

125th ANNIVERSARY OF THE BATTLE OF
THE EUREKA STOCKADE

Papers presented at the 5th Annual Lalor Address
on Community Relations held at
Victoria Theatre, Sovereign Hill, Ballarat
on 3rd December 1979.

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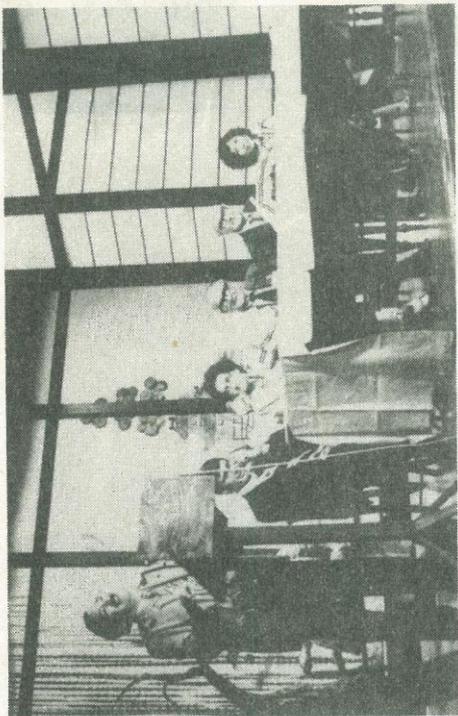
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OFFICIAL WELCOME BY THE HONOURABLE A.J. GRASSBY
COMMISSIONER FOR COMMUNITY RELATIONS

Distinguished Guests, Ladies and Gentlemen.

This is the first time since the inauguration of the Annual Lalor Address on Community Relations in 1975 that the event has been held in Ballarat.

In extending a welcome to everyone present I would like to express particular appreciation to all concerned in Ballarat for the very special program which has been devised to mark the 125th Anniversary of the Battle of the Eureka Stockade.

The commemoration of the Battle of the Eureka Stockade through the Annual Lalor Address on Community Relations has now become a firmly established tradition in the National Capital, but in view of the importance of this year's celebration in Ballarat it seemed appropriate that for the first time it should be given here.

It is four years since the Office of the Commissioner for Community Relations was established to administer Australia's Racial Discrimination Act and to give effect to Australia's ratification of the United Nations Convention on the Elimination of All Forms of Racial Discrimination.

It seemed to me, as Commissioner, in setting the priorities for the Office four years ago, that the first priority should be education, the second information and, thirdly, handling the individual cases of racial discrimination as provided under the law.

After four years I would reiterate and re-endorse those priorities. It is obvious that the greatest challenge to us as Australians today in building a truly multicultural society is to combat attitudes of discrimination still too commonly encountered in our midst.

I believed then and I believe now that it is not possible to teach tolerance through the courts but rather by using the classrooms of the nation as crucibles of tolerance and understanding.

As part of our educational brief to combat prejudice which leads to acts of discrimination, this Annual Lecture has had considerable impact.

The symbolism of Eureka and Peter Lalor reminds us of the first occasion when Australians of all backgrounds came together in a common cause and under a common flag. I agree with Mark Twain when he said, 'It was the finest thing in Australia's history because it was the first coming together'.

As a nation composed of 140 different ethnic backgrounds, speaking 90 different languages at home, and practising 40 different religions the importance of unity in diversity is basic to our national future.

The events of 125 years ago in Ballarat provide us with the inspiration to build unity out of diversity.

The first Lalor Address on Community Relations was given by a great and distinguished son of Ballarat in Sir John Nimmo, who is not only a Judge of the Supreme Courts of the Northern Territory and the Australian Capital Territory

and of the Commonwealth Industrial Court and the Supreme Court of Victoria, but also by invitation Chief Justice of Fiji. He has come home to Ballarat today with Lady Nimmo to present the introduction to this year's Address.

This year the Addresses will be given by Mr Richard Alston, who has a distinguished record as the immediate Past-President of the United Nations Association of Australia — the body which gave birth in fact to the Racial Discrimination Act 1975 and to my Office. His dedication in the field of human rights is widely recognised and it seems appropriate that he, by his association with the United Nations, should give the first Address tonight.

The second Address has been prepared by the grand inspiration of the Chinese community of Australia, Mr William Liu, who lives these days in Kingsford, Sydney, and who has set out the history of the Chinese contribution to Australia.

No one in Australia could be better charged with the task, as he is an Australian, born in Australia, raised in China and shares the culture of the oldest nation of the world with the youngest people here in Australia.

Tonight we make history in Ballarat in this traditional address. In the 125 years, the symbolism of Eureka has never flowered more strongly and I would hope from this day forth that the Eureka flag would be recognised as a symbol of unity by all Australians, for all Australians and, above all, be recognised as belonging not to one group or another, but to the Nation as a whole.

I look forward to the day when there is a national proclamation recognising that the Eureka flag belongs to all the Australian people.

To present the first part of this Eureka commemoration I now introduce Sir John Nimmo.

THE SPIRIT OF EUREKA

by

THE HONOURABLE SIR JOHN NIMMO, C.B.E., O.St.J.

Honourable Commissioner, Distinguished Guests, Ladies and Gentlemen,

I feel that at the outset of this memorable occasion I should inform you that our presence here tonight is due to the combined efforts of two men and, because this historic theatre in which we are gathered reminds me of that delightful television program *The Good Old Days*, I propose in identifying them to adopt very briefly the role of the entertaining compere of that program.

The first of the two gentlemen is the imaginative, innovative, indefatigable, irrepressible Commissioner for Community Relations, Mr Al Grassby, and the other is that popular, peripatetic, persistent and proficient propagandist of the virtues of Ballarat, Mr John M. Dunn.

When he was Minister for Immigration, Mr Al Grassby visited this fair city and became intensely interested in the Battle of the Eureka Stockade. As he pondered over it he saw a connection between the participants in the battle and the people who make up Australia today.

In December 1854, Ballarat was populated by men gathered from all parts of the earth in search of gold. They constituted a multi-racial community and that is how Mr Grassby sees the inhabitants of Australia today. We are indeed a multi-racial community.

As Mr Grassby pondered over the affair at Eureka and thought upon the coming together of people who were different in so many ways — in racial and national origin, in language, in degree of education, in mode of religious worship and so on, yet united in a common cause — he asked himself what was the spirit that moved those men to engage in the Battle of the Eureka Stockade. Because of the similarities in the situation that existed then to the situation that exists in Australia today, he decided that the Spirit of Eureka should be perpetuated by inaugurating the Annual Lalor Address. And as he has told us, the first four of those addresses were given in the capital city of Australia. I shall come back to Eureka a little later.

I turn now to Mr John Dunn. His grandfather was a miner here in the early days of Ballarat and was four times mayor of Ballarat East. He also represented Ballarat in the Victorian Parliament and his children were brought up in this city. John's father and John himself were born here. I have met many men in my time with a love of their birthplace, but none anywhere to equal the love that John Dunn has for Ballarat. It is as deep as the deepest sea. He never misses an opportunity at home or abroad to expound the virtues of this city.

Now early this year John wrote a letter to Mr Grassby. I haven't got a copy of it, but I imagine that it went something like this:

'Now listen to me, Mr Grassby, you have had four Annual Lalor Addresses delivered in Canberra, don't you think it is about time you arranged for one to be delivered in the place where Peter Lalor led the

miners in the Battle of the Eureka Stockade? And what could be a better time than the 125th Anniversary of the event?"

Mr Grassby's response was, 'A good idea, let's have it in Ballarat.'

That, ladies and gentlemen, is why we are here in Sovereign Hill tonight. We are indebted both to the Man who inaugurated the address and to the man who proposed that tonight's address ought to take place near the scene of the Battle.

Mr Grassby said to me as the time approached for our visit to Ballarat, 'Now look, you've been away from Ballarat for a long time. You had better tell the people something about your connection with this lovely city.' So for a few moments I shall defer my discourse on the Battle of the Eureka Stockade to comply with his request.

I was born in Ballarat in 1909. I went to Humffray Street State School where I was apparently well taught, because when my father was moved to Melbourne in 1919 and I commenced school there at an elementary high school, I was immediately put into the sixth class, even though I had only been in the fifth class here.

I passed Ballarat's two initiation ceremonies for boys, as indeed did John Dunn. The first was to walk underneath the Coliseum along the bank of the Yarrowee Creek through to the end of the Alfred Hall, a distance of some three or four hundred yards. We walked it in pitch-black darkness. The stench was overwhelming: we thought we were at the southern end of a north-bound skunk for the whole way. But we made it. And the other great test that we passed was to pedal a pushbike up the Dana Street Hill. Last Saturday John Dunn and I showed our wives the track that we followed in our walk beneath the Coliseum and the Alfred Hall, but did not receive from them one word of congratulations on our remarkable feat. On the contrary they chorused, 'You must have been insane.' I observe that today insanity is regarded as hereditary — we get it from our kids.

Well now, as a boy in Ballarat, two things about the Eureka Stockade Battle stand out in my memory.

The first is this. In the early days of the First World War, a cave-dweller named Kilkenny from over Black Hill, Little Bendigo way, came into the city of Ballarat and attempted to blow up the Peter Lalor monument in Sturt Street. He was only partly successful. He blew a foot off Peter Lalor. He was arrested and charged. I regret that I cannot remember what happened to him, but I do remember that his behaviour aroused great indignation in this city.

The second event of which I have a vivid recollection took place at Easter 1917. At a 'Back to Ballarat' the principal event of the celebrations was a re-enactment of the Battle of the Eureka Stockade. The city fathers expected twenty thousand people to attend the re-enactment, but fifty thousand turned up. This caused considerable confusion. In fact, the burning of Bentley's Pub took place at the wrong time and there were so many pretty ladies surrounding the actor who played the part of Peter Lalor that for some time he could not gain the position from where he was to take command of the miners. However, those who were privileged to be there were satisfied that the re-enactment of the

Battle itself was a great success. It created in me an interest in Eureka which has grown with the years.

The re-enactment, of course, depicted what occurred on 3rd December 1854. There was a short battle. It lasted less than half an hour. In that time twenty-one miners were killed and many more wounded. Six soldiers who were there in the course of their duty lost their lives.

The battle itself brought world-wide attention to what was happening in this region of Australia. In England it was regarded with such significance that it forced the, Crimean War off the front pages of *The Times*.

Many things have been said in relation to the event. Mark Twain said it was the finest thing to happen in the history of Australia. Henry Lawson said the miners who died there died for a cause that was won by the battle they lost. Sir Robert Menzies, when he was Prime Minister of Australia, said it was an earnest attempt at democratic government in this country. Dr Evatt said it was of crucial importance in the making of Australian democracy.

Let us now look at what precipitated the battle. A miner on the Ballarat diggings and there were some twenty thousand of them - was obliged at that time to pay a licensing fee of £3 per month just to be on the diggings, regardless of whether he was digging or not. At that time a sailor's wages were £2/10/- a month. Two-thirds of the revenue of Victoria came from payment of the licensing fee by the miners. They regarded the fee as extortionate and protested in vain for a long time against the extraction of it. Payment was harshly and at times brutally enforced. This caused the miners to believe that they were victims of extortion and oppression.

They had another grievance. They had no vote for Parliament because eligibility to vote depended upon a property qualification which they did not possess. They therefore had no representative in Parliament.

In September of 1854, something occurred which on the face of it was unrelated to the grievances mentioned. A miner named Scobie was kicked out of the bar of Bentley's Hotel at Eureka. When he tried to force his way back he was struck down by the licensee with a spade. He died.

Late in November 1854 Bentley was tried for murder by a gold fields commissioner who acquitted him. The miners were disgusted with the verdict, claiming that justice had not been done. They said the rule of law had not been applied and this man had received favourable treatment to which he was not entitled. So to their other grievances was added a sense of injustice.

Following upon the acquittal of Bentley, the miners gathered together in protest. Bentley's Hotel, which had cost £ 10,000 to build, was burned to the ground.

Incensed by the oppression to which they were subjected and by the sense that justice was not being fairly administered, the miners gathered together at the end of November and made a bonfire of the licences for which they were paying £3 per month. Then they introduced their own flag, a blue flag with a white cross bearing five silver stars, and hoisted it on a temporary flagpole. They regarded their flag as a symbol of freedom and beneath it thousands of them took an oath that they would fight to defend their rights and liberties.

These were the events that led up to the Battle of the Eureka Stockade.

Although they lost the fight, the miners succeeded in their cause. We know that many of them were arrested but we also know that those who were tried the trials took place in Melbourne in April 1855 were without exception acquitted. The people of this State were conscious of the raw deal they had received and stood by them.

Some three years later, Peter Lalor, the leader of the miners at the Stockade, who lost his right arm in the battle and was very fortunate to survive it, became Ballarat's first representative in the reformed Parliament of Victoria.

Now these were stirring events of national significance, but for some reason or other their importance to this city and to our nation was allowed to sink into oblivion. Today the vast majority of Australians know little or nothing about them.

Mr Al Grassby in 1974, in inaugurating the Annual Lalor Address, decided it was about time that we who comprise the Australian people today should begin to realise the importance of Eureka and come to acknowledge the spirit of Eureka.

You may ask what was the spirit that actuated the miners to take the stand they did, in their attempt to have fear of oppression removed from their community, to have equality of representation for all and to have justice delivered impartially to all.

The more I think about it, the more I am convinced that what Mr Grassby has had to say about it is correct, that these men were motivated by a spirit of self-denial. They were prepared to subordinate their own personal interests for the common good and, if necessary, to suffer and to die for the principles they regarded as fundamental.

And that is what I believe he thinks is necessary in our community today, and so do I. I also think that there is no better place than Ballarat in which to revive the spirit of the men of Eureka and to inculcate their desire to serve the common good and, if necessary, to make personal sacrifices and suffer in the process.

This lovely city of Ballarat must not only publicise its wonderful attractions such as the Botanical Gardens, the South Street Competitions, Sovereign Hill, the Gold Museum, the Begonia Festival and so on, but also the great contribution which its early inhabitants made to the Australian nation when they fought the Battle of the Eureka Stockade.

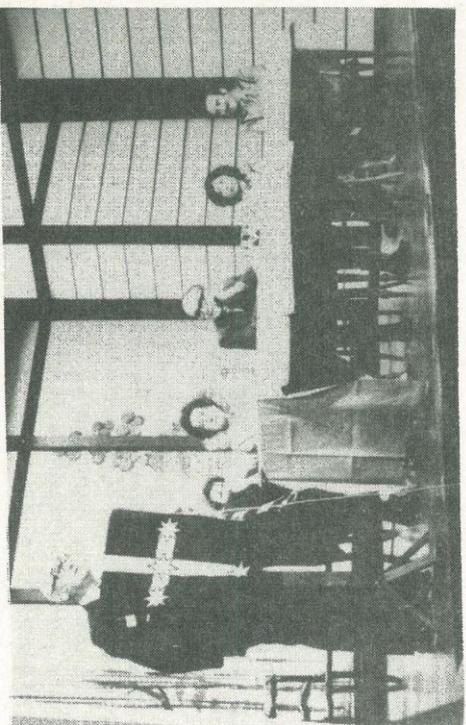
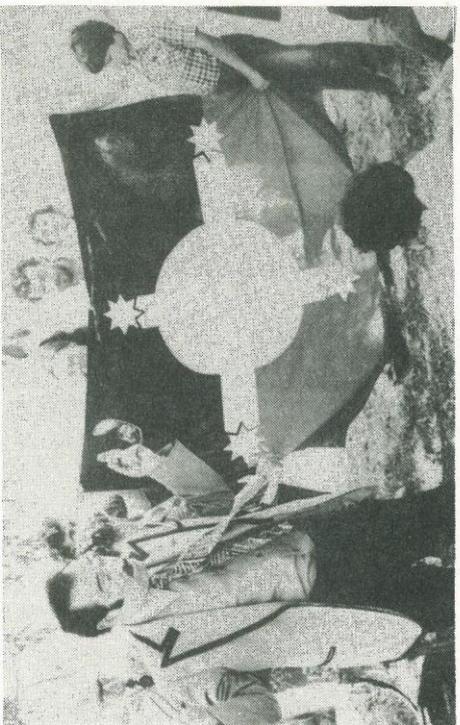
We live in difficult and dangerous times, let us make no mistake about it. We could be sitting on top of a volcano which may erupt any minute. As far as I can see, the best solution to our problems is a revival of the Spirit of Eureka. I think it is about time our leaders in this country, those who occupy positions of authority where they can influence the lives of your children and my children and your grandchildren and my grandchildren, sank their political, their economic and social differences, and got down to a little bit of real concerted action for the national good.

When I, as a boy, roamed over the Ballarat diggings, there were mullock heaps all over the place. You know what a mullock heap is it is an accumulation of the dross left over after the gold and anything else that is any good have been removed. In those days if anybody attempted to ridicule another, the

retort of the other was, 'You're poking mullock at me.' Sometimes when I listen to broadcasts from our Federal Parliament, particularly at Question Time, I think back to the mullock heaps around Ballarat and ask why are our representatives, our leaders, poking mullock at one another when there are so many vital things to be done for our country.

Ladies and gentlemen, yesterday we saw the Eureka flag raised to the top of the new mast erected on Bakery Hill by a great-grandson of Peter Lalor. We were told that the flag will fly there permanently. May it serve as a constant reminder to the residents of this lovely city of the Spirit of Eureka and the need for that spirit to motivate them now and for evermore. And may all visitors to this city who see the flag come to recognise its significance and the spirit by which it originated.

May we all who make up the Australian community of today, and particularly our leaders whose power to influence the lives of others is so great, make common cause as did the miners of Eureka in 1854 to maintain our liberties and promote the welfare of all sections of our people.



RACIAL DISCRIMINATION LEGISLATION IN AUSTRALIA -- RHETORIC OR REALITY?

by

R.K.R. ALSTON

Since World War II Australia has been widely regarded as an active, responsible and reliable member of the international community. Through the Foreign Minister of the day, Dr H.V. Evatt, Australia was very much involved in the gestation and birth of the United Nations Organisation.

Australia is one of the 51 founding members of the United Nations and has always had a keen sense of awareness of its international obligations. It had no difficulty in being party to the United Nations Charter which reaffirmed faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women, and the establishment of conditions under which justice and respect for the obligations arising from treaties and other sources of international law could be maintained.

Australia was a member of the United Nations General Assembly when the Universal Declaration of Human Rights was unanimously adopted in 1948. This grand statement of good intentions was intended to have only moral force. The more difficult task was to translate the principles into treaty provisions establishing legal obligations on the part of each ratifying state. Eventually it was decided that two covenants rather than one were needed, one dealing with civil and political rights and the other with economic, social and cultural rights.

Both covenants require their signatories to respect and guarantee equal access to the enjoyment of all rights without distinction or discrimination of any kind as to race.

Article 22 of the Covenant on Civil and Political Rights provides that any advocacy of any national, racist or religious hatred which constitutes incitement to discrimination, hostility or violence shall be prohibited by law. Article 27 provides that persons belonging to ethnic minorities shall not be denied the right in community with other members of their group to enjoy their own culture. A party to the Optional Protocol recognises the right of its citizens to petition the U.N. Human Rights Committee seeking redress as a victim of a violation of any of the rights set out in the Covenant.

On 16 December 1966 the U.N. General Assembly adopted the International Covenants and the Optional Protocol. Another decade went by before the Covenants were ratified by a sufficient number of countries to bring them into force. These documents collectively constitute the International Bill of Human Rights which have unfortunately often been more honoured in the breach than in the observance. The United Nations has undoubtedly been more successful in defining human rights than in protecting them.

Australia signed both Covenants in 1972 and has since ratified the one on Economic, Social and Cultural Rights but not the one on Civil and Political Rights, although it has often threatened to do so.

The present Government has consistently indicated that it would not be proper to proceed to ratification until positive legislative steps had been taken to ensure a substantial measure of domestic compliance with Australia's international obligations. Accordingly the Government has been anxious to see the early establishment of a Human Rights Commission.

But if the activities of such a Commission are to be relied upon as a sufficient basis for ratification, then it is necessary to examine the likely scope of the Commission's work. Although efforts have been made over the last eighteen months to involve the State Governments in negotiations on the role of the Commission's activities, the Attorney-General, Senator Durack, announced to the Senate on 5 April 1979 that, 'Finally the States decided that they would not join in a national Commission, as a result of which the Commonwealth will be proceeding with legislation, confined to Commonwealth Acts and practices.'

As the great bulk of infringements of human rights and racial discrimination takes place at State level, and involves legislative action or inaction by State Governments, such a narrow ambit of operation is regrettable, especially as it now appears certain that no civil law enforcement procedures will be available for human rights violations.

The result is that when one looks at the proposed substantial emasculating of the Office of the Commissioner for Community Relations, there will be large areas of discrimination which will simply not receive any attention from government.

It is a matter of particular concern that nothing is likely to be done about Queensland's Aborigines Act 1971 and Torres Strait Islanders Act 1971, which are undoubtedly discriminatory and in clear breach of the federal Racial Discrimination Act 1975.

The Queensland laws prescribe detailed rules for entry and conduct, and terms and conditions of employment, for Aborigines living on white-owned and white-controlled State Government Reserves. The Queensland Government has effectively ignored the provisions of the federal Aborigines and Torres Strait Islanders (Queensland Discriminatory Laws) Act 1975.

While ever such State legislation remains on the statute books in Australia it is likely to be difficult for Australia to claim adherence to its international obligations. Indeed, until such discriminatory legislation is over-ridden by Commonwealth legislation, it will be increasingly difficult to reconcile the continued operation of such laws with the contents of a report made by the Australian Government in 1976 to the U.N. Committee on the Elimination of Racial Discrimination, which stated that 'Action has been taken to repeal laws that may have discriminated between people on grounds of race, colour, national or ethnic origin.'

The same can be said of the recent amendments to the Western Australian Electoral Act, which are nothing less than an attempt to restrict the voting rights of the Aboriginal people. The electoral status of Aborigines should be no different from that of all other Australians. Electoral enrolment at present is compulsory for all but blacks. There is no justification for such a distinction. If difficulties arise at the ballot box because of illiteracy, the presentation of how-to-vote cards as a declaration of voting intention should remain valid.

In the absence of Commonwealth action to over-ride such legislation, the answer must surely lie in permitting a Human Rights Commission to at least investigate and comment upon discrepancies between Australia's international law obligations and the practices of certain States in this regard.

Racism and racial discrimination have been condemned since the inception of the United Nations as being incompatible with the principles of its Charter. As time has passed it has become increasingly apparent to the Commission on Human Rights and other organs of the United Nations that one of the major causes of infringement of human rights and a major threat to peace and co-operation between peoples and nations is the scientifically false and morally unjustifiable doctrine of racial superiority.

In 1963 the U.N. General Assembly unanimously adopted the International Declaration on the Elimination of All Forms of Racial Discrimination. Two years later a Convention was adopted for signature. The Convention came into force in 1969 after 27 nations, including Australia, had signed it. It is buttressed by a number of other Conventions also ratified by Australia, including the Slavery Convention and the Prevention and Punishment of Genocide Convention.

It is interesting to note that Australia did not ratify the Racial Discrimination Convention until after approval for this had been given in the Racial Discrimination Act 1975. Until 1972 the Australian Government had taken the view that it should not assume international legal obligations until both Commonwealth and State laws conformed with an international instrument. However, with the change of government in 1972 a different policy was adopted that the Australian Government could proceed to ratify if it undertook to ensure that the principles embodied in the Convention were put into practice throughout Australia. With the passage of the Racial Discrimination Act in 1975 the Government formally accepted the international obligations contained in the Convention.

I would like to examine several provisions of the Racial Discrimination Convention.

Article 1(c) requires each signatory to take effective measures to review governmental, national and local policies and to amend, rescind or nullify any laws and regulations which have the effect of creating or perpetuating racial discrimination wherever it exists.

As I have already indicated, the decision not to permit the new Human Rights Commission to take up questions relating to racial discrimination at State level would seem to constitute a dereliction of this specific international obligation.

Article 4(b) requires signatories to declare illegal and prohibit organisations, and also organised and all other propaganda activities, which promote and incite racial discrimination, and to recognise participation in such organisations or activities as an offence punishable by law.

The latest report of the Commissioner for Community Relations identifies some 30 extremist or racist groups operating in Australia which, if taken at their word, have a combined membership of 104,000. In recent times large quantities of anti-Asian and specifically anti-Vietnamese propaganda have been distributed

in all capital cities and many students have complained that Australian-produced racist material is being sent to schools.

In the past year a number of avowedly racist organisations have been established or have set up branches in Australia. It is easy to dismiss the activities of such organisations as the National Front and the National Alliance as the harmless posturings of the lunatic' fringe. But overseas experience has shown that such movements can grow quickly from seemingly innocuous beginnings. Meanwhile long-established movements such as the National Socialist Party of Australia and the League of Rights continue to operate unchecked. As their *raison d'être* is the propagation of racism in its most odious form, there seems little justification for condoning and thereby perhaps giving some respectability to their activities.

Whilst freedom of speech and freedom of expression are cherished ideals, they must undoubtedly be exercised against a background of community responsibility. As Oliver Wendell Holmes pointed out, 'Freedom of speech does not imply the right to cry "Fire!" in a crowded theatre', or perhaps to make a hoax hijack phone call.

Whilst it might be contrary to the principles of natural justice to proscribe certain organisations, there is undoubtedly a strong moral case in addition to an international law obligation for outlawing the racist activities of such organisations.

It therefore follows that the Racial Discrimination Act 1975 should provide law enforcement officials with the power to prosecute both individuals and organisations which are engaged in blatant dissemination of racist propaganda. To the extent that it does not, in my view, we are again failing in our international obligations.

By Article 7 of the Convention, signatories undertake to adopt immediate and effective measures particularly in the field of teaching, education, culture and information, with a view to combating prejudices which lead to racial discrimination and promoting understanding, tolerance and friendship among nations and racial or ethnic groups.

In pursuance of this obligation the Office of the Commissioner for Community Relations has endeavoured to spread the gospel of racial harmony in a multicultural society. Yet the resources available to it for maintaining, let alone expanding its community education programs, have been so meagre as to virtually ensure that very little real progress can be made.

There is no doubt that attitudinal discrimination is a major problem in Australian society. A recent survey conducted by the State Ministry of Immigration and Ethnic Affairs in Victoria indicated that there is still considerable racial prejudice and resentment not far beneath the surface of the community.

Whilst a number of schools and colleges conduct some educational programs touching on aspects of the multicultural society, the greatest need is amongst the wider sections of the community and particularly those with less than tertiary education. Rural communities, particularly in outback areas, could derive particular benefit from community education programs.

Perhaps the most effective means of impinging upon the consciousness of the average member of the public is via the mass media. Publicity given to

proven cases of racist behaviour, especially with the legitimacy of court disapproval and punishment, would provide a salutary reminder of unacceptable conduct.

The capacity for effectiveness of the Commissioner for Community Relations in the field of community education since his appointment in 1975 has been severely limited. Even after four and a half years the Office has not had the necessary resources and authority to take racists to court.

Indeed to this day there has been no properly constituted Office of Community Relations and only the Commissioner has had any statutory authority. His two deputies are on loan from other Government Departments and all matters pertaining to racial discrimination have been handled by a skeleton staff of whom only two are resident outside Canberra. The Office has no representative in South Australia, Western Australia, Tasmania, Queensland and the Northern Territory, where some of the worst instances of racial discrimination have been alleged. Despite the provisions of part V of the Racial Discrimination Act, no Community Relations Council has ever been established.

As the Commissioner's Annual Reports to Parliament indicate, only a small minority of complaints have not been settled satisfactorily through the process of conciliation. But conciliation often avoids facing up to the real issues. Quite frequently it is a substitute for action which almost guarantees that society's norms and attitudes will remain unaltered. Even the process of compulsory conferences can be intimidatory; the Commissioner should therefore have discretion to forego such compulsory conferences. They serve no useful purpose in those cases which are intractable and they often have the effect of adding another bureaucratic layer to a system which already appears to be designed to discourage a complainant from seeking to pursue a matter through the courts.

As a result, not one case in four years has reached the courts. It needs to be recognised that the primary concern of an aggrieved person is usually not to obtain an award of damages, but rather to avoid a crushing burden of legal costs on the way to having official approval of discrimination expressed by those in authority! The practice of not divulging the names and addresses of those practising blatant racial discrimination is no form of community deterrent. Often what is needed is widespread adverse publicity if community attitudes are to be challenged.

A properly funded and staffed Office of Community Relations, with adequate personnel and facilities disposed in all States, and with ability to travel extensively and distribute educational materials could achieve significant progress in assisting oppressed minority groups to oppose institutionalised attitudinal discrimination by groups such as country publicans, estate agents, graziers, police sergeants and Reserve managers.

I hope that what I have said is sufficient to indicate the need for governments to take positive measures to combat racial discrimination in this country. Unless much more is done, serious doubts will continue to exist regarding the extent to which Australia is honouring its international obligations in this area.

The need for a new range of government initiatives would be heightened if a current challenge to the constitutional validity of the Racial Discrimination Act by the Queensland Government were to succeed. The Queensland Government

is questioning the power of the Commonwealth to direct Queensland ministers and senior public servants to attend compulsory conferences. It is argued strenuously in some quarters that certain key provisions of the Act cannot be supported by Commonwealth constitutional powers since they are not directed to people of a specific race, but rather to all residents of Australia and its external territories. It is similarly suggested that the 'external affairs' power is not broad enough to enable the Commonwealth to legislate in an area which would not be amenable to Commonwealth jurisdiction other than as the area covered by an international treaty.

Whilst such an argument is not new there is nevertheless some prospect that it might succeed in the High Court. In that event, despite its modest effort to honour its obligations under the International Racial Discrimination Convention, the Government might well be left without any clothes at all.

Current efforts to introduce a Human Rights Commission are clear evidence that the Commonwealth does not concede any lack of power to legislate in the field of human rights, fundamental freedoms or racial discrimination. If constitutional challenges were to succeed, the Government would be faced with withdrawing ratification of a range of international Conventions or undertaking campaigns designed to show the strength of its commitment in these fields.

But it must be said at once that if we are to significantly reduce the incidence of racial discrimination, we must come to grips with its root causes. The answer does not lie in employing large teams of policemen, investigators and lawyers to apprehend transgressors. Whilst prosecutions are a necessary aspect of deterrence, the most effective long-term preventive measures must involve a concerted attempt to bring about changes in community attitudes through formal and informal education processes. The essence of a sound community relations program must be the creation of a climate of tolerance and understanding to replace generations of ignorance and often subconscious prejudice.

Despite the relative state of tolerance and enlightenment which generally prevails in Australia today, there is no doubt that racial discrimination is not an isolated or uncommon phenomenon in this country. Over the last four years, despite limited financial and human resources, the Office of the Commissioner for Community Relations has received 2,818 written complaints and approximately 32,000 telephone enquiries.

Moreover of all the racial discrimination cases, no less than 30.6% relate to Aboriginal people who constitute little more than 1% of Australia's population. Whilst it follows from this that almost 70% of the cases involve a vast diversity of imported ethnic backgrounds, it is in its treatment of its original inhabitants that this country will be judged in the international arena by its peers.

Can it be denied that the condition of blacks in this country is an affront to the ideals of an advanced Western industrialised country? Despite our average per capita income of \$7,340 in 1977, we seem quite unable to retrieve the great majority of our black citizens from conditions close to abject poverty.

Towards the end of last year, following a report on the district by a Deputy Commissioner for Community Relations, I visited the Ceduna area of South Australia.

Despite the profoundly depressing spectacle of Aboriginals drinking flagons

of wine on the foreshore at breakfast time, my most lasting impression was of an area known as Half Way Camp, an Aboriginal shanty settlement on the outskirts of Ceduna. At least a dozen Aboriginals have lived in an exposed saltbush paddock at the foot of sand dunes for the past five years. The single amenity available to them is a water pipe. Several live in a humpy comprised of burnt-out motor vehicle bodies, others live in a leaking and partly wrecked caravan shell, and others simply sleep out in the open. Is it any wonder that they all suffer from severe upper respiratory tract infections, alcoholism and other health problems? Devoid of home, shelter, employment or self-respect, they are clearly destined for an early grave. No housing facilities have ever been offered by any level of government on the ground that it might encourage others to frequent the area.

Similar conditions of misery and deprivation would be very difficult to find in any Third World country. I can only say that in the course of a recent inspection of slum conditions in places such as Manila, Bombay and Dacca, I have seen little to compare with the plight of my unfortunate countrymen.

It would not be so difficult if the problem were confined to one area, but as Al Grassby has said, 'there are 500 Cedunas in Australia'. After two years of conducting a national Aboriginal Trachoma Program, Professor Hollows of the University of New South Wales has described the state of health of Aboriginals as appalling.

He found that one in thirty in the Northern Territory had leprosy, one in twenty suffered from syphilis and one in four over sixty years of age was blind. Perhaps the most telling indictment was his conclusion that 'all the diseases are eradicable and are due to poor environmental conditions'.

It is unfruitful and often counter-productive to seek to apportion blame for the present day conditions in which the majority of Aboriginals reside in this country. But if we are to give effect to the spirit and noble language of the International Convention on Racial Discrimination, we must accept the obligation to assist Aboriginals to regain their pride, self-respect, and a measure of social and economic well-being.

In recent times we have seen signs of an Aboriginal cultural revival. In September 1978 a week-long dance festival on Groote Eylandt was attended by over 1,000 Aboriginals. The 'outstation movement' is gathering momentum and already over 3,000 people in the north of the Northern Territory have chosen to switch to a dramatically different life style.

The outstation movement should not be seen as an attempt to turn back the clock in order to recreate this country as it was before the arrival of Europeans. Rather it expresses a deep desire to re-establish communities under traditional leadership and with traditional associations with the land in a way that gives the people their own cultural base, their own dignity, and the flexibility to accept some elements of the white man's world on their own terms. I believe we would do such people a grave disservice if we tried to dissuade them from seeking to find more acceptable solutions to the morass of physical, social and cultural problems thoughtlessly imposed on them.

Undoubtedly the most significant legislative achievement in the cause of Aboriginal advancement has been the Aboriginal Land Rights Act. Rarely has a

statute created such controversy. To many it is an historic breakthrough, designed to restore dignity, independence and some measure of security to an historically disadvantaged minority group. To others, it represents a wedge driven through the heart of the Australian community which will have the effect of depriving a large section of the white population of their hard-earned mineral and property rights and substantially contribute to an increase in racial tension.

The Act was proclaimed in early 1977 and provides for Aboriginals to gain inalienable but restricted freehold title to Reserves and provides legal machinery to obtain title to vacant Crown Land when a traditional association with the land can be shown. Except for pre-existing leases, mining and exploration can only take place on Aboriginal land with the consent of Aboriginals. Where consent is withheld, it can only be over-ridden by a determination of both Houses of Parliament, that mining would be in the national interest.

The Act provides Aboriginal communities with a real opportunity to gain access to a level of funds which would go a long way towards alleviating many long-standing economic and social problems. More importantly, it offers a chance for Aboriginal communities to make their own decisions on matters affecting their own welfare. Self-management must surely be a necessary precondition for self-improvement.

If there truly exists a national determination to treat Aboriginals with humanity and justice as full and equal citizens of the Commonwealth, then the time must surely have arrived to take up the concept of a Treaty of Commitment between the Australian Government and the Aboriginal people. In New Zealand the Treaty of Waitangi guaranteed the Maoris in 1840 'full, exclusive and undisturbed possession of their lands so long as it is their wish to retain same'.

However the white settlement of this country proceeded on the basis that the Aborigines had no legal or moral claim to ownership or use of land which for millennia had been at the heart of their spiritual, cultural and economic survival. -In recent times ownership of large tracts of land in Canada and the United States of America has been granted to native inhabitants.

A Treaty of Commitment would provide the Government with the opportunity to give real substance and effect to the unanimous resolution of the Australian Senate on 20 February 1975. This historic declaration urged the Australian Government to 'admit prior ownership (of the entire nation) by the indigenous people and introduce legislation to compensate the people now known as Aborigines and Torres Strait Islanders for dispossession of their land'.

Current Commonwealth Land Rights legislation will undoubtedly benefit the great majority of the 23,000 Aboriginal inhabitants of the Northern Territory, but a Treaty of Commitment would enable appropriate arrangements to be made for the remaining 140,000 Australian citizens of Aboriginal and Torres Strait Islander descent who are surely entitled to some measure of equal justice. One of the hallmarks of a civilised society is the extent to which it is prepared to make arrangements to assist and protect the disadvantaged members of society.

But it is equally important for a nation to be able to accommodate all those members of society whose ethnic and cultural backgrounds set them even temporarily apart from the mainstream. It is comforting to think that we have come

a icing way since the United States Supreme Court in 1870 decided that Dred Scott could not be a citizen of the United States because he was a negro slave. Yet it is only twelve short years since the Australian people decided by referendum that the original inhabitants of this country should be counted among the population.

When we look at the treatment of ethnic minorities in different areas of the world, what real progress has been made? Take the Kurds of Iraq, the Chicanos of the southern United States, the Tamils of Sri Lanka, the Biharis of Bangladesh, the Georgians of the Soviet Union, or the Montagnards of Vietnam — or even worse look at the most degrading and systematic discrimination practised against the blacks and coloured majorities of South Africa.

It should be clear that civil and political rights are not easily won. More often than not they have to be fought for. Will it be any different in Australia? Are we up to the task of treating all our citizens equally?

Human Rights have been described by John Fitzgerald Kennedy as the moral furniture of the universe. There is hardly a civilised member of the international community of nations that is not prepared to acknowledge their validity. Indeed over 100 countries have Bills of Rights in their Constitutions.

Whilst Australia does not have any form of Bill of Rights, it has signed both the Civil and Political Covenant and the Economic and Social Covenant. Currently Australia is a member of the United Nations Human Rights Commission. We have a Racial Discrimination Act and we have ratified the International Convention against racism. We have anti-discrimination legislation on the books or pending in New South Wales, South Australia and Tasmania, and an Equal Opportunity Act in Victoria.

One might be excused for thinking that victory is in sight. Yet we all recognise that words alone are sterile. We cannot legislate discrimination out of the minds of people.

As we recall the spirit of Peter Lalor and his quest for a greater measure of justice on behalf of a remarkably heterogeneous collection of immigrants, I believe that Australia is capable of discarding the shackles of historic prejudice and current paternalism. The continued influx of refugees from Indo-China will inevitably require all Australians to adapt to the challenge of ethnic and cultural pluralism. I look forward to the evolution of a tolerant, dynamic and progressive multicultural Australia which will show the world that as a nation we do not regard the International Covenant on Racial Discrimination as simply a pious set of principles.



William Liu was unable to attend the Lalor Address. His paper was read by Mr Grassby assisted by Mrs Yin Ling Brace, who supplied the Chinese words.

AUSTRALIA'S CHINESE CONNECTION

by

WILLIAM LIU

The first Chinese settlers came to Australia 150 years ago and since that time there, has always been a Chinese presence. Since I was born in Sydney in 1893 at the tail end of the Year of the Dragon — the best year according to Chinese tradition — I can look back on two generations of life in Australia and China. During my 86 years I have paid seven more or less extended visits to China. I once described my history as being like chop suey — all mixed up.

I was born in Sydney. My mother was from London and migrated to Australia when she was four. My father came from Toi Shan in Kwangtung province of Canton, and arrived in Australia to clear land in the Riverina. He camped at Narrandera. In fact, it was Chinese workers who cleared the Riverina for cropping. There were thousands of Chinese who worked in rural areas last century, clearing land.

In these days of Australia's multicultural society it is as well to look back to the pre-war days when there was little mixing between ethnic and religious groups English Protestants, Irish Catholics, German Lutherans. Everyone else kept very much to themselves.

It was even more segregated before the turn of the century. My mother was an assistant organist at the Chinese Presbyterian Church in Sydney. But when she married my father she was disowned by her English family. They would not go to the wedding, nor to my birth or the birth of my brother and sister.

After I lost my mother, my father arranged for my sister and myself to go to Glen Innes in New South Wales to be looked after by Wong Chee, a Chinese storekeeper and his family. In 1900 he smuggled my brother Charlie and me back to his village in China, 100 miles south-west of Hong Kong, for our Chinese upbringing. It may sound odd today when people are smuggling themselves into Australia, but we were smuggled out in case the Child Welfare Board disapproved of our being sent to China. Subsequently, my father paid our fares and put our papers in order.

On arriving in Hong Kong at the age of seven together with my brother, we were looked after by the Sam Yick Company, the contractors for land clearing at Narrandera. Sam Yick sent us inland to our father's village. I remember going down from Hong Kong to Kong Mun, a customs port, in a big boat and from there by flat-bottomed boats along the river, and finally into small sampans for the last leg of the journey.

My father's village was called Tolshan Wang Sui Loong Hong Toon. We were then sent to where my father was brought up a few miles away, a small place called Hor Chung Hong Li Toon, where the people worked for Sam Yick, the Australian land clearer. I mention this because it is not generally known that labour for Australian rural land clearing was organised from China.

When I arrived in China as a young Australian I could not speak a word of

Chinese. It was some months, maybe a year, before I could speak my father's language and make my own friends. I was then able to listen to some of the gossip at the store — that is where you get all the news in a Chinese village — what was to be done with the two Farn Kwei Doi (foreign devils) if war came between the white man and the Chinese. They said that as we were half European we might turn against them. One young fellow said perhaps they should put the two brothers in a pig cage and dump them in the pond, and a lot of the others seemed to agree until an old man with a long beard said, 'Yes, yes, you're right. But what about their Chinese half?' That stopped them short and so they gave up the idea.

It was very much a case of living between two cultures, two worlds. I not only said my Christian prayers but also said my prayers to Kwun Yum, the Buddhist Goddess of Mercy. I always felt that when I was saying my Chinese prayers I had the blessing of both the Chinese Goddess of Mercy and Holy Mary at the same time.

My aunt looked after me in the village. She was like a mother and grandmother rolled into one. She was the elder lady of the village and taught me how to live in the community and play my part from dawn to dusk in the work of the people.

Our village teacher told us of events in China's long history, of the loss of Hong Kong in 1842, of the coming of the Manchus to China in 1644, when everywhere there was great opposition to the Manchus. I recall the teacher telling us that China's salvation lay in the overthrow of the Manchus and asking who would be prepared to sacrifice his life for China. I put my hand up first and after that the teacher gave me the name Liu Yat (Liu Number One). No one in the village ever called me Farn Kwei Doi after that.

Then came the time when I returned to Australia and enrolled at St Lawrence's school in Sydney in 1909. The Headmaster did not know what to do with me because I could not speak English. Two teachers flatly refused to have me in their classes. It was a lady named Barbara West, the daughter of the proprietor of the *Parramatta Times*, who took me into her class. I remember that on my first day the girl behind stuck pins into me but I did not know enough English words to protest. In my eight years in China I doubt if I had had more than four years' schooling. I spent my time growing rice and vegetables.

My father died in 1912. I was attending Reverend Yung Wai's Church in Campbell Street, Sydney, when I met the Chinese Consul-General to Australia, Mr Huang Young Liang. He offered me a job as his English-speaking secretary at £5 per week. It was during my time in the Consul-General's office that I became closely associated with the Melbourne Chinese. Many of them were also Lius from my father's village. During my work with the Consul-General I wrote out the petitions of the people, usually to get a wife or relative into Australia, and then submitted them to the Consul-General.

It was very tough for Chinese in Australia in those days. If you eventually got a permit for a merchant to bring his wife out, after going to an enormous amount of trouble, she was usually only allowed to stay for twelve months. I often used to wangle an extension of twelve months because the wife was pregnant, but eventually she and the baby would have to return to China and there

would have to be a lapse of another two years before she could apply again.

Australian views about Chinese in those days were summed up for me by a member of the staff of the Minister for Home Affairs, who said, 'By 1940 there will be no Chinese in Australia. The old-timers are dying, no new migrants will be allowed in, and the children are sent back.' I told him, 'It looks as if you are going to do to the Chinese what you did to the Tasmanians.'

However, World War I and World War II brought a change. Chinese refugees came in from the islands and their wives could not be sent back. The other input was the Chinese seamen who jumped ship and the stowaways. They were brave men who have made some of the finest citizens.

The Chinese workers not only cleared much of the rural land in the Riverina and other parts of Australia, but they built roads and railways, they reclaimed marshland and turned it into vegetable gardens. They became shearers' cooks, hotel cooks, handymen. A large amount of the furniture in early Australian homes was made by the Chinese. In Sydney and Melbourne there were hundreds of Chinese furniture-makers, but the unions killed all that. There were many Chinese herbalists in the old days and of course laundrymen. Above all, Chinese diggers were part of the saga of the goldfields.

The 'Golden Age' in Australian history lured thousands of Chinese gold-seekers from the thirteen counties around Canton, the capital of Kwangtung province, to the goldfields, which the Chinese named 'Tsin Chin Shan' meaning 'The New Goldfields'. This was to mark the difference from 'Chiu Chin Shan' or 'The Old Goldfields' which referred to California, where gold had been discovered earlier and had encouraged the migration of thousands of Chinese from the See Yap (The 'Four Counties').

The counties of China that contributed most people to Australia are mainly located on the fertile delta of the Pearl River which flows hundreds of miles eastward from the inland through Canton to the South China Sea. It has been claimed that the Four Counties, known as See Yap, produce more scholars and writers than any other, and they certainly contributed the lion's share of Chinese gold-diggers.

The Victorian Legislative Council enquiry into Chinese immigration in 1857 found that one-third of the Chinese immigrants in Victoria were free and independent, paying their own passages. The other two-thirds were farmers who borrowed money for their passage and offered their land as security. Those who came under the credit system had to repay their debts as soon as they had enough money. The Chinese from the thirteen counties all spoke Cantonese, which remains the major Chinese language in Australia today.

The See Yap people were similar in appearance and background, and were generally described by contemporary Europeans as sober, peace-loving, kindly, industrious and frugal people. Even among the early migrants there were anti-Manchu elements so perhaps Australia made a contribution, however small, to the ultimate overthrow of the Manchu dynasty.

The strong tide of Chinese immigration during the golden era brought the total in Victoria in 1858 to 42,000, which represented 15% of the male population, and in New South Wales in 1862 to 15,000 which was 7%.

Why did they all come? Throughout the 1850s Kwangtung province was

badly disrupted by the Taiping Rebellion and its people were subject to heavy taxes to meet indemnities paid to Western powers. The rich delta region was hit by flood and drought, and it suffered from a concentration of population — over 3,000 per square mile in the districts of Shun Tei and Chungshan — which forced the majority below subsistence level.

But it was long before gold was discovered that the first Chinese came to Australia. Within 50 years of Australia's foundation, Chinese settlers were being brought to Australia to work as shepherds on the great sheep runs which were as big as a European kingdom. The very first Chinese to come to Australia came from Amoy in the Hokkien-speaking area of Fukien province. An entire ship-load arrived from Amoy in 1848 and others came at regular intervals and scattered across the countryside working as farmhands and waterside workers. They were among the best paid labourers in the world. A century and a half ago the Australian wage was £24 a year and that led the world. On some properties, 40 Chinese would be employed at one time.

Ten thousand Chinese came in 1852 alone and one-quarter of Bendigo was Chinese. In some towns the second language of commerce on the streets and in shops was Chinese. This fine city of Ballarat illustrates the fact that the community was almost completely bilingual — from its street signs to its publications.

The original settlers from Hokkien were to be found in the 1850s in rural towns and farming areas such as Parramatta, Liverpool, Wollongong, Maitland and Yass in New South Wales and others found their way south to Melbourne and Victoria's coastal towns. Yet where did all the Hokkien people end up? They were mostly absorbed by marriage or moved back to China. But there were also early pioneers from Teochiu near Swatow and some of those pioneer families are still among us.

Broadly, the number of Chinese in Australia declined, falling to a total of 30,542 (98.5% males; 0.8% of the total population) in 1901. By 1890, as Charles Price estimates in *The Great White Walls are Built**, fewer than one in three were still mining for gold. Many of the remainder had jobs that held little attraction for European workers, such as market gardeners, domestic servants, hotel and station cooks, launderers, and as gang labourers clearing timber or dam-building.

By 1888, barriers against the Chinese had been raised around Australia, to be consolidated in 1901 by the first Commonwealth Parliament's Immigration Restriction Act, which virtually abolished non-European immigration. The long established system of Chinese commuter migration was reinforced by the new Act, which kept the idea that a person who had established domicile would not be treated as a migrant if he sojourned in his homeland and subsequently returned to Australia.

A further administrative change occurred in 1903 by which Australian policy assumed an unparalleled harshness, with the suspension of the provision allowing wives and minor children to accompany non-prohibited husbands to

* ANU Press, Canberra, 1974.

Australia. Successive governments maintained this policy, seeing the absence of Chinese females as a means of ensuring the withering away of an undesirable minority.

This then is the picture of Chinese settlement in Australia over 150 years. In a country which entered the 1850s with only 400,000 non-Aboriginal people, Chinese settlers were to reach a peak of more than 100,000 in the 1880s. They established cultural bodies, newspapers, charities, and produced leaders in education and commerce in the general community. They became in fact the third most important ethnic group in Australia in the 1850s, after the English and the Irish.

But Colonial Australia was a country of war and communal strife — sporadic warfare continued against the Aboriginal people for the whole of the century. The great communal confrontations include two noted battles between the Irish and the Colonial authorities, and then the deep division between the Chinese and the other settlers.

The Chinese in fact were used as the classic scapegoat for the depression which followed the gold boom. The early anti-Chinese riots of 1854-1857 at Bendigo and the Buckland River in Victoria show how racism became an alibi for bad economic management. There were further outbreaks of violence at Rocky River and Lambing Flat in New South Wales in June 1861.

The earnings of the diggers had dropped by half, there was rising unemployment, the golden dreams had vanished, and the people who had resisted the attempts to dump British convicts on the colonies as cheap labour twenty years before now turned their attention to the Chinese underdogs.

In fact the birth of the White Australia Policy can be traced to concern that Australian entrepreneurs who had imported Chinese labour could end up building slave states along the lines of the United States Deep South. The origin of White Australia can be traced back to 1841 when an Immigration Committee was formed in New South Wales to investigate what was called 'coolie immigration'.

The first Immigration Restriction Bill was directed against the Chinese in 1855 in Victoria. As the violence spread from Victoria and New South Wales to the Palmer goldfield in North Queensland in 1877, one Colonial Government after another enacted restrictive immigration policies, so that by 1888 barriers against Chinese settlement had been erected around the whole of Australia, to be consolidated in 1901 by the first Commonwealth Parliament's Immigration Restriction Act virtually abolishing non-European migration.

It was a black era in Australian history: the Chinese population was reduced dramatically in 30 years to 17,000. After the Restriction Act entire townships were vacant and White Australia reached a peak of barbarism in Victoria in 1913 when a well-known greengrocer of Horsham, Poon Gooley, brought his wife to Australia for the permitted six months. She gave birth to a child and despite the entire community's supporting Poon Gooley, she and her Australian-born child were deported in 1913.

What happened in the Chinese community in those dark years of discrimination? We have seen how the numbers dropped dramatically but the Chinese presence continued strongly.

The Melbourne Chinese community included such people as Louis Ah Moy, who arrived in 1851 to build houses, and was to set up the first rice mill in Australia. He became a director of the Commercial Bank of Australia and his children followed in his footsteps. Chinese fruit and vegetable retailers have been the second largest ethnic group in the Melbourne markets since 1868. Ernest Leong Gie spent 30 years as pastor of the Chinese Methodist Church in the heart of Melbourne.

The Chinese community in Darwin has always remained strong. They had arrived to help build the Overland Telegraph. A Chinese leader, Harry Chan, was to become Mayor of Darwin and the first Leader of the Northern Territory Legislative Assembly. He was the grandson of a miner. Today the Head Office of the Australian Department of Immigration and Ethnic Affairs stands in Chan Street in Canberra. The wheel has turned full circle!

In Sydney the community shrank from an area which ran from Surry Hills to Dixon Street to just one or two streets; But the Sydney community had great entrepreneurs such as Quong Tart who started Sydney's first tea shop and launched a chain of them. Despite the racism of the era thousands of Sydney-siders arranged a dinner in his honour at the Sydney Town Hall in 1902.

The Chinese also set up fruit markets in many parts of Australia, becoming established storekeepers, grocers and fruit growers in North Queensland, and as early as the 1880s were the pioneer cultivators of bananas in North Queensland, particularly in the area between Cairns and Townsville. In fact, in 1901 there were more than 500 Chinese fruiterers in New South Wales and Victoria. They went on to pioneer and develop the import/export trade not only with Hong Kong and China but also with Fiji and the South Pacific. They pioneered in these new areas, building sound and powerful business links on behalf of Australia. Despite all the restrictions directed against Chinese laundrymen and furniture-makers, against Chinese miners, and Chinese owning land, they worked steadfastly to build a sound community and to do a fine job for Australia.

In fact it was Australian Chinese who founded the China—Australia shipping line which broke the then Japanese shipping monopoly that had so irked Australian importers and exporters. It was in 1917 that the China—Australia Mail Steamship Line came into being. It was mooted in September, 1916 and by May, 1917 the Chinese newspapers — the *Chinese Republic News* and the *Chung Wah Times* — began to campaign for it. I am proud to say that it was I, William Liu, who worked hard to bring about a meeting which included all Sydney's Chinese merchants, both republican and conservative, to discuss the formation of the line.

In those days I was associated with the firm Wing Sang, whose proprietor, George K wok Bew, supported the concept. My wife, Mabel Quoy, was the daughter of a prominent figure in the New South Wales Chinese Chamber of Commerce, a much respected merchant from Tung Kuan, and he also lent his support to the project which culminated in the birth of the China—Australia Mail Steamship Line in November 1917. We had to sell our stocks and shares to buy ships. We bought a cargo ship called the *Gabo* for £20,500 and within a few hours of declaring our intention to buy, Sydney merchants had subscribed 6,000 shares for £18,000. Within a week £41,000 was collected in New South Wales

alone from 300 shareholders. Chinese in other States and Hong Kong supported us by contributing another £58,000. In addition, Chinese in New Zealand and Fiji as well as other islands of the Pacific contributed £9,000 to make a grand total of £108,000.

The *Gabo* was bought in my name and I became the sole proprietor because it was believed that only Australian-born Chinese would be allowed to buy ships and register them in Australia. Within two months of being established our shipping line had two ships and I was the Company secretary. The first setback came in 1918 when the Federal Government requisitioned the *Gabo* for war service and later our second ship, the *Victoria*, was also taken over by the Government.

After the war, in 1920, I became the line's Managing Director. I had a lot more experience by that time. We had bought as our Australian headquarters in 1919 a building in George Street, Sydney named China House. We chartered a passenger ship *Hwah Ping* in 1920 and by April of that year we had three vessels on the China—Australia run.

However, we had to fight fierce competition from Japanese and British shipping lines. In 1921 the pressure of our Japanese and British competitors, combined with the hang-over from the Government's wartime requisition, was so great that despite the support of the entire Chinese community the line was wound up in 1922. It was to be the only Australian shipping line between the two World Wars but the fact that it came into being at all is a tribute to the Australian-Chinese who had faith in themselves and faith in Australia.

At that time the Chinese community in Australia was very much concerned at developments in China. I myself had worked for the establishment of the Chinese Republic founded by Sun Yat-sen and much later I was one of the first Australians to accept the new China of Mao Tse-tung. In 1931 I was one of the four founders of the George Ernest Morrison Lecture in Ethnology at the Australian Institute of Anatomy (subsequently under the auspices of the Australian National University). I feel my life spans a whole history, and that thought is reinforced when I recall that I met the last Emperor of China, Henry Pu-yi, as well as Chairman Mao and Premier Chou En-lai, the leaders of the new China.

The local Chinese community was deeply concerned at the Japanese invasion of Manchuria. In 1931 a group of Australian-Chinese put together a book published in Sydney, entitled *China and the Trouble in Manchuria*. In that book I made an appeal to our Australian friends to actively interest themselves in the cause of humanity and the Chinese struggle for survival. I urged Australians to go to China and see for themselves what the Government and the people of the day were trying to do to ease the terrible plight of millions brought about by devastating floods, internal war, and the invasion of Manchuria by the Japanese Empire.

I recall very well one of the great friends of China in J.H.C. Sleeman, who wrote the book *White China* in 1933 and dedicated it to Sun Yat-sen and the Australian, Dr G.E. Morrison. What he tried to do in that book was to introduce China to Australia. I contributed the last word in the book in 1933 when people were already concerned that five of the provinces of China had become Communist. I pointed out, all that long time ago, that this outcome was largely due

to the disgust of the Chinese people at foreign exploitation. I said that the Chinese people would not be at peace until conditions were better. I pleaded: 'Fill men's bellies and improve their living conditions.' China had trusted Geneva and had been let down. As Geneva vacillated China went on to suffer war and more misunderstanding until the Revolt of 1949 cut the links between Australian-Chinese and China for a long time, until 1972.

But now, how it has all changed. The White Australia Policy began to ease in the 1960s and finally under the Labor Government in 1973 the last vestiges of the White Australia Policy were banished. For the first time in Australia's history migration, citizenship and ethnic rights were guaranteed equal for all.

I had already pleaded for this in a letter to an earlier Governor-General, Viscount de IIsle, in these words:

'As our Commonwealth Governor-General, I would be happy if Your Excellency would kindly forward the enclosed even dated letter with enclosures (2) to Her Majesty Queen Elizabeth, as the Royal Tour concludes in Australia. I thank you in advance.

'I am also attaching herewith second copies of my three letters for your perusal and information. The matter has to do with old prejudices and discrimination against people in Australia of different genetic origin.

'May we people who are so affected by this differentiation, for the sake of our descendants' future happiness, also be able to count upon your co-operation in helping to efface the outmoded rules and regulations of our birth/and, Australia. It would help to raise our national honour among nations.

'As you refer to the Queen's last Christmas Message to the peoples of Her Majesty's commonwealth of Nations, you will see that the Queen urged "no distinction of race or creed". This inspired me to write the two January, 1963, letters to Sir Robert Menzies, and other national leaders of our country, and to you as I am now doing.

'People like us, who are concerned in the differentiation, can only go on hoping for an early change of other people's attitudes for the sake of future generations.'

Today the Australian-Chinese population is rising again. Students from Hong Kong, Singapore and Malaysia have settled here after graduating, and some resident Australian-Chinese have brought their relatives to join them. Today it is estimated that there are some 60,000 Australians of Chinese birth or origin, half of them in the city of Sydney. It has been estimated that of the 20,000 overseas students in Australia nearly 12,000 would be ethnically Chinese. In the bad old days, Chinese husbands had to wait sometimes for 20 years for their wives. We now have, at last, a policy which is non-discriminatory.

During the dark years the number of Chinese organisations in Australia declined to a handful and their activity was almost nil. This was in comparison to last century when there were joss houses, temples, newspapers and organisations in the whole of Eastern Australia.

The See Yap Society in Melbourne is more than 100 years old but there are new bodies coming into being, such as the Australian Chinese Community Association of N.S.W., formed in 1974 and which published the first Chinese community newspaper this century. Today throughout Australia there are 36 Chinese organisations established in the various States.

On this the 125th anniversary of the Battle of the Eureka Stockade I would like to salute Australia, which can become the most successful multicultural country in the world. I am greatly encouraged after all these years to see Australia, with nearly half her people drawn from the overseas settlers of the past 30 years, now open to the world. In particular I am pleased to see us sharing our many heritages with the traditions of that most venerable of nations, China.

