

Vote Ferguson For Aboriginal Freedom: A Biography by Jack Horner, Sydney, 1974.
(Aust. & N.Z. Book Co.)

Appendixes

Appendix Two

“Aborigines Claim Citizens Rights!”

Reproduced from a copy in the Mitchell Library, Sydney, by permission of J.W.

Lockyer, executor, P.R. Stephensen Estate.

ABORIGINES CLAIM CITIZEN RIGHTS!

A Statement of the Case for the Aborigines Progressive Association

by

J.T. Patten (President) and W. Ferguson (Secretary)

Price: Threepence

“The Publicist”

209a Elizabeth Street,

Sydney.

ONE HUNDRED AND FIFTY YEARS

The 26th of January, 1938, is not a day of rejoicing for Australia's Aborigines; it is a day of mourning. This festival of 150 years' so-called “progress” in Australia commemorates also 150 years of misery and degradation imposed upon the original native inhabitants by the white invaders of this country. We, representing the Aborigines, now ask you, the reader of this appeal, to pause in the midst of your sesqui-centenary rejoicings and ask yourself honestly whether your “conscience” is clear in regard to the treatment of the Australian blacks by the Australian whites during the period of 150 years' history which you celebrate?

THE OLD AUSTRALIANS

You are the New Australians, but we are the Old Australians. We have in our arteries the blood of the Original Australians, who have lived in this land for many thousands of years. You came here only recently, and you took our land away from us by force. You have almost exterminated our people, but there are enough of us remaining to expose the humbug of your claim, as white Australians, to be a civilised, progressive, kindly and humane nation. By your cruelty and callousness towards the Aborigines you stand condemned in the eyes of the civilised world.

PLAIN SPEAKING

These are hard words, but we ask you to face the truth, of our accusation. If you would openly admit that the purpose of your Aborigines Legislation has been, and now is, to exterminate the Aborigines completely so that not a trace of them or of their descendants remains, we could describe you as brutal, but honest. But you dare not admit openly that your hope and wish is for our death! You hypocritically claim that you are trying to “protect” us; but your modern policy of “protection” (so-called) is killing us off just as surely as the pioneer policy of giving us poisoned damper and shooting us down like dingoes!

We ask you now, reader, to put your mind, as a citizen of the Australian Commonwealth, to the facts presented in these pages. We ask you to study the problem, in the way that we present the case, from the Aborigines' point of view. We do not ask for your charity; we do not ask you to study us as scientific freaks. Above all, we do not ask for your “protection.” No, thanks! We have had 150 years of that! We ask only for justice, decency and fair play. Is this too much to ask? Surely your

minds and hearts are not so callous that you will refuse to reconsider your policy of degrading and humiliating and exterminating Old Australia's Aborigines?

We ask you white Australian for justice, fair play and decency, and we speak for 80,000 human beings in your midst. We ask - and we have every right to demand - that you should include us, fully and equally with yourselves, in the body of the Australian nation.

ABORIGINES PROTECTION ACTS

All Aborigines, whether nomadic or civilised, and also all half-castes, are liable to be "protected" by the Aborigines Protection boards, and their legal status is defined by Aborigines Protection Acts of the various States and of the Commonwealth. Thus we are for the greater part deprived of ordinary civil legal rights and citizenship, and we are made a pariah caste within this so-called democratic community.

The value of the Aborigines Protection Acts in "protecting" Aborigines may be judged from the fact that at the 1933 census there were no Aborigines left to protect in Tasmania; while in Victoria there were only 92 full-bloods, in South Australia 569 full-bloods, in New South Wales 1,034 full-bloods.

The Aborigines of full-blood are most numerous and most healthy, in the northern parts of Australia, where white "protection" exists in theory, but in "protection" is reaching out to destroy these people in the manner as it has already destroyed those in the southern states. We beg of you to alter this cruel system before it gets our 36,000 nomadic brothers and sisters of North Australia into its charitable clutches!

WHAT "PROTECTION" MEANS

The "protection" of Aborigines is a matter for each of the individual States; while those in the Northern Territory come under Commonwealth ordinances.

This means that in each State there is a different "system," but the principle behind the Protection Acts is the same in all States. Under these Acts the Aborigines are regarded as outcasts and as inferior beings who need to be supervised in their private lives by Government officials.

No one could deny that there is scope for the white people of Australia to extend sympathetic, or real, protection and education to the uncivilised blacks, who are willing and eager to learn when given a chance. But what can be said for a system which regards these people as incurably "backward" and does everything in its power to keep them backward?

Such is the effect of the Aborigines Protection Acts in every State and in the Northern Territory.

No real effort is being made to bring these "backward" people forward into the national life. They are kept apart from the community, and are being pushed further and further "backwards."

"PROTECTION" IN NEW SOUTH WALES

We take as an example the Aborigines Protection Act (1909-1936) of New South Wales, the Mother of State of Australia, which is now so proudly celebrating its 150th Anniversary.

This Act sets up a Board, known as the "Board for Protection of Aborigines," of which the Commissioner of Policy ex officio Chairman. Other members - not exceeding 10 in number - are appointed by the Governor. The Board has power to distribute moneys voted by Parliament for the relief of Aborigines, and has power "to exercise a general supervision and care over all Aborigines and over all matters

affecting the interests and welfare of Aborigines, and to protect them against injustice, imposition and fraud.”

The arbitrary treatment which we receive from the A.P. Board reduces our standards of living below life-preservation point, which suggests that the intention is to exterminate us. In such circumstances it is impossible to maintain normal health. So the members of our community grow weak and apathetic, lose desire for education, become ill and die while still young.

ABORIGINAL WITHIN THE MEANING OF THE ACT

An “Aborigine” is defined in the New South Wales Act as “any full-blooded or half-caste Aboriginal who is a native of Australia, and who is temporarily or permanently resident in New South Wales>“

It will be noted that the Board’s “protection” extends to half-castes as well as to full-bloods.

Under certain provisions of the Act, the Board has power to control “any person apparently having an admixture of Aboriginal blood” and may order any such person “apparently” of Aboriginal blood (under a Magistrate’s order) to live on an Aboriginal Reserve, and to be under the control of the Board.

By an amendment of the Act (1936) an averment that a person is an “Aborigine” is regarded as “sufficient” evidence of the truth of such averment... unless the contrary is shown to the satisfaction of the Court.” The onus of disproof is thus on the accused, contrary to the traditional practice of “British” law.

HALF-CASTES, QUADROONS AND OCTOROONS

The Aboriginal Protection Board, which has “protected” the full-bloods of New South Wales so well that there are now less than a thousand of them remaining has thus recently acquired the power to extend a similar “protection” to half-castes, quarter-castes, and even to person with any “admixture” of Aboriginal blood whatever.

Its powers are so drastic that merely on suspicion or averment it can continue its persecuting protection unto the third, fourth and fifth generation of those so innocently unfortunate as to be descended from the original owners of this land.

POWERS OF THE BOARD

The Protection Act gives the Board an almost unlimited power to control the private lives of Aborigines as defined by that Act.

For example, the Board may order any Aboriginal into any Reserve or out of any Reserve at its own discretion.

The Board may prevent any Aboriginal from leaving New South Wales.

The Board may prevent any non-Aboriginal person from “lodging or wandering in company” with Aborigines (thus keeping the Aborigines away from white companionship)!

The Board may prosecute any person who supplies intoxicating liquor to any “Aborigine, or person having apparently an admixture of Aboriginal blood.”

The Board may cause the child of any Aborigine to be apprenticed to any master, and any child who refuses to be so apprenticed may be removed to a home or institution.

The Board may assume full control and custody of the child of any Aborigine.

The Board may remove any Aborigine from his employment.

The Board may collect the wages of any Aborigine, and may hold them in trust for the Aborigine.

The Board may order any Aborigines to move from their camp to another camp-site, and may order them away from towns or townships.

The Board may authorise the medical inspection of any Aborigine and may order his removal to any institution for treatment.

The Board may issue blankets, clothing and rations to Aborigines but blankets and other articles so issued are “considered to be on loan only.”

The Board may make regulations to “apportion amongst or for the benefit of Aborigines” the earnings of any Aboriginal living upon a Reserve.

DEPRIVED ON CITIZEN RIGHTS

The effect of the foregoing powers of the Aborigines Protection Board in New South Wales is to deprive the Aborigines and half-castes (and other “admixtures”) or ordinary citizen rights.

By a curious twist of logic, the Aborigines of New South Wales have the right to vote - for the State Parliament! They are considered worthy of the franchise, but not worthy of other citizen rights. They are officially treated either as a menace to the community (similar to criminals) or as incapable of looking after themselves (similar to lunatics) - but yet they are given a vote!

HOW THE BOARD’S POWERS ARE USED

The annual report of the Aborigines Protection Board for the year ended 30th June, 1936, is a smug, self-satisfied document.

It states that the total number of Aborigines and half-castes in New South Wales on 30th June, 1936, was:-

Full-bloods.....	976
Half-castes.....	9,884
Total.....	10,860

In the “care and protection” of these 10, 860 people the Board reported that it spent L57,265 during that year.

This amounts to an expenditure on Aborigines of an average of L5/5/51/2 per head per annum.

The Government of New South Wales may boast that it spends approximately two shillings per head per week on the care and protection of its 10,860 Aborigines, or approximately 31/2d. per day on each Aboriginal!

ABOLITION OF THE A.P. BOARD

We, representing the Aborigines and half-castes of New South Wales, call for the abolition of the A.P. Board in New South Wales, and repeal of all existing legislating dealing with Aborigines.

We ask to be accorded full citizen rights, and to be accepted into the Australian community on a basis of equal opportunity.

Should our charges of maladministration and injustice be doubted, we ask for a Royal Commission and Public Inquiry into the condition of Aborigines, to be held in public.

We can show that the Report of the Aborigines Protection Board omits to state relevant facts, bearing on the “care and protection” which the Board is supposed to give our people.

The Aborigines themselves do not need or want this “protection”.

NO “SENTIMENTAL SYMPATHY,” PLEASE!

We do not wish to be regarded with sentimental sympathy, or to be “preserved,” like the koala bears, as exhibits; but we do ask for your real sympathy and understanding of our plight.

We do not wish to be “studied” as scientific or anthropological curiosities. All such efforts on our behalf are wasted. We have no desire to go back to primitive conditions of the Stone Age. We ask you to teach our people to live in the Modern

Age, as modern citizens. Our people are very good and quick learners. Why do you deliberately keep us backward? Is it merely to give yourselves the pleasure of feeling superior? Give our children the same chances as your own, and they will do as well as your children!

We ask for equal education, equal opportunity, equal wages, equal rights to possess property, or to be our own masters - in two words: equal citizenship! How can you honestly refuse this? In New South Wales you give us the vote, and treat us as equals at the ballot box. Then why do you impose the other unfair restriction of rights upon us? Do you really think that the 9,884 half-castes of New South Wales are in need of your special "protection"? Do you really believe that these half-castes are "naturally backward" and lacking in natural intelligence? If so, you are completely mistaken. When our people are backward, it is because your treatment has made them so. Give us the same chances as yourselves, and we will prove ourselves to be just as good, if not better, Australians, than you!

Keep your charity! We only want justice.

A NATIONAL QUESTION

For 150 years the Aborigines and half-castes throughout Australia have been used as cheap labour, both domestic and out-of-doors. We are to-day beyond the scope of Arbitration Court awards, owing to the A.P. Board system of "apprenticeship" and special labour conditions for Aborigines. Why do the Labour Unions stand for this? We have no desire to provide coolie labour competition, but your Protection Acts force this status upon us. The Labour Parties and Trade Unions have given us no real help or support in our attempts to raise ourselves to citizen level. Why are they so indifferent to the dangers of this cheap, sweated labour? Why do they not raise their voices on our behalf? Their "White Australia" policy has helped to create a senseless prejudice against us, making us social outcasts in the land of our ancestors.

COMIC CARTOONS AND MISREPRESENTATION

The popular Press of Australia makes a joke of us by presenting silly and out-of-date drawing and jokes of "Jacky" or "Binghi", which have educated city-dwellers and young Australian to look upon us as sub-human. Is this not adding insult to injury? What a dirty trick, to push us down by laws, and then make fun of us! You kick us, and then you laugh at our misfortunes. You keep us ignorant, and then accuse us of having no knowledge. Wake up, Australians, and realise that your cruel jokes have gone over the limit!

WINDOW-DRESSING

We appeal to young Australians, or to city-dwelling Australians, whose knowledge of us is gained from the comic Press or from the "window-dressing" Aboriginal Settlement at La Perouse, to study the matter more deeply, and to realise that the typical Aboriginal or half-caste, born and bred in the bush, is just as good a citizen, and just as good an Australian, as anybody else. Aborigines are interested not only in boomerangs and gum leaves and corroborees! The overwhelming majority of us are able and willing to earn our living by honest toil, and to take our place in the community, side by side with yourselves.

RACIAL PREJUDICE

Though many people have racial prejudice, or colour prejudice, we remind you that the existence of 20,000 and more half-castes in Australia is a proof that the mixture of Aboriginal and white races are practicable. Professor Archie Watson, of Adelaide University, has explained to you that Aborigines can be absorbed into the white race within three generations, without any fear of a "throw-back." This proves

that the Australian Aboriginal is somewhat similar in blood to yourselves, as regards inter-marriage and inter-breeding. We ask you to study this question, and to change your whole attitude towards us, to a more enlightened one. Your present official attitude is one of prejudice and misunderstanding. We ask you to be proud of the Australian Aboriginal, and to take his hand in friendship. The New Zealanders are proud of the Maoris. We ask you to be proud of the Australian Aborigines, and not to be misled any longer by the superstition that we are a naturally backward and low race. This is a scientific lie, which has helped to push our people down and down into the mire.

At worst, we are no more dirty, lazy, stupid, criminal, or immoral than yourselves. Also, your slanders against our race are a moral lie, told to throw all the blame for your troubles on to us. You, who originally conquered us by guns against our spears, now rely on superiority of number to support your false claims of moral and intellectual superiority.

A NEW DEAL FOR ABORIGINES!

After 150 years, we ask you to review the situation and give us a fair deal - a New Deal for Aborigines. The cards have been stacked against us, and we now ask you to play the game like a decent Australian. Remember, we do not ask for charity, we ask for justice.