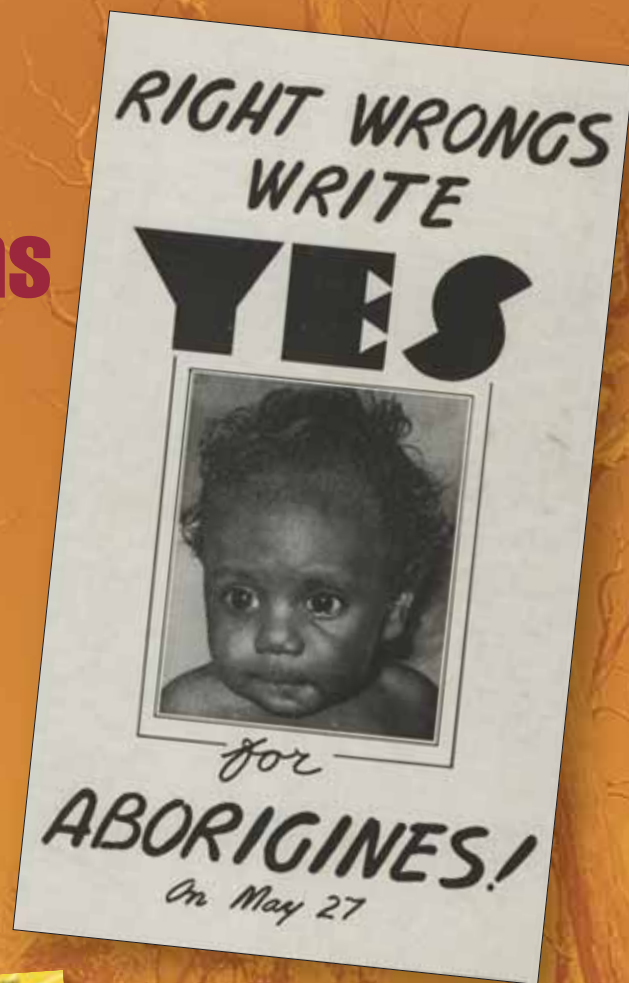


Investigating the Changing Rights and Freedoms of Indigenous Australians 1957–1975

2008 is the 70th anniversary of the 'Day of Mourning' – 26 January 1938 – when a group of Indigenous leaders protested against the '150th anniversary of the white men's seizure of our country', and the inferior citizenship status of Indigenous people.

This theme of the struggle for full Indigenous citizenship rights is a significant and continuing part of Australia's history.

The National Museum of Australia now has a wealth of primary and secondary source material available to students of this theme on its website, Collaborating for Indigenous Rights, at www.nma.gov.au/indigenoustrights.



In 2007 *STUDIES* included a unit showing how students could use the material to explore the 1967 Referendum.

In this unit we provide a timeline of developments from the 1950s to the 1970s, with suggestions for ways that classes can explore aspects of the theme further through the rich resources on the National Museum of Australia website.

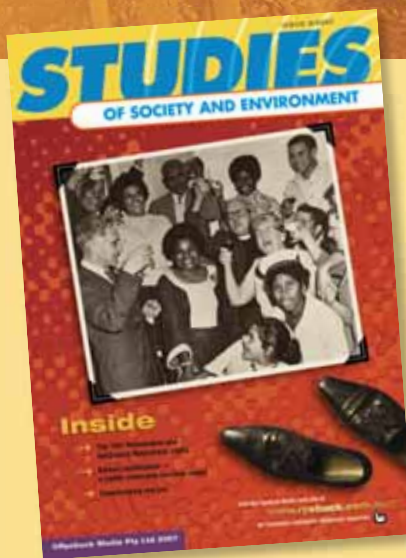
The contents of the website are:

Civil Rights

- The Warburton Ranges controversy, 1957
- The Referendum, 1957–67
- Albert Namatjira and citizenship, 1958–59
- Freedom Ride, 1965
- Social service benefits, 1954–64
- Equal wages, 1963–66
- Queensland Trust Fund, 1969–72

Land Rights

- Mapoon, 1962–64
- Yirrkala, 1963–71
- Lake Tyers, 1962–70
- Wave Hill walk off, 1966–75
- Campaigning for land rights, 1963–68
- Aboriginal Embassy, 1972



People

Brief biographies of nearly 100 people associated with the development of Indigenous rights in Australia

Organisations

Brief descriptions of over 30 organisations associated with the development of Indigenous rights in Australia

This *STUDIES* unit is designed to help students create an annotated class timeline of Indigenous rights, with students providing annotations for the most significant case studies provided on the website.

The timeline pages are pinned on a class noticeboard. Small groups of students can be allocated a particular case study. They answer a set of questions provided in the unit, and report back to the class on their findings. They then add their findings to the particular year, and thereby create an annotated and illustrated chronology of developments in Indigenous rights in Australia in their global context.



Understanding the key concepts of land rights and civil rights

The National Museum of Australia website, Collaborating for Indigenous Rights, focuses on two key concepts: *land rights*, and *civil rights*. What do these mean?

Land rights

Imagine that you and a group of friends are quietly relaxing in your back-yard.

Suddenly, a group of strange-looking people walk in. You realise that they do not speak your language, and that they are far more powerful than you.

They take over your yard and, in fact, evict you from your house.

It is now all theirs.

- 1 What is your reaction?
- 2 What could you do about the situation?
- 3 What are the advantages and disadvantages of each of these possible actions?

Finally, when you have learned something of each other's language, they explain that under their law they are allowed to do this. They have come and imposed their law, and they do not recognise yours.

- 4 Does this make any difference to your reaction? Explain.

(You may find a copy of a 1980s film called *Barbecuearea* in your school. It is a very witty and thought-provoking acting out of the imagined situation above – well worth watching and discussing.)

This is basically what happened in Australia in 1788. Governor Arthur Phillip led a group of people from Britain who settled on land without any agreement or payment to the local people, and imposed the laws and customs they brought with them. The British believed that international law at the time authorised this to happen.

Dissatisfaction with this situation started to intensify among some Indigenous and non-Indigenous people in the 1930s, and by the 1960s and 1970s there were campaigns to change this inequity in Indigenous land and civil rights. The National Museum of Australia website provides several examples or case studies of these struggles, and students can explore these in a chronological context in their timeline activity.

What are land rights?

To understand the land rights case studies students need to understand the concept of 'crown land' and 'land alienation'.

When the British claimed ownership of Australia it became 'crown land': that is, all land was owned by the 'Crown' – in effect by the government in Australia.

But there were several ways the government could 'alienate', or get rid of, this land.

One way was that people could buy land from the government. This is called 'freehold'. Except in the ACT, students who live in their own home are living in 'freehold' property, that is, at some stage that piece of land was bought from the Crown.

A second way was for the government to lease land to others – that is, to allow people to control the land in return for payment or rent over a set period. The government still owned the land, but others had legal rights to use it for the period of the lease. Many cattle stations were established in northern Australia under this system.

Both these approaches mean that the land has been 'alienated'. In the first case the land is permanently owned by the purchaser and can be sold or passed on to others; but in the second case the Crown continues to own the land, and will regain control of it at the end of the period of the lease.

Finally, if nobody has bought land or leased an area of land from the government, the land continues to be 'crown land', that is, land still owned by the government. The government can allow people to use it (for example as a national park), but they cannot legally develop it in any way without government permission. In Australia many Aboriginal settlements, especially those in remote areas, were created on crown land.

And that was the problem – the Aboriginal communities had owned the land before the European occupation, but were now being told that the land belonged to the government. The Indigenous people were saying that the land should still belong to them, and were starting to claim it. The case studies on the National Museum of Australia website explore this situation.



Civil rights

Civil rights are those rights that a full citizen of a nation has.

Here are some examples for Australia – the right to:

- vote
- work
- move freely around the community
- receive fair pay.

1 Brainstorm and add others to this list.

Of course, sometimes these rights are removed by the state for the good of the community. For example, convicted criminals lose the right to move freely in the community if they are imprisoned for a crime against that community.

There are also responsibilities associated with rights. For example, having the right to vote carries with it a responsibility to cast that vote in an informed way.



What civil rights did Indigenous Australians have?

What was the position of Aboriginal people's civil rights at the start of the 1960s? All were citizens of Australia, but did they have the same rights as non-Indigenous Australians, and could they exercise those rights freely?

2 **Your task** is to prepare a summary list of the civil rights that were enjoyed by non-Indigenous people, but not by Indigenous people in Australia at the beginning of the 1950s. Here's how to do this.

- A** Use the list on the next page to summarise the information for each of the headings in the table.
- B** Print the document and distribute it in class.
- C** Divide your class into groups, with each group responsible for summarising the information on a different state or territory.
- D** Create a dot-point summary for your state for each of the headings in the table. You will report back on your state so that everybody in the class can add that information to their own summary page. In this way every student will have a completed summary table. [Note that there is no column for Tasmania as it was believed at the time that there were no Aboriginal people left in Tasmania.]

You are now ready to start building your annotated and illustrated timeline of the changing rights and freedoms of Indigenous Australians.

Create an annotated timeline

3 When the class has completed this summary activity look at the timeline of developments in Indigenous people's rights in Australia. These are on the following pages. Here are the steps for doing this.

- A** Pin each page of the timeline in chronological order along a classroom wall or noticeboard.
- B** Divide your class into groups. Each group should be responsible for exploring one of the special issues marked on the timeline, using the specified information on the National Museum of Australia website.
- C** Each group now prepares a PowerPoint or other form of report on their own area of responsibility.
- D** Each group reports to the whole class, and adds the report of their findings underneath the relevant page of the timeline.

When every group has finished its research and reported its findings you will end up with an annotated and illustrated timeline of the struggle towards Indigenous rights in Australia from the 1950s to the 1970s. You might add to that timeline by researching further developments (such as the Mabo and Wik cases) from 1976 until today (up to and including the 2008 Australian Government's stolen generations apology).

1938 Day of Mourning
Displayed in The Hall,
National Museum of Australia

Go to: www.nma.gov.au/indigenoustrights > **Civil Rights > Social Service benefits, 1954-64 > Campaigning** > to see the document *The Australian Aborigines: a summary of their situation in all states in 1962.*





SUMMARY TABLE

Citizens' rights in 1960

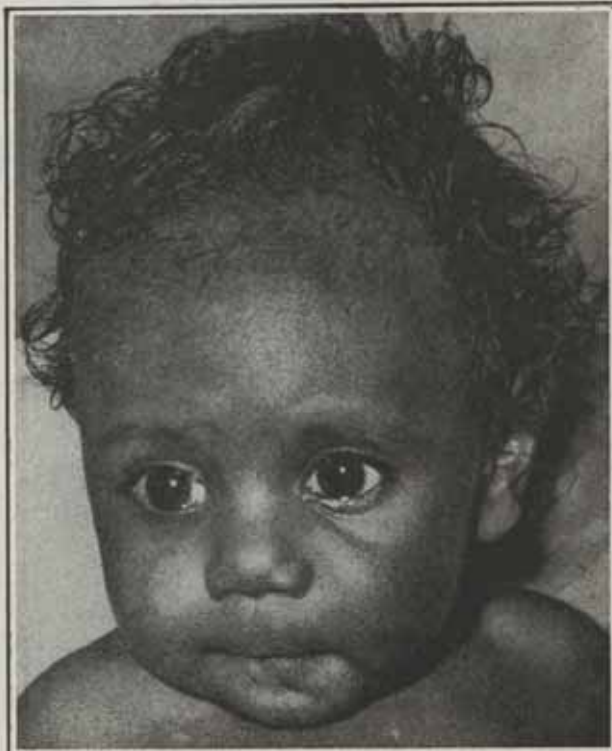
Aspect of people's rights and citizenship status:	Non-Indigenous Australians	Indigenous Australians					
		NSW	NT	QLD	SA	VIC	WA
Subject to special state acts?	NO						
Able to gain exemptions from restrictions?	Not Applicable						
Free movement?	YES						
Own property?	YES						
Control own money?	YES						
Paid equal wages to non-Indigenous workers (award wages)?	YES						
Have special minimum wage rates?	NO						
Eligible for social service benefits?	YES						
Free to marry any other person?	YES						
Have control of their own children?	YES						
Able to mix with any other people?	YES						
Restrictions on sexual relations with non-Aborigines?	NO						
Full rights in courts?	YES						
Special Aboriginal courts?	Not Applicable						
Able to vote?	YES						
Censorship of mail?	NO						
Able to consume alcohol?	YES						

Map of significant case studies in the development of Indigenous civil rights



**RIGHT WRONGS
WRITE**

YES



for

ABORIGINES!

On May 27

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STUDIES

OF SOCIETY AND ENVIRONMENT



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