

**Address to Carmel School**  
**23 July 2018**  
**Mark Leibler**

*Understanding the bonds between Jewish Australians and Indigenous Australians*

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## **Introduction**

Thank you so much for that warm welcome.

I've known Shula Lazar for a number of years. I know her to be an exceptional educator from her time in Melbourne, and I'm sure you all appreciate how lucky you are to have her here as your school principal.

I want to acknowledge Simon Millman MLA; Jonathan Silbert, Chair of the Jewish Education Foundation for WA; the school board, and the teachers, parents and students who form this strong, wonderful Carmel School community.

Let me start by acknowledging the traditional owners of the land where we meet.

I pay my respect to the elders of today, and the elders of the past, for their rich history and culture, and for taking care of this land underneath us over many thousands of years.

When I decided that I wanted to talk today about the relationship between Jewish Australians and Indigenous Australians, I didn't yet know about the school's plan to raise the Aboriginal flag for the first time at a ceremony a few weeks ago.

I only found out about that later, and to see the three flags flying together this afternoon is really very moving for me.

So it feels exactly the right time for me to give this talk and, hopefully, to give you some ideas about how to bring the symbolic connection between the flags to life.

## **William Cooper**

And I want to start by telling you a story that I was told, maybe 30 years ago, when my firm was given the opportunity to act as lawyers and advisers to the Yorta Yorta peoples, whose land crosses the border between Victoria and New South Wales.

The story - and it's a true story - was of an Aboriginal man who, almost 90 years ago, staged a protest against Nazi Germany.

His name was William Cooper and he was a 77-year-old Yorta Yorta elder.

Throughout William Cooper's life, he had fought for Yorta Yorta people's rights and the rights of Aboriginal people across Australia.

Later in life, he fought for all marginalised peoples and, today, his name is recognised more by Jewish Australians than the wider community.

The reason for this is that the protest he led in December 1938 targeted the German Government for its mistreatment of the Jewish people.

Kristallnacht, a night of government-sponsored harassment and persecution by the Nazis against the Jewish population, had occurred about a month earlier.

As many of you would know, Kristallnacht involved widespread rioting by Nazi soldiers in Jewish neighbourhoods across nearly every major German city.

Windows were smashed, homes and businesses were ransacked and burned. There were physical assaults and even murder.

Kristallnacht was a horrific signpost of what was to come but, although many countries around the world were shocked by what took place, no country actually broke diplomatic relations with Berlin.

And there was only one citizens' protest that we know of against Kristallnacht - that was the protest organised many thousands of miles away in Melbourne, Australia by an elderly Aboriginal man.

That warm summer night in December 1938, William Cooper led his friends and family and other Aboriginal people nearly 10 kilometers across town from his home in Melbourne's West in Footscray into the city.

He was old and it was slow going, but he was determined to deliver a letter to the German Consulate that said these words:

“On behalf of the Aboriginal inhabitants of Australia, we wish to have it registered and on record that we protest wholeheartedly at the cruel persecution of the Jewish people by the Nazi government in Germany.

“We plead that you would make it known to your government and its military leaders that this cruel persecution of their fellow citizens must be brought to an end.”

When Cooper and his fellow protesters arrived at the German Consulate, they were refused entry and the Consul-General at the time refused to go outside to meet them.

Cooper’s letter remained undelivered until 2012, when his grandson, Uncle Alf Turner - known as Uncle Boydie - re-enacted the protest, with the blessings of the German Embassy.

The German Consul General in Melbourne met Uncle Boydie and received a replica of William Cooper’s letter.

Uncle Boydie explained that his grandfather had understood the fear, desperation, bewilderment and powerlessness, which the Jewish people had faced in Europe.

As you would imagine, it was an emotional moment for all who were present.

And there were more such moments to come ...

In November 2017, at 89 years old, Uncle Boydie travelled to Berlin and presented the letter to the German Ambassador to Jewish Communities, Dr Felix Klein.

In receiving the letter, Ambassador Klein expressed his “deep respect and sincere gratitude to Uncle Boydie as a representative of William Cooper and the Australian Aboriginal League in the fight against the persecution of Jews in Nazi Germany”.

The Ambassador went on to say that the 1938 resolution contained in the letter “gives testimony to the condemnation of the persecution of Jews, by the Aboriginal people of Australia and their strong commitment to unity and solidarity among the people of the world.”

Back in Australia, just last month, it was announced that the federal seat of Batman in Melbourne would no longer be named after the colonial leader, John Batman, who is alleged to have been involved in the massacre of Aboriginal Tasmanians.

It is now the seat of Cooper, a change in name that reflects the maturing of our nation.

The story of William Cooper's stand on behalf of his people, and on behalf of *our* people, lives on because it was extraordinary and because it was inspirational.

Knowing that a group of people were being discriminated against, an experience he was very familiar with, he fought for what he believed in.

William Cooper did many positive things in his life, but it was his actions fighting for the Jewish cause that demonstrated the kind of leader he was.

When I was first told the story, I also learned that as a child William had been educated by a well-known Anglican priest in country Victoria, Daniel Matthews, who had encouraged Aboriginal students to identify with the Jews of the Bible, as disempowered but unified peoples.

So, as a 77-year old man, William must have felt the horror of what was happening to the Jews in Germany very personally.

And he felt a responsibility to act on it.

### **Noel Pearson**

My sense of the ties between the Jewish people and Aboriginal people has grown even stronger through my friendship with Noel Pearson, a well-known Aboriginal lawyer from Queensland.

When Noel first graduated from university, he came to work for me. And he's said many times over the years that the time he spent at Arnold Bloch Leibler taught him how much our two peoples had in common.

He described it in an essay he wrote back in 2004, and focused on three primary connections.

The first connection was the importance both peoples place on having a strong, unified community that doesn't stand in the way of individuals reaching their full potential.

The second connection was that both peoples feel strongly about maintaining tradition and a land-based identity, while continuing to engage in the wider world, despite suffering persecution.

And the third connection Noel wrote about was our shared sense of identity that comes from never forgetting, and always defending, the truths of history.

### **Constitutional recognition**

In recent years, Noel and I have worked alongside one another in trying to progress the issue of recognising Aboriginal and Torres Strait Islander people in the Australian Constitution.

Most recently, we both served on the Referendum Council which was established by the Prime Minister and the Leader of the Opposition to advise on a form of recognition that would align with the wishes of Aboriginal and Torres Strait Islander people themselves, as well as being capable of winning the support of the Australian people more broadly at a referendum.

It is not well known that the model of recognition that Indigenous Australians told us they wanted was initially canvassed in 2013 by Noel Pearson and two Jewish lawyers - Damien Freeman and Julian Leaser.

The story goes that the two lawyers were in deep discussion over lunch one day not long after Pesach.

In a quote I read in The Australian newspaper, Julian Leeser, who has since become a federal politician, said - and I quote:

“Passover is a time where you really reflect on the history of the Jewish people. It got us talking about the history of Australia and about how we don’t have a national story in Australia that brings us all together.”

He felt that Constitutional Recognition was a way of telling that story.

## **Conclusion**

I want to spend the last few minutes conveying a message that I will also be giving to business people at the breakfast the school has organised for tomorrow morning.

And it’s a message I direct specifically to students this afternoon because, as young people, you have more influence than you realise.

Politicians, and other adults in leadership positions, will listen to you because they cannot easily dismiss your concerns as being party political.

Moreover, as young people, you have an even greater stake in righting the wrongs of the past to create a better, fairer and more harmonious future for Australia.

For more than a decade, we have considered and debated how to recognise our First Peoples in the Constitution, which is a bit like Australia’s birth certificate.

In May last year, Aboriginal and Torres Strait Islander delegates to a historic Convention at Uluru made their wishes clear in the form of a statement they issued to the people of Australia.

They called it the Uluru Statement from the Heart and, essentially, what it calls for is the establishment of an advisory body which gives Aboriginal and Torres Strait Islander peoples the opportunity to influence laws and policies that affect their lives - lives that on average remain poorer, sicker, harder and shorter than the lives of other Australians.

It would only be an advisory body.

It would have no power of veto.

It would bear no resemblance whatsoever to a third chamber of Parliament.

Sound fair?

I was privileged to be at Uluru when the Statement from the Heart was endorsed, and I certainly thought so.

But there is a way to go to convince our politicians.

And that's where all of you come in.

If the Australian people, and particularly its young people, tell our political leaders that we should respect the advice Indigenous Australians have given to the nation about how they wish to be recognised, those leaders will have to listen.

As Jews, I feel we have a special responsibility.

William Cooper died just three years after his march on the German Consulate in Melbourne.

But I believe that the enduring commitment of the Jewish community to Aboriginal people across Australia is built on the foundation of empathy he established.

Thank you all for listening - I'm looking forward now to taking your questions.