

The Defence Act and enlistment



Recruits waiting to sail to Egypt on HMAT *Kyarra*, 1917. Josiah Barnes, AWM PB0522

Created to allow for the naval and military defence of Australia, the *Defence Act 1903* is still in existence today. The document has undergone various amendments since its creation, including the removal of discriminatory sections.

In 1909, section 138.1 (b) was added, excluding those not substantially of European origin or descent, from participating in peacetime military training. The following year, section 61(h) was added in relation to military service:

“The following shall be exempt from service in time of war, so long as the employment, condition, or status on which the exemption is based continues:—

(h) Persons who are not substantially of European origin or descent, of which the medical authorities appointed under the Regulations shall be the judges;

In 1917, after large numbers of Australian casualties in Europe and a need for more manpower, an additional military order was issued. Order number 200 stated that “half-castes” (a term now considered derogatory) could enlist if the examining medical officer was convinced that one of the parents of the recruit was of European origin.

1. Read section 61 of the amendment here:
<https://www.legislation.gov.au/Details/C1910A00037>
 - a. In addition to those not substantially of European origin or descent, who else is exempt from military service?
 - b. With reference to 61(h), which people living in Australia would this section have discriminated against?
2. Read the case study of **Lawrence McKenzie**.
 - a. Despite being rejected due to his Aboriginal heritage, why do you think Lawrence attempted to enlist a further two times?
 - b. Do you think that the reasons for Lawrence’s rejection were fair? Why or why not?



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- c. Do you think there should be restrictions on people who want to enlist in the Australian Defence Force today? Consider heritage, age, gender, skills, and knowledge.



Parliamentary Recruiting Committee, L.S. & Co., *Your king and country need you: enlist now*, 1914, chromolithograph on paper, 77 x 51.6 cm, AWM ARTV08137

3. From a population of less than 5 million people, over 400,000 Australians enlisted for service in the First World War. It is estimated that approximately 1,300 of those who enlisted were of Aboriginal and Torres Strait Islander descent, despite government regulations excluding them from service. Read the case studies of **Douglas Grant** and **Richard Martin**.
- Why were these men able to enlist, but others such as Gilbert Williams and Lawrence McKenzie were not? What factors could influence successful enlistment for Aboriginal and Torres Strait Islander peoples? This article on Indigenous defence service may assist: <https://www.awm.gov.au/articles/encyclopedia/indigenous>
 - Discuss reasons why Indigenous and non-Indigenous Australians volunteered for enlistment in the First World War. You may like to work in two different groups, focusing on the categories separately.
 - What reasons for enlistment did you come up with, that were common for people regardless of their heritage?
 - In what ways were people treated as equals once they had successfully enlisted in the Australian Imperial Force (AIF)?



The Military Medal, RELAWM06315.006



4. **Albert Knight** and **William Irwin** were awarded the Distinguished Conduct Medal during the First World War, while **Harry Thorpe** and **William Rawlings** were awarded the Military Medal.
 - a. Investigate what these medals are awarded for.
 - b. What does the awarding of these medals tell you about the capabilities of Knight, Irwin, Thorpe, and Rawlings?
 - c. Examine William Irwin's case study further, to find out about the incident in which he was awarded the Distinguished Conduct Medal. What medal was George Cartright awarded in the same incident? What do you think about this outcome?
 - d. Did the achievements of Aboriginal and Torres Strait Islander peoples in the First World War, lead to changes in their rights and recognitions back home in Australia? Find three sources to support your opinion.
 - e. An article published in the Western Mail in 1931 stated: "The AIF judged a man not by his colour, but by his worth." Do you agree with this statement? Why or why not?

5. A list of identified Aboriginal and Torres Strait Islander servicemen can be found here:
<https://www.awm.gov.au/webgroups/indigenous%20service>