# **Fiona Paisley**

Death Scene Protester: An Aboriginal Rights Activist in 1920s London

> This is all that is left of my people." So Australian Aboriginal protester and sometime toy seller Anthony Martin Fernando is said to have advised passersby of the small toy skeletons, then popular children's novelties, dotted on a black cloth draped across his shoulders. It was the late 1920s on a corner of the Strand in London just outside Australia House, an extraordinary time and place in which to enact a solitary protest against the injustices faced by the Aboriginal people of Australia. Behind Fernando stood the imposing 1910 building, which seemed to proclaim the strength of Great Britain's relationship with its Dominion. During the height of proimperial sentiment, the Strand was a popular destination for tourists. Billboards extolling the newly extended underground railway enjoined Londoners and travelers alike to enjoy a remarkable opportunity to "travel the world" without leaving the city, possibly including a visit to displays in the foyer of Australia House.1

> Across the road rose St. Clements of the Dane, home of Anzac Day services in London. Each year crowds spilled out along the Strand to the Cenotaph, where they commemorated Australian and British war dead, if not also the vast numbers of colonized peoples of the British

Empire—from Irish to Indian—who had fought in the Great War in the expectation of independence.<sup>2</sup> Services inside St. Clements lauded Australia's coming of age as an imperial nation not only through its war sacrifice but also through the uplifting of its "child race." In 1923, during the heyday of the League of Nations and its mandate system (of which Australia was a signatory and beneficiary), the bishop of Salisbury reminded parishioners that while the opening of the Australian federal parliament twenty-two years earlier had heralded the "birth of a nation," that nation had since gained its "manhood on the blood-stained heights of Gallipoli." Now, said the bishop, by "tak[ing] up the 'white man's burden' . . . [and in] its handling of the child races," Australia had confirmed its status among the civilized nations.<sup>3</sup>

In Sydney, commemorations and expressions of sentiment similarly combined war memorialization with the virtues of settler colonialism. In 1929, soon after Fernando made his last appearance on the Strand, fifteen thousand returned soldiers marching in the antipodean city were reported by the London *Times* as symbolizing the vitality of Australia's relationship with empire. Perhaps it was with a shock of recognition that Fernando read of the ceremony, which concluded with a wreath laying at the Gates of Memory in a Sydney Harbour suburb on Woolloomooloo Bay, his distant birthplace.<sup>4</sup>

### **About Fernando's Origins**

According to many documents of residency and work permits issued in Europe, Fernando was born in Woolloomooloo in 1864, but no records exist about his birth in Australian archives. He was not necessarily from Sydney—perhaps like other Aboriginal people who lived around the harbor at this time, his relatives came from northern New South Wales. Living in old government boat sheds, the Aborigines bartered the fish they caught to get goods from European settlers. The growing cosmopolitan pretensions of the colonial city forced the Aborigines to relocate across the harbor by the 1880s to a larger community at La Perouse. Fernando's story combined transience and resilience even before he left the country for good.

The limited information available about Fernando's childhood and young adulthood has been extracted from highly mediated sources, mostly the reports of Londoners with whom he spoke about his life. Within these reports, certain striking phrases appear to have survived intact; in one example, Fernando is said to have described the thought of his mother as the "guiding star" of his life. But we have few specifics. Even the more

detailed body of information that survives concerning Fernando's adult life contains many silences and gaps. Although data collected by European police and government authorities have helped us trace his peripatetic life on the Continent, including his often-repeated assertion of surname and place and date of birth, Fernando's life story remains tantalizingly incomplete. For those British Australians concerned with Aboriginal rights who met him in London, Fernando was considered a remarkable person of extraordinary origins who found his way across the world, and to a certain extent he remains so. He was evidently skilled at engaging the curiosity and compassion of those whom he met. Inevitably, however, their reports tell us as much about humanitarian assumptions and investments in Aboriginality as they do about the life of Anthony Martin Fernando. As Ann Laura Stoler reminds us, cultural complexity belongs not only to the colonized but also to "empire's own agents" and includes their capacity to know and yet not know the violence entailed in the colonizing process.8

It was this repressed knowledge (and sometimes its virulent denial) that Fernando confronted on Europe's streets. His emergence from the shadows of London's Strand threatened to collapse the distance of time and space between metropolis and colonial frontier. His accusations of genocidal activities in Australia-the death scene protest with skeletons outside Australia House was but one of these—arguably shrank the distance between Aboriginal suffering and the London street. Emerging from the edges of imperial consciousness, his unlikely protest intended to haunt the conscience of empire. Startling for its audacity, Fernando's story confronts imperial assumptions, and he alone appears to have anticipated by several decades the direct international lobbying begun by a generation of Aboriginal activists during the 1960s and 1970s.9 As discussed later in this essay, Fernando's appearances in London would raise serious questions among contemporaries about the very possibility of his self-proclaimed identity as an Australian Aborigine.

Alongside the specificity of his place and date of birth, we know that Fernando always signed his letters "A. M. Fernando." Maybe he aimed in this way to attach some solidity to a life otherwise characterized by displacement and disjuncture. As a young adult, Fernando dropped his surname, Silva. He would later explain that he had hoped thereby to honor the Italian people, whom he found more accepting of his color than were other Europeans. 10 By discarding the name of his father in favor of his Italian connections, Fernando expressed a resolute sense of his own place in Europe and a resilient connection with his maternal heritage.

At first glance, Fernando's original surname, Silva, suggests the

legacy of Portuguese colonialism in South Asia, and that his father was perhaps South Asian, while his given names, Anthony and Martin, point to his lifelong Catholicism. Thus in his person, Portuguese colonialism merged with the influence of Catholic missions among Sydney Aboriginal people of his mother's generation.<sup>11</sup> In contrast to his own name, the Aboriginal people of Western Australia whom he considered endangered (as settlement rapidly encroached on their territory) were often named by white overseers in a manner designed to reflect their derided status in colonial society, with names such as "Packsaddle." Renaming was also pivotal in the process of child removal, whereby Aboriginal children taken from their families and communities were prepared for assimilation in missions or state institutions. Owning one's own name, as Fernando did with his signature, was itself a reply to colonial rule.

The shadowy stories of those both haunting and haunted by empire have in recent years led many scholars of postcolonial literature and history to reject the notion of authenticity as a colonizing discourse.<sup>14</sup> In her study of subaltern life writing, for example, Gillian Whitlock aims to contribute to "the work of decolonization" through working within the partiality and indeterminacy of subaltern life writing. She argues for "return[ing] ambivalence and duplicity" and looking to "intersubjectivity in cultural formations and texts." Against the imagined colonial landscape of fixed identities and hierarchy, such subaltern subjects, she states, give form to the discontinuity and plurality intrinsic to postcolonial lifeworlds.<sup>15</sup> When viewed from this perspective, Fernando's Australia House death scene performances appear not as revelations of origin or experience (although they might have been these also) but as moments in the transitory construction of a public space from which to enact an alternative worldview.<sup>16</sup> According to Nancy Fraser, by creating subaltern counterpublics, "subordinated social groups invent and circulate . . . oppositional interpretations of their identities, interests, and needs."17 Similarly, anthropologist James Clifford declares, "The whole question of authenticity is secondary, [while] the process of social and cultural persistence is political all the way back."18 It seems only fitting, then, that the Australia House protests remain elusive. Fernando did not write about them, nor are there any existing press reports or images of them. We are left to interpret them as best we can. In her recent book on servitude in eighteenth-century England, Carolyn Steedman confronts a similarly sparse subject with considerable pleasure, exclaiming that "less is often more in the historical game, and some of us like nothing so much as writing within the strictures of absence." 19 Similarly, I am struck by the

way this project has challenged my own understanding of the relationship between "the archives" and the writing of history.20

#### An Education

As he would assert from the hindsight of his sixties, Fernando's worldly outlook on Aboriginal Australian affairs had been instilled during childhood. At a young age he became aware of the psychological as well as the material impacts of colonization. In one of his recollections recounted to a white supporter in London, Fernando described being separated from his mother when he was a child (perhaps through her agency) and living for a time with a white family.<sup>21</sup> Given his adult knowledge of the Bible, perhaps this was a missionary family, whose religious teachings contributed to his emerging sense of social justice. Certainly in the 1860s and 1870s, when Fernando was growing up, many Catholic priests involved in missionary work among the Aborigines supported reparations to Aborigines for the theft of their land.22

In Fernando's mind, however, his real education began with the white family's betrayal of him. Its members treated him as little more than a "puppy" in their midst, he said, and his capacity to learn was interpreted as evidence of the civilizing effect of colonial rule, but little more.<sup>23</sup> His hosts' implicit denial of his capacities as an educated black would provide the foundation of his later politics. Other black activists have described the importance of personal revelation in childhood to the formation of their adult political consciousness. Fernando's contemporary, the African American activist and writer W. E. B. DuBois, recalled his own childhood moment of "discovering" his race. In later life, like Fernando, he drew on this intense experience in his famous explorations of the interworkings of culture, race, and politics.24

We can imagine that the premise of Fernando's black worldview was instilled long before this early education in the white world or through his later engagement with the global world of black activism in Europe. The Sydney of his youth was a dynamic port shaped by a flow of diverse people and histories, which complicated the city's usual representation as a convict outpost or a site of first contact between Aborigines and whites.<sup>25</sup> Throughout the long nineteenth century, Australia was shaped by complex genealogies that went beyond the simple Indigenous versus European dichotomy.<sup>26</sup> In archives from Western Australia, where Fernando as a protester first appears, Aboriginal communities had long since been engaged in trade with Indonesia. By the end of the nineteenth century, these communities had witnessed growing incursions into their territory from various migrant and indentured populations from India and other parts of South Asia, as well as Africa and China, in addition to Europeans.<sup>27</sup>

### **Becoming Witness**

A second major turning point occurred in Fernando's political life in 1903. The maltreatment of Aborigines in central Western Australia—then experiencing the pressures of rapid settlement—induced him to take a stand in the name of Aboriginal justice, 28 an event that would precipitate his departure from Australia forever.

Several black populations, including cameleers, laborers, hawkers, railwaymen, and miners, lived in Peak Hill, a small gold-mining town in Western Australia. Some of these populations were involved in the importation of South Asian laborers into the state and others in the pearling industry farther north.<sup>29</sup> These various black populations (some Aborigines among them) 30 were in terms of social status and spatial location distinct from "the blacks," including "semitribal" Aborigines residing in town camps or on pastoral stations who had suffered the trauma of upheaval, starvation, and often violence as the state was rapidly opened up to development. In the process, many Aborigines had become reliant on government rations and were increasingly vulnerable to the vagaries of seasonal work, sexual exploitation, and the impact of diseases such as leprosy and gonorrhea.31

Moved by observing the local police inflicting injustice on the Aborigines, Fernando began writing letters to authorities in Perth about these events. In a moment that turned him from bystander into witness, he sided with "the blacks" living on the fringes of Peak Hill by writing to Henry Prinsep, the chief protector of the Aborigines in the Western Australian capital city of Perth. In his letters, he accused one policeman of crimes against Aboriginal peoples living near the township and more broadly the government's protective policies toward all Aborigines entrusted to local police for their administration. Perhaps hoping his accusations would be taken seriously, in the last of these letters (and the only one extant), he wrote as one who supported the Aborigines, described their suffering, and requested a copy of the protective legislation under which they lived.<sup>32</sup> Fernando's actions did not go unnoticed in Peak Hill. Several of his letters had been intercepted, as police were responsible for local communications, including the mail. Only one of his letters, sent by registered post via the local magistrate, ever reached its destination. In its pages, Fernando explained to Prinsep that his life had been threatened: as a black man willing to question the status quo, he had become an enemy not just of the police but also of other leading figures in the town, including the magistrate and doctor. Prinsep was nonplussed by this strange correspondent and his claim to have written many times previously and made no reply.<sup>33</sup> And after receiving no response and in fear of his life, Fernando seems to have decided that reform within Australia was impossible, and he left the country for good.

## Being Black in Europe

A slim but remarkable archive of writing by Fernando indicates that he viewed his own physical flight from Australia and aligned intellectual trajectory in terms of contemporary black politics. As a self-designated "black" man, Fernando drew from and contributed to a twentieth-century anticolonial critique of modernity in which racial equality was a major theme. Like other black, South Asian, and indigenous leaders in postwar Europe, Fernando early on was encouraged by the League of Nations and its statements on the rights of minorities, on antislavery, and on the mandate system for governing certain territories. As Fernando told a Swiss newspaper in 1921, like Six Nations Iroquois representative Deskaheh, who campaigned in Geneva in the early 1920s, he saw in an international recognition of the rights of European minorities and of some African peoples the possibility for colonial indigenous peoples to secure a degree of self-rule also.34

As the interwar years progressed, the failure of efforts at decolonization inspired the renewal of black and Asian critiques of Europe's claim to civilization. Perhaps the first indigenous Australian to articulate in this context a set of rights for Australian Aboriginal people, Fernando spoke at Hyde Park Corner, and we can assume that in those speeches he expanded on his view of the criminality of British world power and reiterated arguments he had made elsewhere about the injustices perpetrated by imperial rule. Only through a direct European mandate over Aboriginal lands in Australia, he argued, would a just future be possible. 35 And only by learning about British "civilization" would the Aborigines be able to make their own way in the world.<sup>36</sup> Fernando was not so much against the civilizing project of empire as he was against the destructive effects of the colonial frontier on indigenous populations.

Concluding that the world community would not intervene in British colonial rule in Australia, by the mid-1920s Fernando turned his own energies toward direct action. By protesting the circumstances of Aboriginal Australia, he expressed the anguish and the defiance of self-imposed exile. Mobility was in itself a political act in a world increasingly dominated by the white brotherhood of nations.<sup>37</sup> Protesting in Europe marked both a capacity to escape the frontier and a means to remain inspired by its memory. Although Fernando's politics were marked by personal and collective tragedy, they were not inherently tragic. In his account of the "Black Atlantic," Paul Gilroy has called similarly for more than a "protracted condition of mourning" in accounts of the black experience of world history. He argues for the importance of agency embedded within the mobility by which the "concept of space is itself transformed." Through recognizing the productivity of movement, he says that "outmoded notions of fixity and place" may be replaced by an investigation of the "ex-centric communicative circuitry that has enabled dispersed populations to converse, interact and even synchronise." 38 Through political action, Fernando mobilized an "intensely lived testimonial narrative" that made up "one part of a general strategy" designed to win the attention of audiences and their comprehension of his worldview.39

### **Death Scene**

If the horrors of frontier Western Australia had precipitated Fernando's final departure from Australian shores, a more specific case may well have sparked his death scene protests. Fernando was already in his sixties when he began picketing Australia House. He had arrived in Europe in the early years of the century, little confident in either the rule of law or the efficacy of humanitarian reform. In a newspaper article in 1921, he described the brutality of colonization in contemporary Australia, declaring that the demise of its indigenous people remained the logical outcome of colonization, despite government claims of progress in its management of frontier race relations.<sup>40</sup> It was the dual extermination—the literal and the cultural—that Fernando protested during his career as an international political agitator and that constituted the context for his Australia House death scenes. Moreover, irrefutable evidence of violence on the frontier came in 1927. Sensationalist newspaper stories typical of the preceding months-describing dangerous and sometimes cannibalistic blacks on a far-distant Australian frontier-were followed by a royal commission of inquiry into reports of a massacre in northern Australia.41

In 1926, at Forrest River Mission in northern Australia, Reverend Henry Gribble had sent his sole Aboriginal convert, James Noble, to investigate rumors of the murder by police of many local Aboriginal people. Annie Locke, a missionary who worked in the region among Aborigines in need, advised Gribble of a sudden reduction in the population with whom she worked (the result, she feared, of a "dispersal"). Noble discovered the remains of burned bodies in a dry creek bed-men and women who had been killed in revenge for the spearing of a white man. During testimony given at Wyndham in Western Australia, Gribble produced tins containing some of the charred bones Noble had found, at a scene designed to hide evidence of vigilantism. Even the conservative *Times* could not ignore Gribble's damning evidence. 42 Thus Fernando's skeletons stood not simply for the act of genocide but also for its resistance. The burned remains spoke of murder and its cover-up and of the capacity of the dead to haunt the present. Aiming to emphasize the proximity of massacre in the Australian outback to imperial British modernity, Fernando turned past and distant injustices into a critique of the cosmopolitan present on the Strand. Frontier violence was not a thing of the past, nor were the frontier settlers merely defending themselves from savage opponents. The global reach of reports about this massacre suggests that pedestrians on the Strand were more than aware of the significance of the location, the skeletons, and the words—"This is all that is left of my people"—that comprised Fernando's death scene enactments. His insistence on the presentness of the colonial frontier and the active processes by which the Aboriginal people were, in his view, facing extinction, provided a dramatic counterpoint to the staging of Aboriginal bodily remains in contemporary museum exhibits, such as London's Natural History Museum, in evidence of the inevitability of the passing of such races—remains still being actively collected from that supposedly distant frontier in the first decades of the century. 43 As would soon become apparent, so strong was the idea of Aboriginal extinction on a distant frontier that the authenticity of Fernando's claim to be and speak for a continuing Aboriginal resistance to colonial rule would be questioned even by some of his most ardent supporters.

### Trial

Only months after his protests, in 1929 Fernando found himself the accused. Having attacked a white man due to racial taunting at Bethnal Green markets, where he was a toy seller, Fernando was put on trial at London's Central Criminal Court. Aged and homeless, Fernando faced a

serious challenge to his independence. A guilty verdict might result in his committal to a mental hospital or at least imprisonment. Fernando had been routinely abused on London streets and in East End markets for being a "black bastard" (an Indian or Arab, but never Aboriginal). He finally abandoned passivity during one of these attacks and grabbed his tormentor around the throat before dramatically "brandishing a pistol" as a policeman arrived on the scene.<sup>44</sup> More theatrical excess than cold-blooded act, Fernando would write later of police indifference, and he seemed to have hoped by his actions to involve a local magistrate in their mediation. But growing concern regarding the presence of guns on London streets saw his case quickly referred to the higher court. 45 Fernando used the opportunity to express his political views. Impressed by his intelligence and demeanor, and wishing to distinguish a British court of law from the lawlessness Fernando described in Australia (his own departure, he declared, the result of being refused the right to give evidence against a white man accused of murdering an Aborigine),46 the judge ordered that Fernando be held on remand until his prospects could be determined and in the meantime that he undergo examination by a prison medical officer. Since the 1898 Prison Act, trials of the accused had incorporated evidence concerning "character," "extenuating circumstances," and "mental health." 47

No doubt realizing the need for an advocate, Fernando met with Australian humanitarian and author Mary Bennett.<sup>48</sup> Through their exchanges in Brixton prison, Bennett was inspired to assert the reliability of Fernando's account of Aboriginal suffering in Australia and to confirm that he was an Aborigine himself. In her confirmation of his authenticity on both counts, she even sought to remedy a gap in his biography—his mother's family with the romantic suggestion that he was the sole survivor of a tribe wiped out during the first phase of contact. 49 Thus the man she met in London was fixed in her mind as an intrinsically tragic figure: an Aborigine at the farthest reach of possibility, without land, culture, community, family, or, until her arrival, a white advocate. Having grown up among Aboriginal people on her father's Queensland cattle ranch, Bennett considered herself well placed to assume this role. The place of the native as informant or go-between in humanitarian discourse is instructive for understanding Bennett's claim to have established a friendship with Fernando, especially given "the power and authenticity of the eyewitness" that white sympathizers like Bennett attributed to men like Fernando.50 She reassured colleagues in London (among them other Australians interested in bringing about reform of Aboriginal management in Australia) that his appearance,

behavior, and story confirmed their own views about the inherent qualities of his ill-treated race. Her claims for Aboriginal rights were published in her 1930 book The Australian Aborigine as a Human Being.<sup>51</sup> Bennett felt that her meeting with Fernando crucially influenced her decision to work directly with Aboriginal people over the next several decades.

#### State of Mind

During his trial, humanitarian claims to (already) know Fernando and his worldview shifted attention from matters of authenticity to concern about his state of mind. Impressed—even bemused—by his level of education, his power of expression, and the very fact of his presence among them, those Fernando met wondered if, indeed, he could be a member of the most oppressed people in the world, more usually described as a child race. Admittedly, the ingenuity of his stark performance of Australia as death scene and of the Aborigines as victims of implacable oppressors invited such questions—the contrast between his own vibrant autonomy and the nameless murdered he claimed to speak for was striking. But if he was indeed Aboriginal, might he not have been psychologically overwhelmed by his comprehension of the injustices suffered by his people in civilization's name? And had not the physical and psychological wounds he experienced as survivor and witness been so exacerbated by the racism and poverty of the streets of London that this old, penniless black man had been driven to confront a tormentor with violence?

Bennett found her answer to these concerns in what she considered to be the inherent instability of the educated Aborigine. Drawing on aspects of physiology and character attributed by humanitarians like herself to the Aboriginal people—among them slight build, sensitivity, intelligence, passivity, emotionality, and affection for children—her reading of Fernando was, in its own way, as deterministic as her opponents' declarations that Aboriginal people were primitive and degenerate or, worse still, doomed to extinction.<sup>52</sup> In the end, medical science would provide the necessary proof regarding Fernando's state of mind. According to a triumphant Bennett, the court report stated that Fernando was a man of particularly strong character given his first-hand knowledge of injustices faced by Aboriginal people in Australia. Elated by this conclusion, Bennett reported, "I went to some pains to explain . . . that Fernando suffers from no obsessions or delusions, that his statements are cold fact, and I am so glad to see that the [prison] doctor asserts that his reason is strong and unshaken."53

#### Out of Silence

Fernando's significance as a political figure is only now becoming recognized. Because he left Australia in midlife and without descendants and because of the many gaps in the archives, for a while he disappeared almost entirely from memory and history. Fernando does not seem to have established any correspondence with Aboriginal people in Australia, nor did he seek to align himself publicly with his counterparts among Aboriginal activists who in the 1920s and 1930s were engaged in their own political campaigns within Australia.54 He never returned to his own country. Living and working in London until the early 1940s, he was charged with assault twice more, in one case receiving a prison sentence, before he spent his last years in the aged men's ward of a leading mental hospital, where he died in 1949. Sadly, his place of burial remains unknown.

As to the Australia House protests themselves, Australian government representatives in London appear to have offered no response to them at the time. This silence contrasts conspicuously with the readiness of Australia's representatives in London to deflect accusations by humanitarians of that nation's failure toward the Aboriginal people. Around the time Fernando began to occupy his position on the Strand, the Anti-Slavery and Aborigines Protection Society in London (with which Bennett and other Australians were avid correspondents and among members of its Australian Committee) lobbied the high commissioner, Major General Sir Granville Ryrie, inside Australia House. Deeply concerned by the recent series of massacres and injustices involving police, the Australian Committee met with Ryrie in his offices to present their case. While sympathetic to the committee's concerns, Ryrie rejected its assertion of the indifference of Australian governments to the Aboriginal people, pointing to the introduction of the very kinds of modern "protective" policies and legislation that had driven Fernando from Australia's shores nearly two decades earlier.55

But Fernando was not entirely forgotten. In the late 1980s, historian Heather Goodall discovered that Fernando was remembered by Aborigines in northern New South Wales. She had found a news report of one of Fernando's London trials in the personal papers of the recently deceased Aboriginal activist Pearl Gibbs, and she learned that Gibbs had shared this news with Fernando's extended family, who also combined Aboriginal and South Asian ancestry with a history of activism (although, as we now know, they weren't actually related to Fernando). 56 Interest in Fernando's accomplishments has resurfaced in recent years, thanks in large part to

a 2007 ABC Radio National program by Daniel Browning.<sup>57</sup> As a result, information about Fernando's London protests has appeared in key lectures by Aboriginal leaders such as Linda Burney and Patrick Dodson, and a touring exhibition, From Little Things, Big Things Grow, concerned with black and white activists campaigning for Aboriginal rights in the twentieth century, includes Fernando. The display features two notebooks from my research in which he documented life in East End London markets during the late 1920s for Douglas Jones, one of his former employers. In addition, a number of indigenous and nonindigenous artists have been inspired to paint their impressions of the Australia House death scene. One particularly striking painting by South Asian Australian artist Raj Nagi imagines an appropriately faceless figure of a man whose likeness we have never seen, engaged in an unforgettable but elusive protest undertaken outside Australia House in London more than eighty years ago.58

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