

# The Story of NAIDOC

**The Struggle for Rights**

**July 2021**



**Edmund Rice Centre**

**Awareness. Advocacy. Action.**

# About The Edmund Rice Centre

Established in 1996 the Edmund Rice Centre for Justice and Community Education in Sydney, New South Wales undertakes research, education and advocacy on issues of poverty and injustice. Our work is shaped by a commitment to the Universal Declaration of Human Rights, the Earth Charter, the tradition of Catholic Social Teaching and the charism of Blessed Edmund Rice. We focus on the rights of Aboriginal and Torres Strait Islander peoples; the rights of refugees and people seeking asylum; and the rights of the peoples of the Pacific, especially those struggling for climate justice.

Edmund Rice was the founder of the Congregation of Christian Brothers in Ireland. At the time Ireland was an unjust society with deeply oppressive social and political structures. In 1802 Edmund Rice established a school for boys living in poverty. He sought to empower and liberate the poor from poverty and in doing so free Irish society from oppression.

Edmund Rice had a special gift of power and influence that he used for the benefit and good of others in an oppressed and dominated society. His values of Presence, Compassion and Liberation are integral to the work of the Edmund Rice Centre in Sydney. The Edmund Rice Centre urges presence and solidarity with those who are disadvantaged, marginalised and excluded by building relationships of mutual respect, trust and accountability. This enables a compassionate response, which awakens us to our responsibilities and compels us to take action to address injustice because justice is the social manifestation of compassion. When we take action, we liberate ourselves and others from injustice.

# NAIDOC

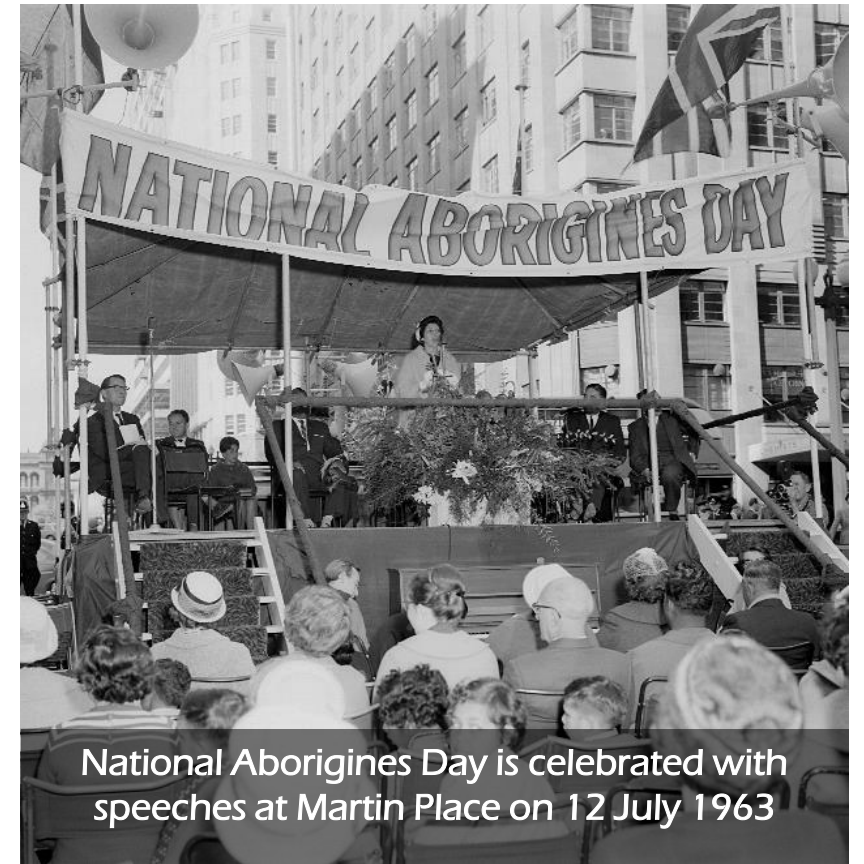
- NAIDOC stands for National Aborigines and Islanders Day Observance Committee.
- The acronym NAIDOC is now used to describe the Aboriginal and Torres Strait Islander celebratory week held every year.
- NAIDOC is the first week of July, and it celebrates Aboriginal and Torres Strait Islander history, culture and achievements.
- The theme for National NAIDOC Week 2021 is:

Heal Country, Heal Our Nation.



# Struggle, Celebration, Remembrance

- NAIDOC week evolved from an annual event that marked the 1938 Day of Mourning.
- After 1938 the Day of Mourning became a regular event, held on the Sunday before Australia Day and was known as 'Aborigines Day'.
- In 1955 the day was moved to July and focused not just on protest but also celebrating Aboriginal culture.
- National Aborigines Day would become a day of remembrance and celebration for Aboriginal people. Eventually expanding to recognise and include Torres Strait Islanders.
- National Aborigines Day eventually evolved into NAIDOC week.



National Aborigines Day is celebrated with speeches at Martin Place on 12 July 1963

# A Story Of Struggle

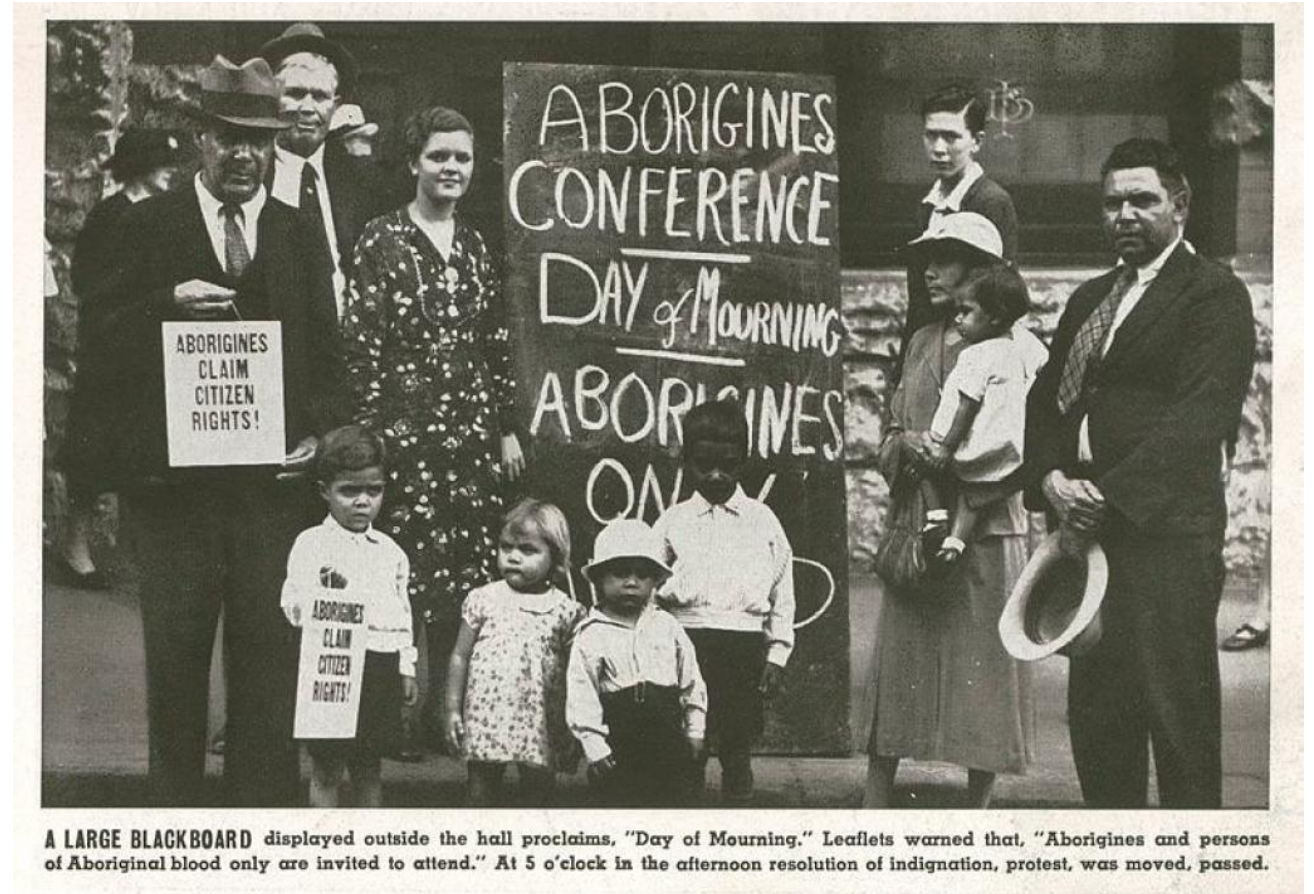
- But the origins of NAIDOC are steeped in the Indigenous struggle for recognition of rights.
- This is a story about the '1938 Day of Mourning'. For more information about this story, see:

<https://aiatsis.gov.au/explore/day-of-mourning>

<https://www.youtube.com/watch?v=rwPjdqnNWJw>

- Also see:

<https://aiatsis.gov.au/explore/william-bill-ferguson>



A LARGE BLACKBOARD displayed outside the hall proclaims, "Day of Mourning." Leaflets warned that, "Aborigines and persons of Aboriginal blood only are invited to attend." At 5 o'clock in the afternoon resolution of indignation, protest, was moved, passed.

# The 26<sup>th</sup> January 1938



- On the 26 January 1938, Australians celebrated the 150th anniversary of the 1788 landing of the First Fleet.
- The Australia Day celebrations included a re-enactment of Governor Philip's landing in Sydney Cove and a parade through the streets of Sydney commemorating the unfolding story of 'Australia's March to Nationhood'.
- However Aboriginal activists such as Jack Patten, William Ferguson, William Cooper, Pearl Gibbs and others staged a protest with a Day of Mourning conference.



# The March to Nationhood



- The march to nationhood was depicted by a series of motorised floats starting with the 'Aborigines Float'.
- The Sydney Morning Herald of Thursday 27 January 1938, wrote there were ".... a dozen full-blooded aborigines some bending over a fire, some sharpening axes and others waving boomerangs ..... most of the aborigines appeared a little morose and disinclined to acknowledge the cheers of the crowd".
- In 1938 Aboriginal people were controlled by protection laws. Every aspect of their lives was controlled. They had no citizenship or other rights.



# The First Fleet Landing Re-enactment

- The re-enactment took place at a specially prepared beach at Farm Cove, Sydney. It involved costumed actors and a 'troupe of Aborigines' but no convicts.
- A group of 26 Aboriginal men led by Hero Black were brought from Western New South Wales. 21 came from Menindee and 5 from Brewarrina.
- They were accommodated at the Redfern Police Barracks with strict instructions the group were not to see anybody. The Aborigines Protection Board suspected William Ferguson would prevent the men from taking part in the re-enactment.





# British Advance, Aboriginal Retreat

- The Aboriginal men took their positions as a boatload of actors playing British seamen and marines rowed ashore.
- The Aboriginal men rushed forward then withdrew from the beach to perform a 'corroboree'.
- The marines with fixed bayonets advanced as the Aboriginal men retreated. The actor playing Governor Phillips then placed a red cloth around the neck of Hero Black, leader of the group.
- An abbreviated version of Governor Phillips commission was read out and the actor Phillip expressed hope that the country would become the most valuable acquisition the British had ever made.
- There was a toast to the King, three cheers and a feu de joie (a rifle salute).



# Not Civilised Enough



- When the Day of Mourning was held in 1938, Aboriginal people were considered 'backward and inferior', not 'civilised' enough to be citizens or capable of making progress towards 'civilisation'.
- They were not entitled to citizenship rights and the policy of the state government was for Aboriginal people to disappear either by dying out or through biological absorption into the white population.

# Dispossession & Control

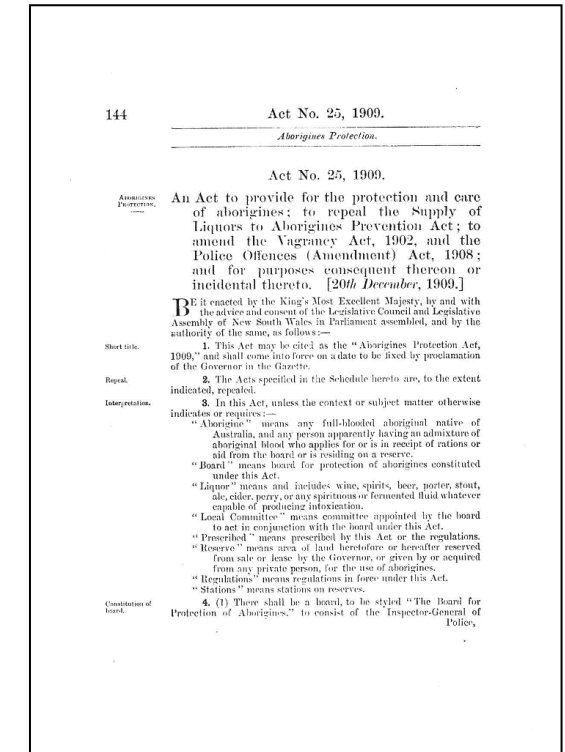
- From the early 1900s the Aborigines Protection Board in New South Wales sought to disperse Aboriginal people off reserves, indenture Aboriginal children as domestics and labourers and reduce the birth rate by taking away adolescent girls.
- In the 1920s Aboriginal people moved off reserves into town camps on the outskirts of white townships. But they were excluded from schools, shops, streets and town boundaries.
- In the 1930s the Protection Board secured powers to remove people from townships and confined them to reserves for 'disciplinary supervision' – concentration powers.
- Economic depression also forced many Aboriginal people back onto reserves.



The AAPA emerged in the 1920s. Led by Fred Maynard it agitated for land, the cessation of removal of children from families, and protection of Aboriginal girls. It also demanded the dissolution of the Aborigines Protection Board and full privileges of citizenship for Aboriginal people.

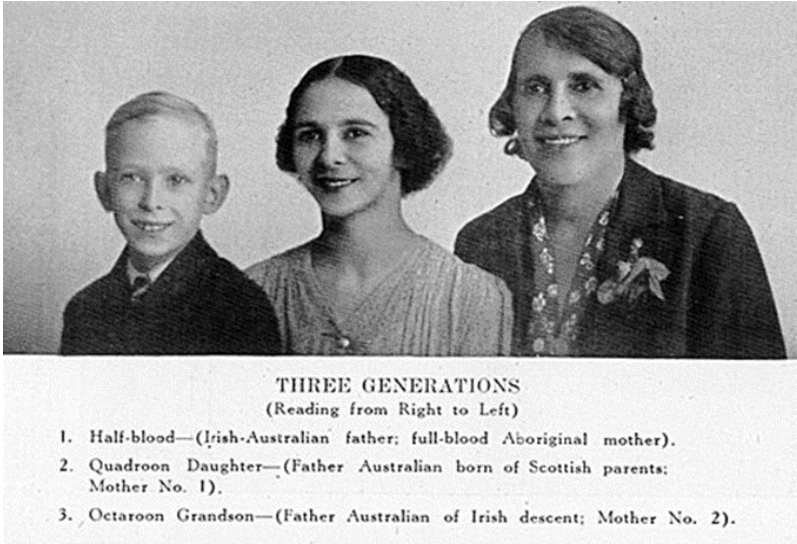
# The Protection Policy

- Prior to or beginning in 1901 each state except Tasmania had regimes of protection boards or protectors. These regimes defined who was 'Aboriginal' and regulated and controlled the daily lives of Aboriginal people. Each state eventually formalised their policies and practices of protection by legislation.
- Protection was done through the provision of rations as well as denying basic citizenship rights of Aboriginal people, for example by:  
restricting or regulating their movements; determining where and how they could live; what responsibilities they had; how they were employed; who they could marry; whether they could rear their own children; who they could have sexual relations with; who they could associate with; whether they could own property; whether they could give evidence in court; whether they could vote in elections; and restricting or regulating access to alcohol.



The Aborigines Protection Board was established to manage reserves and the welfare of Aboriginal people living in New South Wales. It was part of the Department of Police.

# Disappearance of Aboriginal People



Biological absorption involved breeding out Aboriginality by the promotion of interbreeding between white and mixed blood Aboriginal Australians and the curtailment of unions between 'full and mixed blood' Aboriginal people. Therefore over successive generations Aboriginal people would become progressively European.

- A key assumption of the protection policies was that Aboriginal people would disappear.
- The 'doomed race' theory assumed that so called 'full blood' Aboriginal people would die out. Assimilation theories anticipated that mixed descent Aboriginal people would be biologically absorbed into the white population through interracial relationships.
- Western Australia and Northern Territory established processes to speed up biological absorption through interracial marriage.
- Victoria, New South Wales and South Australia were more obsessed with the supposed cost of Aboriginal people to the state although they had policies of absorption which divided Aboriginal people into 'full' or 'mixed' descent with financial support removed from the mixed descent group who were also removed from the reserves.



# Denial of Citizenship

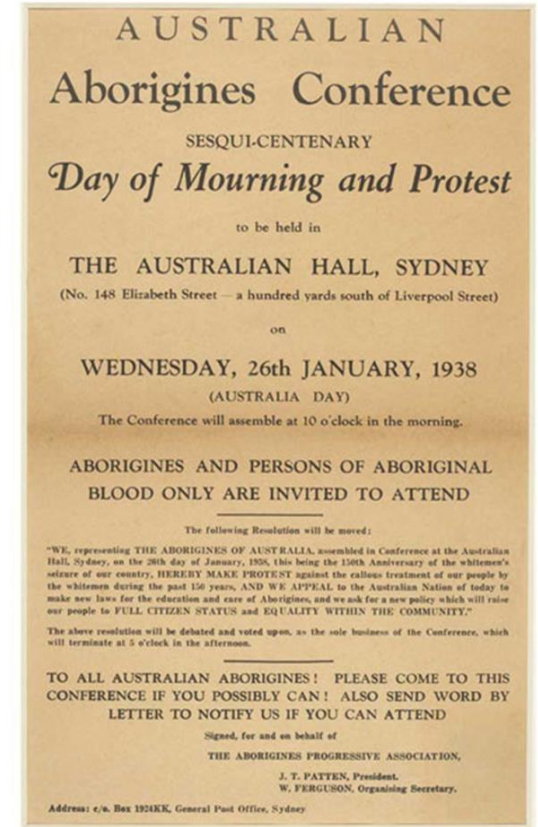
- In 1938 Aboriginal people did not have equal rights and duties of citizenship. The States were responsible for Aboriginal policy.
- There was no comprehensive Commonwealth definition of Australian citizenship although various forms of legislation granted certain rights and entitlements of citizenship.
- 'Aboriginal natives' were excluded from basic citizenship rights and entitlements. This also included people from Asia, Africa and the Pacific Islands. This exclusion was dropped in 1920 under a new *Nationality Act* although these people did not enjoy the same rights and privileges as mainstream Australians.
- Indians and Asians could access some social security benefits but excluded from immigrating. However Aboriginal Australians, Torres Strait Islanders, Papuans and other 'Aboriginal natives' were excluded from these benefits.

# Denial of Citizenship

- The Commonwealth refined its definition of an 'Aboriginal native' to blood quantum. Any person with a preponderance of 'Aboriginal blood' was excluded from citizenship rights.
- In the 1940s the Commonwealth passed new legislation relating to social security benefits and continued to exclude 'Aboriginal natives' narrowing the category to 'Aboriginal natives of Australia'.
- By 1947 the exclusion in regards to social services had been narrowed to apply only to Aboriginal Australians.
- In 1948 the Commonwealth created the Australian citizen as a legal entity under the *Nationality and Citizenship Act* however the Act gave no new citizenship rights to Aboriginal people because they were still excluded from citizenship entitlements including welfare benefits by other Commonwealth and state legislation.

# Day of Mourning Conference

- Jack Patten, William Ferguson and William Cooper planned a day of mourning to coincide with Australia's 150th anniversary celebration as a result of a dismissive response from the Prime Minister's office to William Cooper's petition to King George VI in 1937.
- Cooper called on the King to intervene to prevent the extinction of Aboriginal people, to provide better conditions and for the representation of Aboriginal people in federal parliament.
- The conference was held to arouse the conscience of white Australians by highlighting Aboriginal grievances against the policies of protection. The activists also demanded citizenship and land rights.
- Aboriginal leaders who attended included William Cooper, William Ferguson, Jack Patten, Douglas Nicholls, Margaret Tucker, Pearl Gibbs, Jack Kinchela, Helen Grosvenor, Tom Foster and others.



Over 100 Aboriginal people, plus two white policemen and two white journalists attended the conference.

# Justice, Rights & Opportunity



- Jack Patten said the lack of opportunity and citizenship rights was related to white Australian attitudes about Aboriginal people being inferior and so incapable of bettering themselves. He argued for full citizenship rights including old age pensions, maternity bonus, relief work when unemployed and the right to a full Australian education for Aboriginal children.
- Ferguson spoke of the 'dreadful suffering' of people on the reserves and argued for citizen rights including access to health, education, training, and other opportunity including land ownership. Ferguson said that the lack of real opportunity and the denial of opportunity prevented Aboriginal progress.
- Ferguson argued that Aboriginal people were prevented from creating wealth and making a living for themselves. He was scathing of the system of Aboriginal protection stating that Aboriginal people did not need government protection.
- Both Patten and Ferguson called for the Aborigines Protection Board to be abolished.
- Doug Nicholls and William Cooper of the Victorian Aborigines' League supported the focus on the lack of justice and opportunity for Aboriginal people.

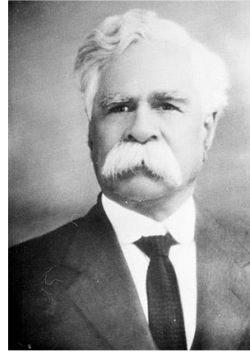
# The Conference Resolution



William Ferguson



Pearl Gibbs



William Cooper



Jack Patten



Margaret Tucker



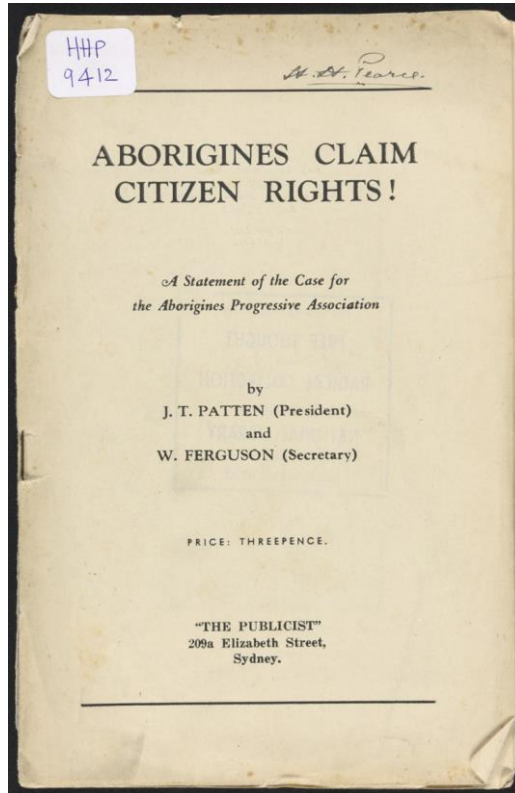
Doug Nicholls

The one and only resolution of the Day of Mourning conference was carried unanimously.

“We, representing the Aborigines of Australia, assembled in conference at the Australian Hall, Sydney, on the 26th day of January, 1938, this being the 150th Anniversary of the Whiteman’s seizure of our country, hereby make protest against the callous treatment of our people by the Whiteman during the past 150 years, and we appeal to the Australian nation of today to make new laws for the education and care of Aborigines, we ask for a new policy which will raise our people to full citizen status and equality within the community.”



# The Manifesto



- The Manifesto was sent to the press, national libraries and selected people accompanied by a press notice that a day of mourning would be held on the 26 January 1938.
- The manifesto:
  - explained that the 26th January 1938 was a day of mourning for Aboriginal people because the new Australians took the land by force, almost exterminating the original Australians.
  - asked white Australians whether their conscience was clear regarding the treatment of Aboriginal people; it asserted that white Australians could hardly claim to be 'civilised, progressive, kindly and humane' given the cruel and callous treatment of Aboriginal people.
  - highlighted the hypocrisy of the policy of 'protection' because rather than protect, it had degraded, humiliated and exterminated Aboriginal people.
  - stated that Aboriginal people were not asking for 'protection' or 'charity' or 'sentimental sympathy' but were asking for 'equal education, equal opportunity, equal wages, equal rights to possess property, or to be our own masters' in other words 'equal citizenship'

- Jack Patten and Bill Ferguson launched their Manifesto at the conference.

# Key Points of the Manifesto

- White invasion had imposed misery and degradation upon the original inhabitants over the previous 150 years.
- The system of Aboriginal protection should be repealed as it was based on the belief that Aboriginal people are backward and inferior and require supervision by government.
- The Boards for the Protection of Aborigines should be abolished because their almost unlimited power of control deprived Aboriginal people of their citizen rights and reduced the Aboriginal 'standards of living below life-preservation point'.
- The Labor Parties and the Trade Unions were indifferent to the use of Aboriginal people as cheap labour and had given no real support to Aboriginal people to achieve citizen rights.
- The attitudes towards Aboriginal people needed to change to become more enlightened because it was one of racial prejudice and misunderstanding, with the popular press creating perceptions that Aboriginal people are sub-human.



**The Aborigines Progressive Association  
EXECUTIVE COMMITTEE, 1938.**  
**Front Row:** T. Foster (Treasurer), J. T. Patten (President), W. G. Sherritt (Secretary).  
**Back Row:** R. McKenzie, C. Charters, J. Timbrey, Snr. (Committeemen).  
(W. Sims unavoidably absent)

# Harsh Words but Face the Truth

- Patten and Ferguson admitted the manifesto was 'hard words,' but they wanted white Australians to face the truth - that the so-called policy of 'protection' was in fact exterminating Aboriginal people.
- They wanted white Australians to hear the Aboriginal point of view and to see the problems and issues from an Aboriginal perspective.
- They argued that Aboriginal people were not asking for charity or to be studied as 'scientific freaks' and were also not asking for 'protection' but wanted 'justice, decency and fair play'.



# The Public Response

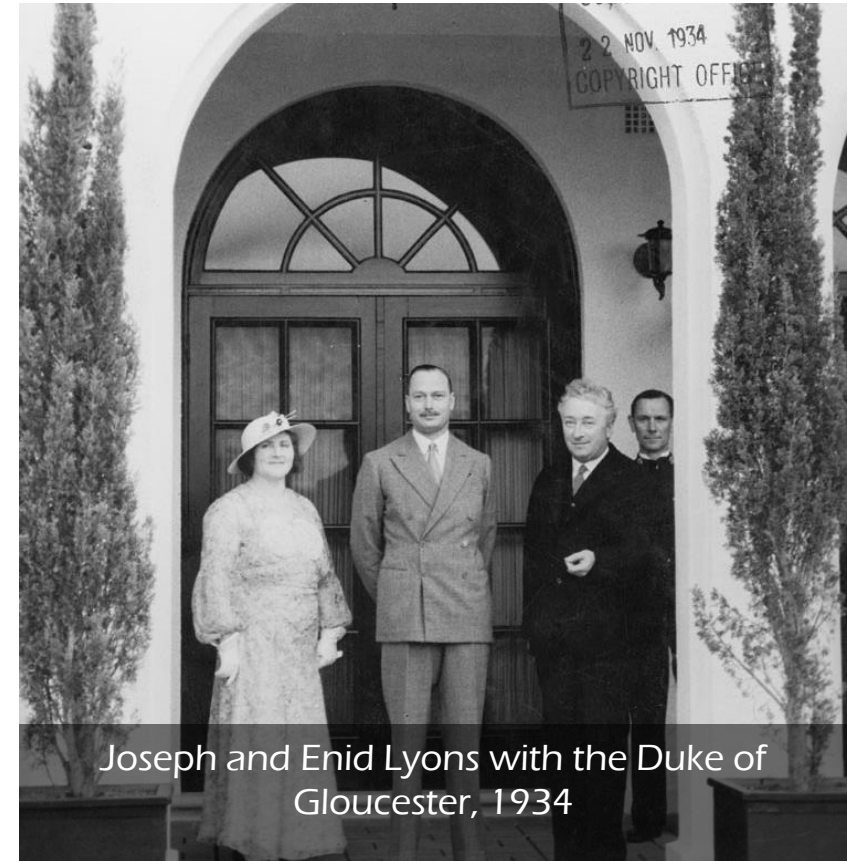
- The editorial of the Melbourne Argus on 17 January 1938 said that, while there was an element of truth, other claims in the manifesto would not withstand critical examination.
- The Argus editorial said Aboriginal people 'cannot be treated as a modern civilised race' as 'they are properly regarded as a dying relic of a dead past'. The Argus said:

"The Australian aboriginal culture belongs to a very early stage of mankind's development. Aborigines, in spite of their occupation for untold generations of a favoured land, had not at the advent of the white man advanced beyond the stage of being nomadic hunters. Their implements and weapons were most primitive. Agriculture, one of the earliest phases of civilisation, was to them an unknown art. Their scant numbers scattered over a vast area of the earth's surface did not indicate any desire or ability to occupy their heritage effectively".

- The Sydney Morning Herald of 13 January 1938 was dismissive of the Day of Mourning stating that any attempt to mar the 150th anniversary celebrations by staging a day of mourning must be deplored.
- But in another editorial on 22 January 1938 The Sydney Morning Herald said the Day of Mourning '... offers deserved criticism of the nation, reminding us that the inevitable clash of white and black cultures has produced a sad disintegration of aboriginal life which we have failed to remedy...'
- The NSW Government largely ignored the demands of the Day of Mourning activists and their efforts at dialogue.
- However the Prime Minister Joe Lyon, his wife Enid Lyons and John McEwen the Minister for the Interior met with a delegation of the activists.

# Meeting the Prime Minister

- A deputation of 20 people met the Prime Minister, Joe Lyon, his wife Enid Lyon and John McEwen, Minister for the Interior in Sydney on 31 January 1938.
- The deputation included Jack Patten, William Ferguson, Helen Grosvenor, Pearl Gibbs, Tom Foster and others.
- Jack Patten provided a copy of a 'Policy for Aborigines' expressed in a ten-point statement to the Prime Minister.
- Together Patten and Ferguson, supported by the other members of the deputation, answered questions from the Prime Minister, Enid Lyon and John McEwen.
- The Prime Minister received the delegation and policy statement sympathetically, however he indicated there would need to be an alteration to the Constitution or an agreement by all States before the Commonwealth could take control of Aboriginal Affairs.



Joseph and Enid Lyons with the Duke of Gloucester, 1934



# A National Aboriginal Policy

- The 'Policy for Aborigines' given to the Prime Minister sought:
  - a national Aboriginal policy and Commonwealth control of Aboriginal Affairs;
  - a Minister of Aboriginal Affairs to be a member of Cabinet;
  - a departmental head to manage a Department of Aboriginal Affairs
  - an Advisory Board of six people to advise the Department, three of whom should be Aboriginal and nominated by the Aborigines' Progressive Association.
- The Department would raise Aboriginal people to full citizen status and ensure they received entitlements relating to education, work and wages, pensions and benefits, owning land and property.
- This also included equality in marriage and freedom to marry; the same privileges in respect to housing; and that free maternity and hospital treatment be provided to Aboriginal women.
- In regards to land, the policy called for a special land settlement scheme to assist Aboriginal people to settle on the land and to provide them with advice and financial support.
- However the policy also sought the retention of reserves for Aboriginal people who are unable to take their place in white society.
- Other aspects of the policy related to training Aboriginal men and women as patrol officers and having nurses and teachers working with 'uncivilised and semi-civilised' Aboriginal people.

# Epilogue

- The Aboriginal activists were able to challenge the assumptions of Aboriginal inferiority by claiming the same rights as white Australians.
- 'Civilisation' was regarded as necessary for citizenship. However, the activists argued Aboriginal people could adapt to western civilisation and progress if provided with real opportunities and positive support.
- The Aboriginal activists were able to create a public dialogue through connections with white political activists and organisations and using mainstream media, public speeches and the publication of an Aboriginal newspaper.
- The political connections with unions, feminist groups, Christian groups and the Communist Party provided the resources and the political platform for the Aboriginal activists.
- The Aboriginal activists argued the importance of the Aboriginal voice and perspective in government policy.
- Nothing came out of the meeting with the Prime Minister because in 1937 state governments had resolved to maintain control over Aboriginal Affairs.
- However, as a result of the efforts of the Day of Mourning activists, white humanitarian organisations and individuals began to take up the concerns arguing for equality for Aboriginal people and Commonwealth control of Aboriginal Affairs.
- By the late 1930s the policy of protection was considered to have failed and so by the 1950s a national policy of assimilation was confirmed, whereby Aboriginal people would transition into white society.
- On 26 January 1938 Aboriginal people held a day of mourning and white Australians celebrated. This divide remains today and is played out every year on the 26 January, although Indigenous people now celebrate their survival.

# References

1. Cronin, Darryl (2016). *Dialogue and Indigenous Policy in Australia*. PhD Thesis, University of New South Wales, Social Policy Research Centre, Faculty of Arts & Social Sciences, NSW. (See Chapter 5)  
<http://unsworks.unsw.edu.au/fapi/datastream/unsworks:39304/SOURCE02?view=true>
2. Cronin, Darryl (2021). *Trapped By History: The Indigenous-State Relationship in Australia*, Rowman & Littlefield, London/New York. (See pages 7-16).
3. AIATSIS Website. Explore, 'We Hereby Make Protest'. The 1938 Day of Mourning.  
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