

An Illustrated History of the Larrakia Flag

Bill Day's book, *Bunji: a story of the Gwalwa Daraniki Movement* was published in 1994 by Aboriginal Studies Press. The book describes how Bill met Bobby Secretary in May 1971 at a camp behind the Paspalis drive in cinema in Nightcliff, Darwin's northern suburbs. Bobby had built a shelter on a bare earth mound in a grassy field beside a narrow beach that stretches from Nightcliff to Ludmilla Creek. Bobby said that the mound was an old jungle fowl's nest. In June that year some of the Kulaluk residents were pictured sitting on the mound under the tree (Illustration 1; NT News 15 June 1971). Those pictured are Topsy Secretary (standing), Norman Harris and Bobby Secretary (sitting, front) and Gabriel Secretary (behind his brother) with one other unidentified man. Bobby's shelter is in the background.

On July 9th, 1971, Bobby and other Larrakia residents of the camp were joined by relatives from Bagot and One Mile Dam for a march into the central business district. On two occasions, in early October and November 1st, 1971, the Larrakia, with supporters from Bagot and the Berrimah fringe camp, sat down on Bagot Road to block peak hour traffic. A week later, on Sunday November 7th, 1971, five men from the Kulauk camp raised a flag on the flagpole in front of the Darwin Supreme Court. They were Bobby Secretary, Gabriel Secretary (Larrakia), Harry Adam (Daly River), Freddy Dagwud (Belyuen) and Paddy Danbua, alias Banana (Bathurst Island) (Illustrations 2, 3 and 4; Plates 1-4)



Plate 1: The Darwin Supreme Court. Plate 2: Harry Adam unfurls the flag, November 7, 1971.



Plate 3: Harry raises the flag at the courthouse.



Plate 4: Bobby with the flag at Kulaluk.

There are inaccuracies in the history of the flag on display at the entrance to the Northern Territory Museum and Art Gallery (Illustration 5). Firstly, Fred Fogarty did not join the Kulaluk camp until at least February 1972, so he could not have helped design the flag. I sketched a design for the flag before getting it approved by Bobby Secretary and others living at Kulaluk. About the same time I proposed that the Larrakia words for ‘Our Land’ be used as the name of the group holding the protest because the participants were not all Larrakia as the media was reporting.¹ The tree on the mound was not a banyan as the museum notice states, but an Indian Beech tree that is common along the Darwin foreshores. To my knowledge, the flag design was not changed until 1996, not 1981 as stated in the display (see Appendix 3).

In preparation for the flag-raising protest I designed a flag with the ‘Kulaluk tree’ in the centre, with red strips at each end, similar to the Canadian flag. As far as I remember, this tree had no mythical significance. It was merely the site where the modern Larrakia land rights struggle started. However, the image of new growth coming from an old nest built by the jungle fowl to hatch eggs is a potent symbol for the Larrakia revival.

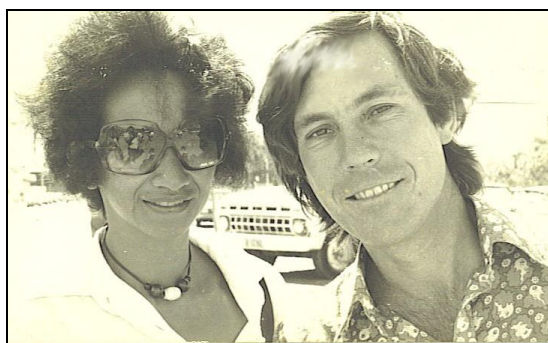


Plate 5: Polly and Bill Day, Darwin, about 1972.



Plate 6: The Larrakia flag in November 1971

My wife Polly Day (Plate 5)² agreed to sew the flag, made from left-over pieces of material. A dark brown background was used to represent the Aboriginal skin colour with a red strip at one end for the blood that was shed by Aboriginal people defending their land. At the other end of the flag was a second red strip for the blood which the present generation were prepared to shed for their land. In a letter to her mother-in-law on October 14th, 1971, Polly describes the mound as grey, the tree as orange and the leaves as green (Plate 6; Illustration 6). I do not remember there being any significance in the colours of the scraps of material used for the mound and the tree, apart from the grey and orange being closer to the natural colours. However, the letter does not mention this. Fortunately my father saved Polly’s letter

¹ Several town camps were joining the protests, alongside people from Bagot Reserve, as it was then known. My spelling of ‘Gwalwa Daraniki’ later became the name of an incorporated association. Similarly my spelling of Kulaluk is still used although linguists say it is more correctly spelt, ‘Galalak.’

² Polly Day (nee Wharekura) is from Rotorua, New Zealand, of the Tuhoe people. Their prophet, Rua, led a movement against dispossession. Rua’s flag remains on display in the Urewera National Park.

for twenty years. The relevant page of her letter was donated to the National Museum in Canberra to supplement their display of the Larrakia flag.

When we gathered at the Supreme Court on Sunday morning, November 7th, Bobby made a speech in the Larrakia language referring to a short statement I had written for him. A television crew from the local ABC recorded Harry Adam from Daly River raising the flag on the Supreme Court flag pole. Harry was Bobby's brother-in-law. The flag was then lowered and taken back to the Kulaluk camp where Bobby was filmed fixing it to a bush pole set in the sand next to the tree-on-the-mound (Plate 4). Issue number 4 of the newsletter *Bunji* carried a report of the claim over Darwin and a sketch of the flag (Illustration 7). The symbol of the tree-on-the-mound had first appeared on the masthead of the *Bunji* number 3, issued in October 1971, a month before the Supreme Court flag-raising.

The flag next appeared in the media in December when the Brinkin people camped on the outskirts of Darwin beside the railway line, threatened to stop a goods train (see *NT News* 14 December 1971). Police who attended the scene reported that 'a group of Aboriginals, which consisted of at least 37, men, women and children were gathered in the area.' (National Archives, see Appendix 1). The report continues: 'Sergeant Crellin remained in the vicinity of Day and the other police attended in the area of the main group of Aboriginals who lined up alongside the railway track and flew the Larrakia "flag"' (Appendix 1). In a similar police report on the November 22nd Bagot Road 'sit-down' protest, it was noted that police had visited Bobby Secretary at his Kulaluk camp to execute a warrant. At the camp, according to the report, 'Bobby Secretary also showed police the "Larrakia flag" which he stated had been made for them by the Maori lady Mrs Day' (Appendix 1). The National Archives also reveal that the Director of the Department of Welfare, and Assistant Administrator, Mr Harry Giese, replied to an overseas query about the flag, 'I think I should point out to you that it is extremely unlikely that the Aboriginal members of this [flag-raising] delegation were involved in the design of the flag.' However, Giese's reply attached an incorrect description of the flag design (Appendix 1):

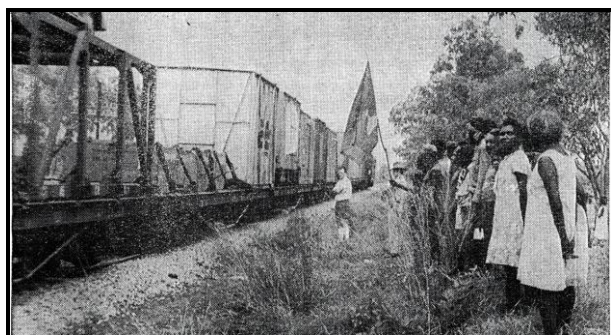


Plate 7 (Left): Police near the Berrimah crossroads guard Aboriginal protestors waiting to stop a Darwin goods train on December 13th, 1971. Bobby Secretary from Kulaluk is holding the Larrakia flag (centre). Photo from *NT News*, December 14, 1971.

In December 1971 the Larrakia received an invitation from Cheryl Buchanan to attend the Brisbane Action Conference on Racism and Education to be held in January 1972. I then prepared a paper to be delivered to the conference by the delegate from Kulaluk, Johnny Fejo. The paper was titled ‘A Challenge to a City’ with a map of Darwin on the cover showing Larrakia place names and the Larrakia flag flying above the city (Cover; Illustration 8; Appendix 2). My paper reported: ‘The flag was raised in a brief ceremony to claim Darwin, mocking similar ceremonies held by the British. It is now flown at Kulaluk and may help unite the people as history has shown the value of flags.’ In the submission I also made the recommendation for ‘a national flag of Black Liberation.’ As far as I knew, this was the first suggestion for a national Aboriginal flag.³ Pictures of the Aboriginal Embassy in mid-1972 show two flags that to my knowledge are no longer in use (Plate 8).



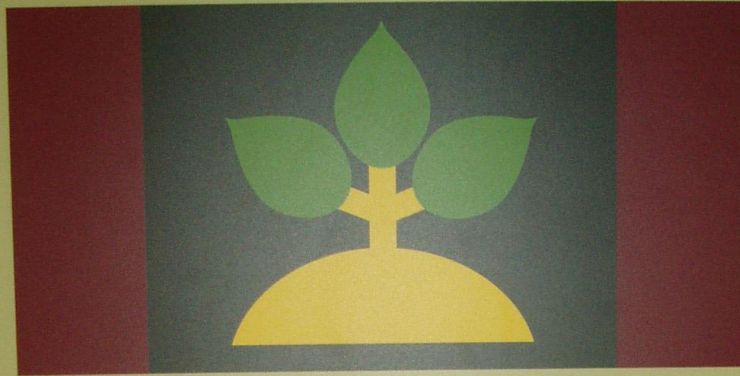
Plate 8: The Aboriginal Embassy, July 1972.

Plate 9: Darwin, July 14, 1972.

The next surviving recorded image of the Larrakia flag was after the National Aborigines Day march in Darwin on July 14th, 1972. On the front page of the *NT News*, Keith Chulung (Bobby’s brother-in-law) was pictured standing on the left holding one end of a banner and the flag, with Bobby Secretary, Fred Waters and Bill Parry at the other end of the banner (Plates 9, 10 and 13; Illustration 9). Following a successful march through Darwin streets and a rally in Bennett Park, the marchers had climbed to the top of the iron ore stockpile at Fort Hill Wharf to make their point for land rights. This protest was probably the last time the flag was seen in public. Some time later it was stolen from the flagpole where it was flown at the Kulaluk camp. The flag was never seen again. However, an image of the flag survived in a mural painted on a house at Kulaluk (Plates 11 and 12).

³ Apparently the flag used today was first flown in Adelaide in 1971; however, I do not recall seeing any photographs or film of the Harold Thomas flag at the Aboriginal Embassy in 1972. I recall that the Aboriginal flag was not widely known in Darwin until South Australian delegates brought it to a conference in June 1973 (see *Bunji* page 45).

The Larrakia Flag



The Larrakia flag was designed at Kulalak in 1971 by Larrakia elder Bobby Secretary, with help from Fred Fogarty and Bill Day. The design of the original flag consisted of two broad bands of red at either end to signify the blood of the old people. The brown background represented the Larrakia people. The central yellow motif is the mound of a jungle fowl, *kunggu*, out of which is growing a green banyan tree. This is an actual site in the middle of Kulalak where the banyan has grown from the mound into a large tree.

The flag was first raised at the Darwin Supreme Court in November 1971 by Larrakia men from Kulalak who stated, 'Captain Cook put up the English flag to take our country for his king. Now we take back Darwin'. The original flag was then kept at Kulalak.

In 1981 the Gwalwa Daraniki (Kulalak) community wanted to produce a new version of the flag incorporating the red, yellow and black colours of the Aboriginal flag, so some of the original colours were changed. The new design consists of two black bands on the side instead of red representing the Larrakia people of today and their Ancestors, and the background is now red to indicate the blood of the people.

Illustration 5: Display at entrance to Northern Territory Museum and Art Gallery, 2007

14 - 10 - 1971

Dear Mother,

The News Reporter have just left, he came here to interview Bill about the Larrakias, Bill is at work so the news Reporter left with a disappointed look on his face. He may be back tonight.

Yes Bill have about 300 Bury's typed out (I wish I could type, I could ~~type~~ ^{type} them, for him.)

I have finished sewing the Larrakia flag which is red, Brown, Green, Orange and grey. Very simple design, like this.

YOU SEE A BETTER PHOTO OF THE FLAG ON THE DINJIL PAPER



I found it quite hard to sew ~~because~~ but tried my best. The flag each colour means something. Red for blood, Brown for their brownish Black skin the others are just a tree on the little hill which they believe a bird has once used for her nest. Bill have been painting signs for the Larrakias so they could collect donations.

At the wharf Bill found a very rusty tangled up wire and it looks like a sculpture of some kind. I think it would look nice once its ~~been~~ painted.

Illustration 6: A page from a letter from Polly Day to her mother-in-law, 14-10-71

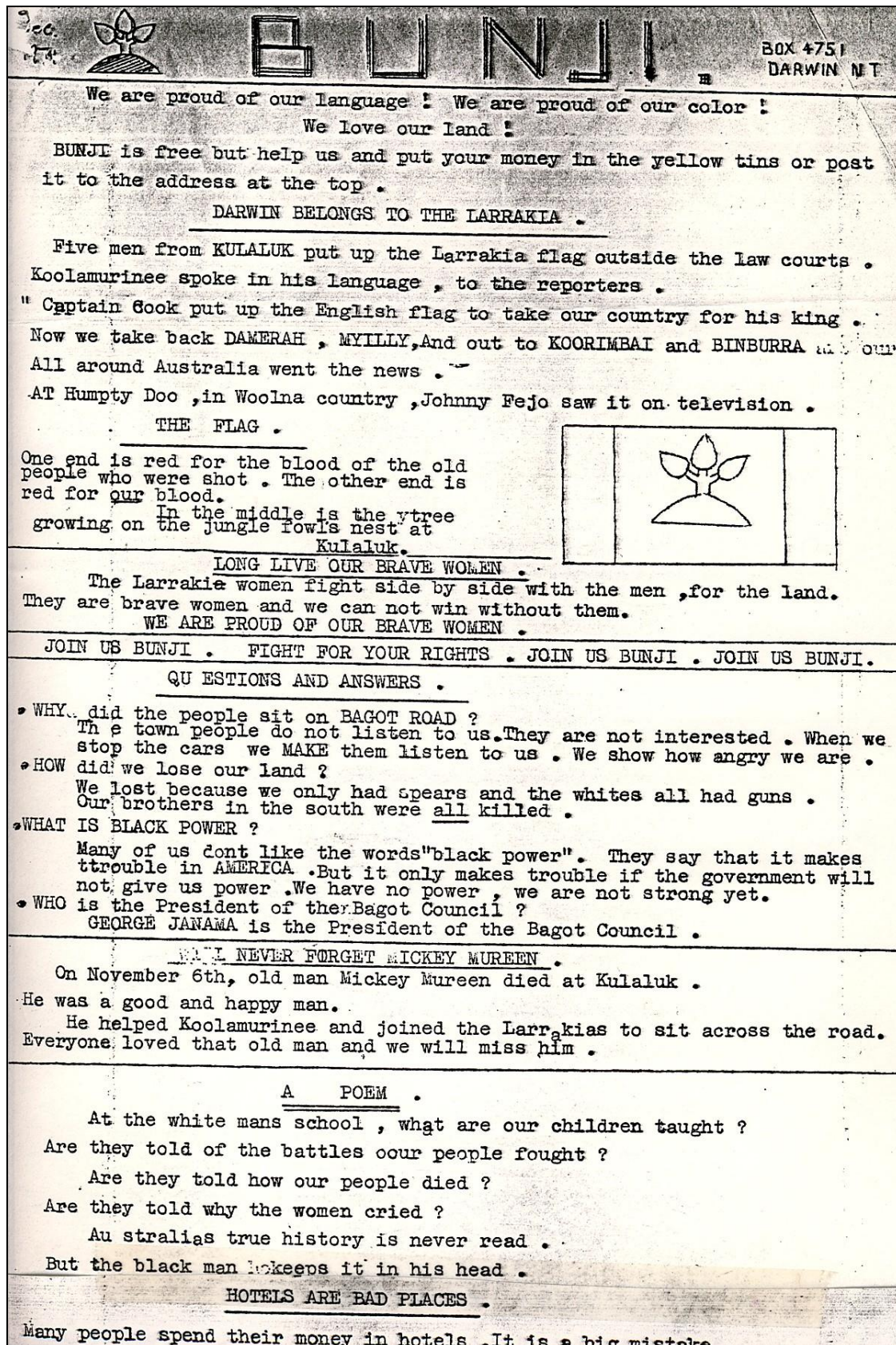


Illustration 7: A copy of the December 1971 issue of the Aboriginal newsletter *Bunji*.

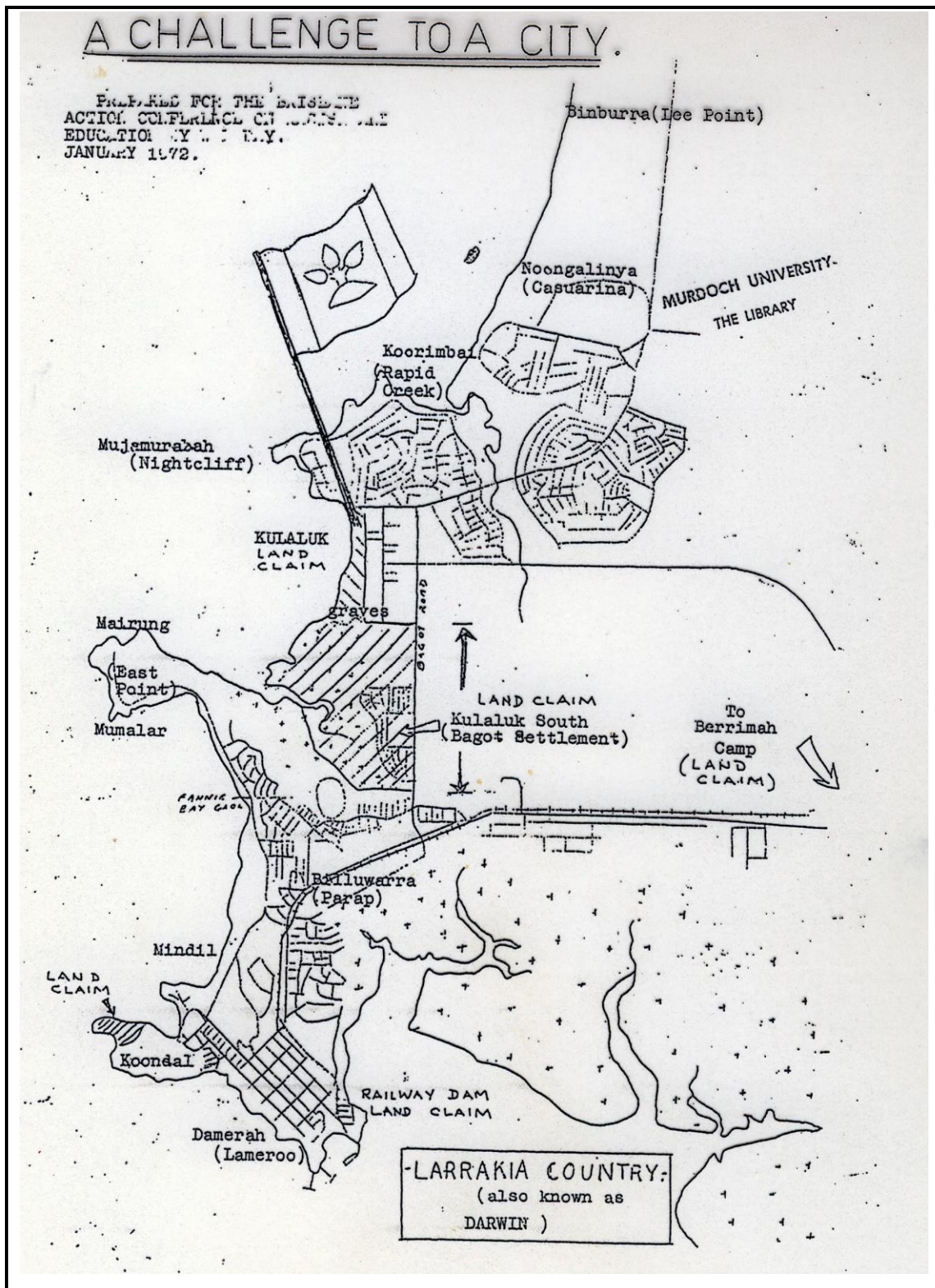


Illustration 8: Cover of Bill Day's paper for the Action Conference on Racism and Education held in Brisbane in January 1972 (see Appendix 2).

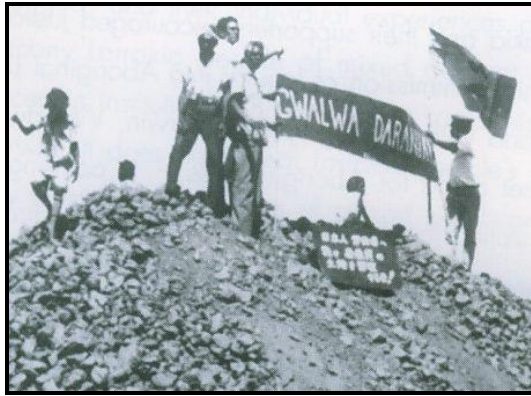


Plate 10: The flag, July 14, 1972.



Plate 11: The mural at Kulaluk, in about March 1973.

The photograph taken late in the wet season of 1972/73 shows a group of Kulaluk residents in front of a corrugated iron house with the painted mural behind them. The mound and tree on the flag are coloured yellow with three green leaves.⁴ The central background is brown. I remember painting this mural and also being present at the camp when the two photographs were taken (Plates 11 and 12). There are two versions of the photo. The black and white version shows Jackson Lee standing next to Fred Fogarty with Richard Rankin behind them (Plate 11). Sitting are Violet Adam, David Daniels, Bobby Secretary, Johnny Wave Hill and Gabriel Secretary. Violet had been David Daniels's partner but was now going with Fred. Jokingly, to reflect the changed arrangements, a second photograph was taken with Violet changing places with Jackson Lee. It can be seen from this photograph that the Kulaluk residents came from as far as Queensland, Western Arnhem Land, Daly River, Roper River and Wave Hill, with others from Belyuen across the harbour being absent. Fred had returned from a trip to town just in time to be included in the photo with shopping still in hand.

In a still from television footage, the shed with the flag mural can be seen behind Knuckeys Lagoon members of the Gwalwa Daraniki visiting Kulaluk for the meeting with Judge Woodward, the Aboriginal Land Rights Commissioner, on June 2nd, 1973 (Plate 14). The Judge sits on a chair in the foreground next to the chairman, Fred Fogarty, with Major Bangun from Knuckeys Lagoon standing beside them. Captain Bishop, Tommy Lyons and Bobby Secretary are sitting on the ground in front of the Judge. Tommy Lyons (Imabul) had come over from Belyuen for the meeting. The shed was destroyed during Cyclone Tracy on the night of December 25th 1974.

⁴ It is possible the use of yellow shows a new awareness of the colours on the Harold Thomas flag.



Plate 12 (above): Kulaluk residents pose in front of a mural of the flag in about March 1973 (AIATSIS).



Plate 13 (above): The flag flies on top of the iron ore stockpile at Fort Hill wharf on National Aborigines Day, July 14th, 1972.



Plate 14 (above): Judge Woodward discusses the Gwalwa Daraniki land claims with Aboriginal residents from Kulaluk, Knuckeyes Lagoon and One Mile Dam at Kulaluk on June 2nd, 1972. The flag mural can be seen on the wall of the shed in the background.

Although the flag was lost, the symbol of the tree-on-the-mound continued to be used as a logo on letterheads, signs and banners. The flag in full colour reappeared in November 1973, painted on a sign at the second Aboriginal Embassy in Canberra. Fred Fogarty had painted the sign while living at the Embassy, waiting for his day in court (Plate 15; see also page 55 of *Bunji*). It was in Canberra that Stewart Harris, who wrote the foreword to my book, *Bunji*, first met Fred.



Fred Fogarty's sign at the second Aboriginal Embassy opposite Parliament House in Canberra, November 1973, reads: 'Remember the Larrakia Tribe, Kulaluk, Darwin NT land rights claims. Kulaluk for Larrakia 700 acres. We wuz robbed. Land rights now'. Photo Australian Foreign Affairs and Trade Department.

Plate 15: The flag painted in colour on a board by Fred Fogarty, November 1973.

In preparation for his appearance in a Darwin court Fred had painted a protest sign bearing the flag symbol (Plate 16). Many years later, in the 1990s under a different regime, the symbol was also used on a hand painted sign at the Totem Road gate to the old Bagot burial ground - a sign that included a small representation of the Aboriginal flag (Plate 17).



Plate 16: The tree motif on a placard outside the Darwin courthouse in 1973 (left).



Plate 17: The tree motif on the Totem Road gate to Kulaluk in 2001 (right).

In May 1973 Bobby Secretary was filmed being introduced to the Commander of the Larrakeyah Barracks in Darwin on a visit to the Larrakia ceremony ground at Emery Point. Bobby is wearing a hand-painted T shirt with a tree circled by the word 'Larrakia.' (Plate 18). I do not know who painted this shirt for this important occasion, but they appear to have borrowed the tree symbol to represent the Larrakia. When the Gwalwa Daraniki returned to the Army Barracks on July 31st, 1973, they were led by Johnny Mailer holding the National Aboriginal flag (Plate 19). It was this widely distributed National Aboriginal flag that flew over the Darwin camps in the following years.



Plate 18 (left): Bill and Bobby at Larrakeyah Barracks, May 14th, 1973.

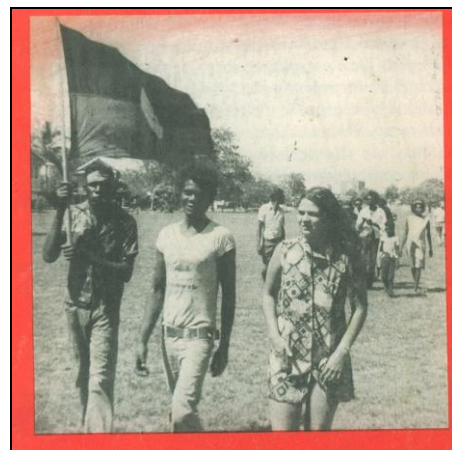


Plate 19 (right): The Gwalwa Daraniki return to the Barracks with Cheryl Buchanan and the National Aboriginal flag on 31st July, 1973.

The Kulaluk or Larrakia flag seemed destined to fade into obscurity by the time I returned to Darwin in 1996 to begin my field work for my doctorate of anthropology, as a postgraduate student of The University of Western Australia. By September that year I had begun to working with the Burarra people who were camped at 'Fish Camp', next to Fred Fogarty's old camp on the Kulaluk lease. In October, Mary Lee contacted me with the idea of commemorating the twenty-fifth anniversary of the 1971 flag-raising. Actually, I do not

remember the sequence of events – perhaps I contacted Mary, as a recommended seamstress. Anyway, which ever way it was, Mary agreed to sew a replica of the Larrakia flag. The only difference was to be the use of a black background instead of the brown, in keeping with the Aboriginal colours (see *Aboriginal Darwin: a guide to exploring important sites of the past and present*, pages 74-75).

Mary finished a large version and a miniature version of the flag in time for the twenty-fifth commemoration conducted at Kulaluk on November 7th 1996. After Larrakia representatives made speeches at the site of Bobby's original camp the flag was paraded around the community and then raised on a pole at the entrance (Plates 20 and 21).⁵ The event was reported in the media and filmed by the ABC (Illustrations 10 and 11). I think it was Mary Lee's replica flag that was displayed in the National Museum and used in the ceremony returning Larrakia remains stored by the Museum (Illustration 12, ATSIC News).



Plate 20 (left): 25th anniversary commemoration, Kulaluk 1996.

Plate 21: Mary, Wes and Bill with the replica flag raised at Kulaluk on 7th November, 1996.

There is no doubt that Mary Lee and her family should be credited with the revival of the Larrakia flag in its new incarnation. In the history of flags there is nothing unusual about this. For many years the Eureka flag was largely forgotten until popularised as a symbol of republicanism and resistance in the 1970s. From being a museum piece in Ballarat, the ragged cloth was replicated on T-shirts and screen-printed flags across the nation. Similarly during the Indonesian occupation of East Timor, the Fretilin flag was screen-printed on clothing and painted on banners, becoming a popular and easily recognised symbol of East Timorese

⁵ The old beech tree has died and structures have been built on the mound, now eroded to a sandy rise.

independence. In the 1950s, I remember as a boy scout we used the Red Ensign as the Australian flag, if not the Union Jack. It was not until many decades after the competition to design a flag that our blue national flag gained wider acceptance. The design of the black swan on the West Australian flag is still evolving.

In about 2003 I received correspondence from Kelvin Costello from Larrakia Nation asking me who had the copyright for the 'Larrakia Flag.' I explained that the flag was designed for a specific purpose in 1971 to represent the aspirations of the group at Kulaluk and other people camped around Darwin without land rights. We could not have foreseen the remarkable revival of the Larrakia tribe. Not surprisingly, many members of the Larrakia Nation in the 21st Century do not feel the old flag represents them, with the central design being a tree at Kulaluk. Despite these factors, I replied to Kelvin that as far as I was concerned the Larrakia Nation was welcome to use the flag. In my correspondence with Kelvin, I said that I could not speak for Mary Lee, who had made the 1996 replica.



1973



1996

On reflection, I think that the laws of copyright would not recognise Mary Lee's refinement of the flag as if it were an original design. I suggest that this report proves conclusively that the founders in 1971 were the originators of the design for the flag, even though the colour and design were later slightly changed in the 1996 replica. In particular I believe that I would be entitled to the copyright as the one who first put the design onto paper, under the supervision of the group later known as the Gwalwa Daraniki and then into fabric with the help of Polly Day, who sewed the flag.⁶

To copyright a flag is a foreign concept to me. In most cases, particularly at moments in history like the Eureka Stockade, the creation of a flag is **a process**, despite perhaps finding expression through an individual. A good flag's origins become confused with the legends surrounding whatever it represents. Surely this is what has happened with the 1971 flag? And that is how it should be, if the flag is to represent the people who look up to it.

⁶ The Gwalwa Daraniki Movement of 1972-3 is not the same body as today's Gwalwa Daraniki Association who have held the Kulaluk lease since 1979.



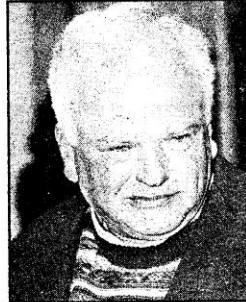
Illustration 12: Article and pictures from ATSIC News (photos by George Serras).

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urges reconciliation on Aboriginal flag



n ... design came 'off the top of my head' — Pictures: TONY LEWIS



Mr Tennant ... challenge
By KATHERINE TOWERS

THE president of the Copyright Tribunal, Justice Ian Sheppard, yesterday lashed out at parties wrangling over the ownership of the Aboriginal flag, claiming it was "rather unfortunate" that the origin of a symbol of indigenous unity and identity was in dispute.

Justice Sheppard called on the three parties, who each claim intellectual copyright over the flag, to attempt conciliation outside of the tribunal, claiming the importance and significance of the flag transcended the Aboriginal community.

"It has become very well known in this country, not just by Aboriginal communities but right throughout the community and has importance, one would think, that transcends the Aboriginal community," Justice Sheppard said.

"I think it is rather unfortunate that we should have a dispute about the ownership."

An Aboriginal man from South Australia, Mr David George Brown, and a non-Aborigine, Mr James Tennant, from Canberra have challenged the copyright claim over the flag by Darwin artist Mr Harold Thomas, who is seeking royalties and national recognition as the ensign's designer.

Both Mr Brown and Mr Tennant claim to be the original designers.

In the tribunal held in Adelaide yesterday, the lawyer for Mr Thomas, Melbourne-based copyright expert Mr Colin Gollan, claimed it was "important that this national symbol be attached to its rightful creator" and for his client "it was a matter of sadness and regret" the issue was being challenged.

Mr Thomas yesterday gave evidence that he designed the flag in 1971 for an Aboriginal



Mr Thomas ... 'my creation'

rights march in July that year.

He claimed he used red and yellow ochre stored at the South Australian museum to create the distinctive colours which represented the earth and the sun. He decided on using black for the top strip as it was a time of "black consciousness".

Mr Brown has accused Mr Thomas, his former art teacher, of stealing the design which he claimed he created for a national competition in the early 1970s while he attended the North Adelaide Aboriginal Community College.

Mr Brown, unemployed of Murray Bridge, claimed in July last year that the design came to him "off the top of my head" and the completed work was included among a pile of fellow students' drawings on his art teacher's desk.

He claimed at the time the black was for the "blackfellas", the yellow for the sun but the red was for the "blood spilt" at the time of colonisation.

Mr Thomas yesterday denied ever teaching or meeting Mr Brown and said at the time he designed the flag it bore no resemblance or relation to anything he had ever seen.

"It was my creation," he said.

Mr Thomas yesterday told the court he only became aware that there was a challenge to his copyright claim on the flag when Mr Brown's wife, Mrs Kaylene Brown, rang him in 1991 claiming she wanted the royalties for her children.

He said the conversation was "very emotional" and took him by surprise.

"She was saying my husband did the design not you ... you're receiving royalties from the flag ... and I want the money for my children," Mr Thomas said.

Illustration 15: 'Judge urges reconciliation on Aboriginal flag,' *The Australian*, 24th July, 1996, page 3.

I could never claim my rights to the copyright for the flag that is the subject of this report or name it as the 'Kulaluk flag' or the 'Larrakia flag.' It is for the people to decide whether it is to be an historical relic, a museum exhibit or the subject of commercial dealings. This should only be restrained by the protocol for flags, and not the laws of copyright. In rescinding my rights, I would not want anyone else to hold the copyright, or for the flag to be tangled in legal disputes or copyright bought and sold as is the case for the Beatles songbook. Whoever knows where that could end? (See Illustrations 13, 14 and 15).

In 2007 I received further inquiries about copyright from people in Darwin who want to use the flag in various ways. I do not believe that it would ever be a profitable or widely popular design, so money is not the issue. To me it is enough that the flag has been registered on an official register of flags as a legitimate flag, as long as the history and colours are correct.. Hopefully my submission will assist in a resolution that is acceptable to all and ensure that the flag remains a people's flag that can be freely flown with pride, as it was originally intended in 1971.