



DIY Change the Date: Let's make our national day inclusive of all Australians

by Mark Planigale

The Change the Date movement in Australia seeks to move the date of Australia Day from 26 January to another day. From the perspective of many Aboriginal and Torres Strait Islander people, as well as many other Australians, the current date of Australia Day and its legitimisation of invasion is offensive. The date links Australia's national identity to a process of violent colonisation that was, and still is, unjust and traumatic.

Backing for the Change the Date movement has been growing in recent years. This builds on a long history of resistance by Aboriginal and Torres Strait Islander people and their allies, and on a growing recognition of the need to respect and celebrate First Nations peoples and cultures across Australia.

Lirata supports the Change the Date movement, as do many other organisations and individuals. Ultimately we would like to see Australian governments shift the date for celebrating our national identity to one that is respectful and inclusive of all Australians. In the interim, everyday Australians can choose to Change the Date in their own lives, and within the organisations in which they work. This article explains Lirata's approach to Changing the Date.

This material provides general information which is current at the time of first publication. The contents do not constitute legal or Industrial Relations advice and should not be relied upon as such. Formal legal or other professional advice should be sought where required. Lirata consulted with Aboriginal advisors in the preparation of this article.

History of Australia Day

Australia Day is Australia's official national day, celebrated annually on 26 January. Its history dates back to the early years of British colonisation of Australia.

On 26 January 1788, the First Fleet of British convict ships landed at Port Jackson in New South Wales. Governor Arthur Phillip raised the British flag, marking the proclamation of British sovereignty over the Australia's eastern seaboard.

Records of celebrations on 26 January among the British population date back to 1808, under names such as Anniversary Day, First Landing Day and Foundation Day.

After the nation of Australia was formed as a federation of the British colonies in 1901, those in power sought to cement a sense of patriotism and unity through identifying a shared national day. In 1935 all Australian states and territories adopted the term Australia Day to refer to celebrations on 26 January, and in 1994 the day became a consistent national public holiday.

The significance of 26 January

26 January marks the beginning of the British occupation of Australia, which led to widespread and ongoing violence and injustice against Aboriginal and Torres Strait Islander people.

Many hundreds of thousands of First Nations people were killed during the invasion. The notions of ‘settler’ and ‘settlement’ belie the brutality toward First Nations peoples as their homelands and resources were seized, and peoples decimated by genocidal practices of poisoning water sources, the spreading of introduced diseases, and massacres perpetrated as part of the Frontier Wars. Many of these events that constitute invasion remain unacknowledged in Australian society today.

This pattern of death and violence, along with deliberate policies of dispossession and displacement, led to severe damage to the social fabric of First Nations societies, as well as the destruction of economic systems that had operated sustainably for millennia.

Over the 230+ years since invasion, and despite some important advances in recognising the rights of Aboriginal and Torres Strait Islander people, governments have continued to pursue policies of assimilation and social control that have broken apart First Nations families and communities, and removed people from Culture and Country. These policies reinforce control over land and people as the foundation for an extractive colonial economic system.

The British invasion was justified by the legal fiction of *terra nullius*, which denied the existence of First Nations societies and the complex cultural, philosophical and economic structures that they had developed over tens of thousands of years in Australia.

Although overturned by the High Court in 1992 in its ruling on the Mabo v Queensland case, the worldview inherent in *terra nullius* continues to underpin Australian governments’ dealings with First Nations people. No treaty has yet been signed between Australian governments and First Nations people. No serious attempt has been made by governments to find a just resolution to the ethical issue at the heart of Australia’s identity – the ongoing occupation by force of land that belongs to others.

The effects of colonisation, kicked off on 26 January 1788, continue to impact the lives of First Nations Australians through the ongoing experience of racism, dispossession, exclusion and intergenerational trauma.

Non-Indigenous Australians continue to benefit from the use of land that was stolen from First Nations people, and continue to live a life of privilege created and recreated in our history books, our classrooms, our workplaces and our everyday experiences.

“Australia Day is a celebration of an invasion which resulted in the ethnic cleansing of Aborigines. To participate would be to abandon the continuing struggle of my people.” – Michael Mansell

A long history of resistance

Australia’s First Nations people have a long history of resistance to invasion and colonisation. Armed resistance during the Frontier Wars, the formation of organisations fighting for First Nations rights, the ongoing practice of Culture and care for Country, protest and social action, political representation, legal action and more have been part of this history. The determined work of First Nations people to defend themselves against colonisation has been vital to the survival and strength of First Nations communities today.

First Nations people, and their non-Indigenous allies, have been raising concerns about celebrations on 26 January for over a century. In 1888, Aboriginal people boycotted centenary celebrations. In 1938, on the 150th anniversary of the landing of the First Fleet at Port Jackson, the first Day of Mourning was organised by William Cooper and others.

26 January has also been reframed as Invasion Day and Survival Day. On this day every year, tens of thousands of Australians participate in marches and other events organised by, and in collaboration with First Nations people, to protest against injustice, celebrate First Nations survival, and work towards a more just future.

From 2017, as further momentum built for the Change the Date movement, Australian local councils began moving citizenship events to other days. In 2019, an estimated 80,000 people marched in an Invasion Day protest in Naarm (Melbourne) alone.

NAIDOC Week celebrations, held annually across Australia in July, also provide an important focus for celebrating the history, culture and achievements of Aboriginal and Torres Strait Islander peoples. NAIDOC Week is celebrated in First Nations communities, but also by non-Indigenous Australians from all walks of life.

“Most people just want a day to celebrate the place that they call home, to be part of a community, and to guide Australia into the future. I am one of these people, so why can’t we celebrate this on a day that includes all Australians?” – Nakkiah Lui

Why Change the Date?

It is unsurprising that for many Aboriginal and Torres Strait Islanders, 26 January is not a day for celebration, but for mourning and resistance. Choosing 26 January as the day for Australia’s national celebration is offensive to many First Nations people, showing a continuing disregard for the experience of First Nations communities

and a denial of the violence and racism directed towards them.

A growing number of Australians are now rejecting 26 January and what it symbolises. Holding Australia Day on 26 January legitimises the invasion in 1788 and the policies of violence, dispossession and cultural destruction that white settlers and governments subsequently pursued. Each year on 26 January, our national day approves this history of oppression and its results.

Australia Day is intended to foster a sense of national unity. However, 26 January is a day that reiterates the supremacy of one part of Australian society – those of British origin. It reinforces racial privilege and the continuing erasure of First Nations peoples and culture, and does not speak in significant ways to the history of other groups within Australian society. The date is a source of division and bitterness, rather than an invitation to unity.

26 January remains an important date for all Australians to come to terms with our troubled history, reflect on the present, and consider how we can take meaningful steps toward a more just future as a more mature nation of people.

However, as Australia works towards reconciliation and respect, in Lirata’s view there is a need to change the date of Australia Day. We need our national celebration to be a day that includes and respects all Australians, and in which all can participate equally and with pride.

DIY: Let’s Change the Date for ourselves

Ultimately, Lirata would like to see Australian governments work together to change the date of Australia Day to one that all Australians can be proud of and participate in. Although in some ways the change would be straightforward, the issue is politically sensitive. Change will take time and, to be done well, will require consultation

and communication broadly across Australian communities to build understanding of the change, and the reasons for it.

While we continue to push governments to move in the right direction, we can immediately take steps ourselves to Change the Date in our own lives and organisations.

Here are three main strategies – we recommend using all of them.

1. Use 26 January as an opportunity for reflection and resistance

Rather than participating in Australia Day celebrations on 26 January, use the day to learn about and reflect on Australia's history, and on the steps needed to move toward a more just future.

Non-Indigenous people must be prepared to learn more about their ancestral past and how this impacted the lives of Indigenous Australians. Take time to reconcile within your own family.

Seek out the voices of First Nations people, and listen to what they have experienced and what they have to say. Support protests and events that celebrate First Nations survival and culture, that acknowledge First Nations sovereignty, and that oppose racism.

2. Support organisations and communities that are taking a stand

Some Australian organisations are publicly leading the way in changing what happens on 26 January. In particular, progressive local councils have taken a thoughtful stand and have changed their own Australia Day practices in recent years.

These organisations need support in the face of conservative backlash that aims to maintain the status quo. Let them know that you endorse their stand.

3. Change the Date within your own workplace

Under Australian workplace law, 26 January is a public holiday. However, the law provides flexibility in many cases to substitute public holidays for other days.

Industrial awards or agreements may include provisions for an employer and an employee to agree to substitute public holidays. An employer and an award/agreement-free employee may also agree to substitute public holidays with other days. In making such agreements, employers must not exert undue influence or pressure on employees.

Recognising this flexibility, Lirata has taken the initiative to Change the Date within our own workplace. Here's the process we followed:

- In 2017 we identified that many members of our staff were keen to do more to support First Nations-led advocacy, and had concerns about the date of Australia Day.
- We engaged in a series of discussions with our staff through which we identified that there was strong support to take an organisational stand on this issue, by substituting the 26 January public holiday with another day.
- We considered various options and our staff and management together decided that our preference was to move to a public holiday during NAIDOC Week, with a focus on celebrating the diversity of First Nations culture and the contributions of Aboriginal and Torres Strait Islander people to Australian society.
- Instead of observing the Australia Day public holiday on 26 January, Lirata staff work as normal that day.
- Lirata staff take a substitute public holiday during NAIDOC Week.
- It is the choice of each Lirata employee whether they agree to this substitution. Employees formally record their choice so

that we have documentation of the decisions made. There is no detriment to employees if they choose to remain with the 26 January holiday instead of substituting.

Many of our staff see Changing the Date as a positive aspect of working at Lirata – a chance to align their actions with their values, and to be supported by their workplace in doing so.

Are there staff within your organisation who may support Changing the Date?

We encourage you to discuss with your team the significance of 26 January, and listen to their views on the issues surrounding the date. You are likely to find diverse perspectives, but you may also find strong support for moving the public holiday to a more inclusive date.

Ask your team what substitute date they would choose. Lirata takes a day in NAIDOC week, but your team might prefer a different day and focus.

And please, let us know if your workplace decides to Change the Date. Let's support and encourage each other as we move towards a national day that is meaningful, respectful and inclusive for all.

Resources

The following resources provide more information on the topics discussed in this article, including several powerful statements from First Nations people on why we should Change the Date.

- Change the Date website: changethedate.org
- Nakkiah Lui article on Australia Day: www.theguardian.com/commentisfree/2014/jan/26/australia-day-is-a-time-for-mourning-not-celebration
- Michael Mansell article on Australia Day: www.theguardian.com/commentisfree/2013/oct/29/australia-day-award-aborigines
- Information on NAIDOC Week: www.naidoc.org.au
- History of Australia Day: en.wikipedia.org/wiki/Australia_Day
- Alternative framings of 26 January: www.sbs.com.au/nitv/explainer/australia-day-invasion-day-survival-day-whats-name
- Information on substitution of public holidays: www.fairwork.gov.au/how-we-will-help/templates-and-guides/fact-sheets/minimum-workplace-entitlements/public-holidays

Supporting First Nations-led advocacy

Lirata's reconciliation journey includes a range of activities to strengthen our understanding and ways of working with First Nations communities, to provide practical assistance to First Nations organisations and practitioners, and to support Indigenous-led advocacy for change.

For further information or assistance, please contact the Lirata team:

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