding and other resources to Aboriginal communities, they did not provide lasting employment, effective education, adequate policing or regulations against the sale of alcohol – the cause of many of the problems.

The Intervention

In 2007, the Northern Territory Government's *Little Children Are Sacred* report was released. The report highlighted the extent of disadvantage, particularly among children. The Howard Government quickly intervened in this issue. The result was the Northern Territory National Emergency Response – or 'the Intervention'. This policy package included restrictions on welfare payments to ensure money was spent on food and other necessities rather than alcohol; immediate bans on the sale of alcohol and hard-core

Source 9 Noel Pearson (left) with politician Mal Brough



Source 10 Protesters in Alice Springs march against the Intervention.

pornography in many Indigenous townships; medical checks for evidence of sexual abuse; and additional police assigned to investigate claims of sexual abuse of children.

While some people in the community expressed concern about the 'heavy-handed' nature of the Intervention, both sides of parliament and many Indigenous leaders ultimately supported it.

Noel Pearson, founder of the Cape York Land Council, was one of the first to give 'qualified' support for the Intervention, and had already argued for a decade that the so-called 'progressive' policies were failing young Aboriginal people. Pearson's 'Light on the Hill' speech, delivered in 2000 to a Labor Party audience, included a frank and honest assessment of the difference between white and black Australia.

The Intervention was not supported by all Aboriginal leaders. Some raised concerns that it would be a return to the **paternalism** of old and that it represented an infringement of the human rights of Aboriginal people, as the laws relating to welfare restrictions and the possession of alcohol applied only to Aboriginal people.

Closing the gap?

Supporters and critics alike have closely observed the progress of the Intervention. In 2010, Mal Brough, the federal government minister originally responsible for the Intervention, complained bureaucracy and poor leadership had held up key work. Data released by the government at a similar time, in a *Closing the Gap* report, showed that reports of child sex abuse, alcohol-related violence and assault had increased in the three years.

In a more recent *Closing the Gap* report (2011), law-and-order data has been replaced by details of government investments and achievements in areas such as health, education and land rights. Many of these achievements are to be celebrated, but do they collectively amount to overall improvements for Aborigines and Torres Strait Islanders in Australia?

Check your learning 10.13

Remember and understand

1. Who won the women's 400-metre event at the 2000 Sydney Olympics?
2. How did Midnight Oil upset John Howard at the 2000 Sydney Olympics?
3. When was the United Nations Declaration of the Rights of Indigenous people endorsed?

Apply and analyse

4. Were the 2000 Sydney Olympics a significant landmark on the path to reconciliation? Provide evidence to support your view.
5. Look at the data in Source 8. What various reasons do you think would account for such a difference in life expectancy and infant mortality?

Evaluate and create

6. Do you think that we should try to record and teach all sides of our history, or only the parts we are proud of? Give reasons for your answer.
7. Create a closing ceremony for an Olympics held in Australia this year that shows the world the state of reconciliation in Australia.

10C rich task

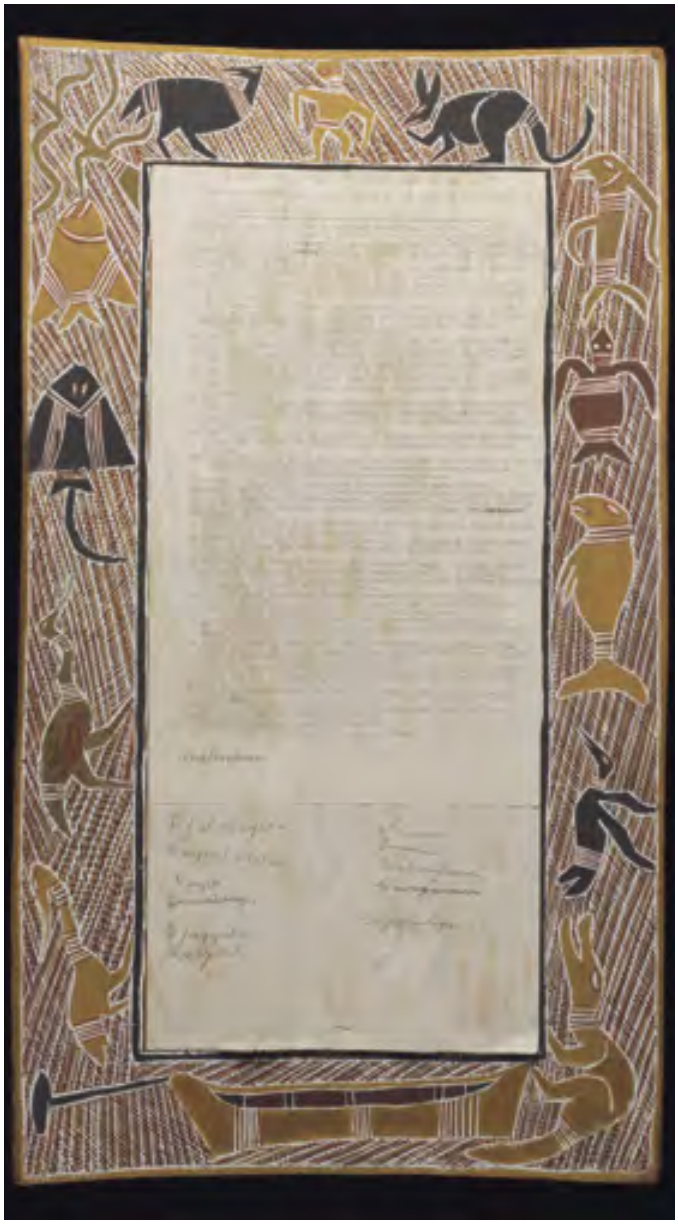
The Yirrkala Bark petitions

In the late 1950s, the Australian government removed more than 300 square kilometres of land from the Arnhem Land Aboriginal reserve in the Northern Territory so that mining company Gominco could extract bauxite. Requesting an inquiry and asserting their ownership of land, the Yolngu people created petitions framed by painted bark to demand that Yolngu rights be recognised. The petitions contained a typed document written in two Yolngu languages and translated into English, surrounded by clan designs of all that was threatened by the mining. They were signed by 12 clan leaders from the Yolngu region and submitted to the Australian Parliament in August 1963.

The Yirrkala bark petitions were the first traditional documents prepared by Indigenous Australians that were recognised by the Australian Parliament, and are therefore the first documentary recognition of Indigenous people in Australian law.

Politicians presented the two petitions to the House of Representatives on 14 and 28 August 1963. A parliamentary committee of inquiry acknowledged the rights of the Yolngu set out in the petitions. It recommended to Parliament on 29 October 1963 that compensation for loss of livelihood be paid, that sacred sites be protected and that an ongoing parliamentary committee monitor the mining project. Despite this, mining did go ahead near Yirrkala, and by 1968 a massive bauxite refinery was built at Gove, 20 kilometres to the north. Appeals to both Parliament and to the courts were also rejected. The petitions, however, led to wider awareness of the problems of Aboriginal people throughout Australia, and set off a debate that would eventually lead to the *Aboriginal Land Rights Act* in 1976 and, in 1992, to the High Court's *Mabo* decision. The petitions also paved the way for the 1967 referendum.

There have been a number of further bark petitions created by Indigenous Australians since the Yirrkala bark petitions of 1963, and all have contributed to a gradual but steady change in the Australian view of the significance of traditional culture and law. In July 2008, for example, Galarrwuy Yunupingu, the son of one of the painters and signatories of the 1963 petition, presented Prime Minister Kevin Rudd with another petition by various Yirrkala artists, requesting 'full recognition of Indigenous rights in the Australian Constitution'.



Source 1 The Yirrkala bark petition was made by the Yolgnu people to protest against mining on traditional land (Yirrkala artists, Dhuwa moiety: Museum of Australia).