

EDITED version of “Speaker’s Corner” Address at National Archives of Australia Canberra on Sunday, May 29th, 2011 at 2pm.

By Dr Bill Day

In October 1972 a petition containing approximately 1000 Aboriginal signatures was mailed to Queen Elizabeth II calling for treaties recognising land rights and political representation. After being preserved in the National Archives of Australia in Canberra for almost 40 years, the 3.3 metre scroll commonly referred to as “the Larrakia Petition” was carefully restored for public display during Reconciliation Week in 2011. As one of the few surviving participants in organising the petition, I was honoured to be invited by the Archives with the Larrakia Nation Aboriginal Corporation’s Mr Daniel May from Darwin to “provide an insider’s perspective” at the regular “Speakers Corner” on May 29 this year.

The National Archives described the Larrakia petition as “one of the most important documents in the history of Indigenous Australian’s struggle for land rights”. On May 29, the public were invited to “take the opportunity to view the original petition as part of this special event”. Seventy-five people attended to hear our talk and see the petition. In the circumstances, Daniel and I both felt the pressure of our responsibility to do justice to the sacrifice and courage of all the men and women whose names were recorded on the document before us. In displaying the petition the National Archives was also honouring all those whose names are written on it. By their presence, the respectful audience also gave honour to the memory of the signatories.

It was a strange situation to be in the presence of a document I had not seen since I mailed it to Buckingham Palace in October 1972. There was added emotion because many of those named on it were my friends. Although the majority have passed away since the petition was gathered, I felt that their spirits were with us in the room. They would be proud to know that the National Archives of Australia has described their petition as an important document in the Aboriginal rights movement and in Australian history as well. Their signatures on the historic document now silently act as a cry for Aboriginal rights - one that has echoed down through the generations.

In 1972 I could never have imagined that forty years later I would be introduced as Dr Bill Day at such a gathering thirty-nine years later. Apart from coverage in the *Northern Territory News*, the petition was practically ignored on the national scene and its fate was unknown. And it was not until 2001, at the age of sixty years, that I had graduated from the University of Western Australia with a doctorate in anthropology.

Considering the above, a smoking ceremony would have been appropriate for the occasion, but Daniel feared he might trigger the fire alarm and sprinkler system. However, that morning he had visited the Aboriginal Embassy and been cleansed in the smoke of the sacred fire kept burning there. Instead, proceedings were begun with a moment's respectful silence to acknowledge those who have passed away. The edited text of my address follows:

Firstly, I will place the petition in the context of the Aboriginal Struggle. I shall then attempt to give the petition a human face by describing some of the people who contributed to it. In Darwin I often get requests for photographs of those I shall name, so you can be assured that the families have no objection to showing the images of their relatives after so many years. Also, because of their important contribution to Aboriginal history, the signatories should be acknowledged as the heroes and martyrs of the struggle that they were. Hopefully the "Speakers Corner" address will place the petitioners firmly in their rightful place in history. I shall then briefly mention my role, before describing the history of the petition in relation to the Larrakia struggle in more detail.

For the last four decades to my knowledge the Larrakia petition has been almost entirely overlooked. The petition is seldom mentioned in history books, essays and documentaries. One exception is Judith Wright's 1985 book, *We Call for a Treaty*. Her book is available in PDF format on the internet. Perhaps it was Judith Wright who first labelled this as the "Larrakia Petition". However, the petition was intended as a **National** effort, on behalf of **all** Aboriginal people, not just the Larrakia people, who were striving to be recognised as the traditional owners of the Darwin area.

There **were** earlier Larrakia petitions. In 1971 the Larrakia had prepared a statement signed by 15 men vowing not to lose "one more acre of land". Then a letter signed by eight men on December 18, 1971, threatened to cut the overland telegraph line between Darwin and Katherine. All the men who signed the letter were taken to the police station to give statements. These statements can be viewed in the ASIO files of William Bartlett Day on the website of the National Archives of Australia. The Northern Territory Special Branch and ASIO often kept better minutes of Aboriginal rights meetings than the participants did. The police archival records remain as a useful resource to researchers.

The constant monitoring and other police responses to Aboriginal protest in Darwin did not deter the Larrakia and their supporters. Judith Wright records that in March, 1972, a petition signed by

the Gwalwa Daraniki Movement members was sent to the Prime Minister, William McMahon. This petition called for a “Commission to go around to every tribe and work out a treaty to suit each tribe”. The petition concluded, “These are the demands of the Gwalwa Daraniki and we shall not stop until the treaties are signed.”

Prime Minister McMahon replied in June, 1972, saying that it was not appropriate to negotiate with British subjects as though they were foreign powers, but the Larrakia did not give up, and the national petition on display was the result. The Prime Minister’s reply also explains why the later treaty petition was addressed to the Queen. A year later, in June 1973, the Larrakia were to present their own treaty proposal to Judge Woodward, the Aboriginal Land Rights Commissioner, signed by Bobby Secretary. This document and correspondence associated with it is also preserved in the National Archives.

To put the Larrakia petition in perspective, it is one of many similar demands that Bain Attwood and Andrew Markus record in the book, *The Struggle for Aboriginal Rights: a documentary history*. Typically, the book does not mention the Larrakia petition. Amongst the landmark actions listed are an appeal to the United Nations on behalf of Pilbara Aborigines in June, 1946, followed by a statement issued by the Pindan group in Port Hedland in 1957. In 1963, members of the Federal Council for Aboriginal Advancement issued a list of demands, followed by the famous Yirrkala bark petition to the House of Representatives. Amongst the points made on the bark petition was a fear of sharing “the fate of the Larrakeah people”.

Other examples of Aboriginal aspirations are the National Tribal Council Manifesto in September 1970 and the Platform of the Black Panthers of Australia. Following the failed Milirrpum versus Nabalco case, clan leaders from Yirrkala in North east Arnhem Land addressed a statement for land rights to Prime Minister William McMahon in May 1971, and, in the same year as the Larrakia petition, the Aboriginal Embassy issued their five-point list of demands. More recently, in 1988 the Barunga Statement called for Aboriginal self-management, a national system of land rights, compensation for loss of lands, respect for Aboriginal identity, and an end to discrimination. In response, the Prime Minister, Bob Hawke, promised to facilitate a treaty between Aboriginal and other Australians by 1990. As Hawke later tearfully admitted, this was not achieved during his time in power.

The Murdoch press continues to champion the Gumatj clan of the Yolngu people of North East Arnhem Land for being responsible for the Northern Territory Land Rights Act passing into

legislation in 1976. For example, on May 27, 2011, *The Australian* newspaper illustrated a story on a mining agreement in North East Arnhem Land with a photograph of a young Galurrwuy Yunupingu holding the 1963 bark petition. The article by Paul Cleary, headed, “The end of Gove’s historic injustice”, comments: “In 1971 the High Court ruled against the Yolngu, but five years later federal parliament passed land rights legislation covering the Northern Territory.” Similarly, Sarah Elks in *The Australian* reported on June 9, 2011: “Mr Yunupingu’s father, Mungurrawuy, and other leaders [of the Gumatj clan] penned the famous bark petition at Yirrkala, **culminating in the commonwealth’s Aboriginal Land Rights Act...**” (my emphasis). Comments such as these skip over the six eventful crucial years between the Gove decision against land rights by Mr Justice Blackburn in 1971 and the passing of the Land Rights Act in 1976. Consequently, one value of the belatedly recognised Larrakia petition is that it represents the forgotten six years of Aboriginal discontent that turned the tide of Aboriginal history.

Without detracting from the efforts of the Yolngu clans, it needs to be recorded that after the initial disappointment at losing the Gove Case, the fight was taken up by a ragged coalition of fringe dwellers in Darwin and later in Alice Springs. Without any legal representation or leadership articulate in English, this movement of determined disenfranchised Aboriginal men and women kept the pressure on the Federal and Northern Territory Governments before and after the election of the Whitlam government in December 1972 and again when land rights were under threat after the dismissal of Whitlam in November 1975. Their voice was to be heard in a roneoed newsletter called *Bunji* which was published in 64 editions between 1971 and 1985, reaching readers across Australia and the world.

Certainly most of those the 1000 men and women who signed the petition addressed to Queen Elizabeth II in 1972 were not the movers and shakers of the Aboriginal struggle as it is recorded in the history books and the mass media. Some, like Phillip Roberts OBE and Dennis Walker whose signatures are on the petition are well known, but the majority are from the grass roots, if not the “long grass”, as they say in Darwin. Their names preserved on the petition in the National Archives of Australia express the cry for recognition of a people whose rights have been crushed. They seized the banner from their predecessors at a crucial time in history when land rights was under threat and carried it forward.

Amongst the many names alongside inky thumb prints scattered on the petition are Larrakia elders Topsy Secretary and her cousin, “Prince of Wales” (son of King George) and two old Larrakia women, Dolly Batcho, and Garamanak who did not live to see land rights become a reality. Others

are younger Aboriginal activists like Kim Ross, Norman Horace and Johnny Maler. These heroes were amongst those who sat across the arterial Bagot Road at peak hour on three occasions in 1971, blocking commuter traffic. Who could forget Norman Horace, who had been a boxing champion under the name of “Kid Langford”, stripping off his pressed white shirt to proudly carry the banner, “Black is Beautiful” to lead the Darwin May Day Parade in 1972. His action captured the defiant mood of the movement that police harassment and public disapproval could not quash.

The signatures of Roy Mudpul, Richard Rankin, Norman Harris and Billy Manji inscroll on the public record the names of four men who defied the bombing of their sacred island by setting up camp during a scheduled RAAF bombing practice. They are listed with their countrypeople, Harold Woodie, Rusty Moreen and Ruby One, who stood firm against inner city development of their traditional camping ground at One Mile Dam. Also on the petition is the unpretentious moniker of a Queensland man who helped collect the signatures and became synonymous with the Larrakia struggle - the forgotten hero of the land rights struggle, Fred Fogarty, featured in *The Big Read* on May 12, 2011.

Amongst the many names from interstate are Cheryl Buchanan, who chronicled the Darwin protests in her booklet, *We have bugger all* in 1974, along with the Watsons of Mount Gravatt, the Rigney family and others from Port McLeay and Point Pearce in South Australia and a sizeable contingent from Wyndham in Western Australia. As it is said, “Lest we forget”.

At the Aboriginal reserve known simply as “Bagot” in the suburbs of Darwin, people living under the tight control of the Government Superintendent and a conservative Aboriginal council signed the petition as collectors passed from door to door. The next day the chairman of the Bagot Council wrote a stern letter to me warning me that I would be prosecuted if I was seen on the Aboriginal Reserve again without permission. In those days so-called “radicals” were rarely given a permit to enter Aboriginal land and the Aboriginal councils more often than not served their masters faithfully.

At the “9 Mile Camp” ringers and their families living on the outskirts of Darwin at Knuckeys Lagoon enthusiastically signed with their mark or scrawled their names on scraps of paper to be added to the list. Their little community is immortalised in Basil Sansom’s book, *The Camp at Wallaby Cross* and also in surveillance photographs taken by the NT Police Special Branch after a series of protests in 1971 and 1972. These photographs and accompanying police reports can also be found in files on the National Archives website.

In 2009, on the thirtieth anniversary of the handover of a town camp lease at Knuckeyes Lagoon, the community held a simple ceremony to remember their brave extended family members who are signatories on the Larrakia petition and now lie buried on land they won in Darwin in 1979. Only a few of the elders from those days survive. Their situation explains their militancy – like others who signed the petition, the Knuckeyes Lagoon campers had nothing to lose. Today their struggle to hold on to the gains won in the 1970s continues.

I believe it is appropriate that the Larrakia petition calls for a treaty, because from the Aboriginal viewpoint there has been a protracted and ongoing war occurring in this country in which Aboriginal people have never surrendered their claim to land rights. All involved in Aboriginal affairs have known many leaders, heroes, martyrs and quiet achievers whose efforts and sacrifice has gone unrecognised. As Bobby Secretary told the *NT News*, “When I die others will carry on.”

To my knowledge there is no national memorial to the heroism of the Aboriginal people who fell in many ways defending their land. The National Gallery has an impressive memorial by Ramingining artists and there is some belated recognition of the Aboriginal people who served defending Australia in overseas wars, but what is needed is a monument on a grand scale in Canberra commemorating the Aboriginal struggle that has been so fleetingly recorded. That struggle continues within this country we now share. I envisage a massive realistic monument capturing the horror, the tragedy, the stoicism, the courage and even the loyal service of the Aboriginal resistance.

John Pilger expressed some of the emotion behind this struggle in the opening of his Bicentennial television documentary “A Secret Country”, later released on DVD. Staring into the camera, with great intensity Pilger recited a poem which first appeared in the newsletter *Bunji* in 1971:

At the whiteman’s school what are our children taught?
Are they told of the battles our people fought,
Are they told why the women cried?
Are they told how our people died?
Australia’s true history is never read,
But the blackman keeps it in his head.

The first edition of the book, *A Secret Country*, reprints the poem on page 21 with an acknowledgement to “an anonymous Aboriginal poet” as the author. When I noticed this, I wrote to Pilger in UK pointing out that the poem was first published in the newsletter *Bunji* and that it was

my composition. Pilger then arranged for the “Fully Updated Edition” of *A Secret Country* to acknowledge the author of the poem as “Bill Day, from Bunji, December 1971”.

Perhaps I should at this point say something about my role. It may seem strange that a non-Aboriginal man published a militant Aboriginal newsletter like *Bunji* for 13 years and wrote poems and articles like the one quoted by Pilger. My role may be an irritant for some Aboriginal militants, even amongst the 1,600 potential members of the resurgent Larrakia Nation today. But it was not an issue amongst the Aboriginal people I knew in Darwin in the 1970s.

I hitchhiked up the coast from Perth in 1969 and found work on the wharf in Darwin. On the wharf amongst hardened brown-skinned veterans I heard stories about the Communist-led Northern Territory Council for Aboriginal Rights and their fight for citizenship in the 1960s. Peter Australia is one survivor of that campaign whose name is on the petition. The year before, I had worked in Port Hedland as a taxi driver and met an Aboriginal leader named Clancy McKenna who told me about Don McLeod and the Pilbara strikes. In both these struggles, white people played an important role, as they did in the anti-apartheid struggle in South Africa where white and black fought side by side against racism. After 1971, Aboriginal opposition in Australia took a more separatist direction, probably as a reaction to assimilation.

Larrakia activism had its origins in the camps of homeless Aboriginal people in Darwin at a time when the Gurindjis at Wattie Creek had refocused the Aboriginal struggle from citizenship and equal wages to land rights. The Aboriginal campers were “homeless”, in the sense that they had no rights to the land on which they had constructed rough shelters of branches, tarpaulins and old corrugated iron. At one such camp called Kulaluk situated behind the Darwin drive-in cinema, I was introduced to Larrakia elder, Mr Bobby Secretary. He told me that other members of his tribe lived in the suburbs of Darwin and at the Bagot Aboriginal Reserve, as it was then known, controlled by the Department of Welfare under the Director, Harry Giese. Twenty-five years later, under different circumstances I was to do my PhD field work in similar camps in Darwin. My thesis was titled, “Fringe dwellers in Darwin: cultural persistence or a culture of resistance?”

On November 7, 1971, Bobby Secretary, Gabriel Secretary and three men from the fringe camps raised the Larrakia flag on the flagpole in front of the Darwin Supreme Court and claimed back Darwin for the Larrakia. As far as they knew their flag was the first Aboriginal flag. Bobby Secretary explained to the media that the red band at one end of the flag represents the blood that was shed and the red band at the other end represents the blood his people are prepared to shed. In

the centre is the tree growing on an old jungle fowl's nest at Kulaluk where the Larrakia had their camp. My wife, Polly Day, had sewn the flag from scraps of material a few days beforehand. Until recently a replica flew outside the offices of the Larrakia Nation Aboriginal Corporation in Darwin.

As well as the Bagot Road sit-downs, protestors stopped the loading of an iron ore ship by standing in front of machinery. They also attempted to stop a train and handed out "Permits to Enter" applications to travellers at the International Airport. On another occasion, protestors invaded the Larrakeyah Army Barracks, built on a sacred Larrakia site at Emery Point – an ongoing dispute. There were also big turnouts of Aboriginal people in the streets of Darwin in the May Day and National Aborigines Day marches in 1972.

The next step was to mailout and circulate petition forms with a covering letter asking Aboriginal people to sign or put their thumb print on the forms and return them before an overnight visit to Darwin by Princess Margaret and Anthony Armstrong Jones in late October. The plan was to establish an alternative "Aboriginal Government House" on the lawns outside the entrance to Government House for the duration of the October visit in an attempt to present the petition to the royal visitors for delivery to the Queen. The Queensland Black Panthers denounced Her Majesty as "a puppet" but dutifully signed the petition. I carefully printed the introduction and collected quite a few of the signatures myself. It is my printing beside many of the thumb prints and crosses. As petition forms were returned, they were pasted in one long strip, which was photographed for the front page of *The Northern Territory News*. For the purpose of preservation, conservators at the Archives have gone to great lengths to painstakingly remove the old glue and tape that held the pages together.

There had been some concern in the media about the planned protest, and the police had conducted a blitz on homeless Aboriginal people in the preceding days. Statistics published in the *Bunji* newsletter show that the number of Aboriginal people hauled before the Darwin magistrates' court on the week prior to and after the royal visit had doubled. One leading Darwin Aboriginal activist and leader of the Gwalwa Daraniki Movement, Fred Fogarty, was taken from his bed at Kulaluk and locked up for the duration of the protest. Fred pleaded not guilty to his charge and managed to get a sympathetic lawyer named John Waters to defend him. This was before the advent of Aboriginal Legal Aid, so Fred had to rely on the lawyer's goodwill. It was uncommon for Aboriginal people to plead not guilty in those days.

One man described his experience in *Bunji*. “I was just going home. Police pull up. I was just wobbling, probably reckon I was drunk. They took me to the lock up, lock me up to five o’clock next morning. I never seen a white bloke in there. Fifteen blokes counting two women, that’s seventeen. Couldn’t believe it myself, everyone lying on the floor, sleeping on the seat, couldn’t believe it. I thought because of what we did that night, princess or whoever it was was here, policeman was thinking they pick up any blackfellow going on the street, going home or not. Come to court the next Tuesday, we all got off with a fine. I was surprised with old man there too, that old with bent back, couldn’t even walk, his wife help him. Well he wouldn’t cause any trouble if he was that old would he? Funny things going on here. Sort of make me think.”

Despite the harassment, about 300 Aboriginal people gathered outside Government House that night chanting and pushing against the police barriers while Margaret circulated amongst guests at a garden party in the Government House grounds. A chant, “We want land, not medals”, rang out as the Princess presented an MBE to a North East Arnhem Land elder. There was no reply to a note the protestors passed to an Aide with the touring party. The note had asked that a delegation be allowed to present the petition. However, no opportunity arose to hand over the petition that night.

After the Trade Union buses had taken most of the protestors home, a smaller group stayed at the camp until the next day when a procession of black limousines purred up the driveway and turned into the street. Because this was the last chance to present the petition, Johnny Maler, whose name appears prominently on the petition, volunteered to stand in front of the royal motorcade. Johnny tucked the rolled-up scroll under his arm and broke through police lines but he was tackled and the petition was torn as police held him back. It was at this point that a large piece went missing, according to a covering letter signed by five leaders of the Gwalwa Daraniki Movement when the petition it was later mailed to Buckingham Palace.

As can be seen, the petition was ripped in the struggle to break through the police lines. This inflicted damage is significant, because the petition was born in struggle. Perhaps a spattering of blood would have been even better. The exercise of trying to present the petition to royalty and being obstructed by Australian officialdom could be seen as an exercise in consciousness raising, demonstrating the barrier between Aboriginal people and the colonisers. Henry Reynolds and others record evidence that the British gave instructions that Aboriginal land rights were to be recognised in the colonies. Until 1976 and later the Mabo decision, these colonial orders had been ignored. After receiving the tattered petition in the mail, apparently the Queen forwarded it to Governor General Sir Paul Hasluck and from there it ended up in the National Archives. Its progress is recorded in a file of correspondence that is yet to be cleared.

For the Larrakia, their struggle did not end with the petition for a treaty. That significant document was only a milestone along the journey. A more detailed account of the fight to secure land rights between 1971 and 1976 is told in my book, *Bunji: a story of the Gwalwa Daraniki Movement*, published in 1994 by Aboriginal Studies Press. Neither did the story end there. The Larrakia claim to the Cox Peninsula, also known as the Kenbi claim, became the longest running land claim in Australia, from 1979 to 2000. Even so, final resolution of the Kenbi claim has yet to be decided, in that the Federal Minister for Indigenous Affairs, Jenny Macklin, is yet to hand title to Cox Peninsula to its traditional owners. Meanwhile, in 2006, Justice John Mansfield of the Federal Court found that Larrakia native title had not survived in the Darwin area (*NIT*, April 20, 2006, p.3), making the demands written on the 1972 petition as relevant as ever.

When Chou En-lai, the Premier of China, was asked about the historical effect of the French Revolution, he replied, "It is too early to tell." After forty years, the same might be said about the influence of the Larrakia Petition for Aboriginal rights. Certainly it can be said that during Reconciliation Week the National Archives of Australia perhaps unwittingly have made a political statement in recognising the brave men and women who signed the petition. By putting the Larrakia Petition on display, the National Archives of Australia have compelled historians, Aboriginal leaders and the Australian public to reassess the petition in the light of the demands for a constitutional amendment to recognise the Indigenous inhabitants of our nation.

For those involved in Aboriginal rights, it seems like an endless story. Native title under British common law has proved to be very divisive amongst Aboriginal people, as the Larrakia people can attest. A treaty for Aboriginal people, on Aboriginal terms, could be a step towards closure. The National Archives of Australia should be congratulated for preserving our history for future generations - generations who at the very least might be made aware of the sacrifices made by those who went before them.

William B Day

Canberra

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GWALWA DARANIKI ! THIS IS OUR LAND !

The British settlers took our land. No treaties were signed with the tribes. Today we are REFUGEES. Refugees in the country of our ancestors. We live in REFUGEE CAMPS_ without land, without employment, without justice.

The British Crown signed TREATIES with the Maoris in New Zealand and the Indians in North America.

We appeal to the Queen to help us, the Aboriginal people of Australia.

We need land rights and political representation now. SIGNED :

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