Aboriginal History

Volume ten 1986
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2. Fisher to Hassall, 20 July 1824.
3. Fison and Howitt 1880:96.
4. See Cox 1821.
7. Colonial Secretary — In Letters (CSIL), 30/1722.
8. L.E. Threlkeld to A. M’Leay, 15 July 1831, CSIL, re Land 120, 31/5527 (in 45/514).

**Bibliography entries:**

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CHARLES ROWLEY – A FIGHTER FOR JUSTICE AND EQUALITY

Elspeth Young

Charles Rowley's death in September 1985 left all who had known him and worked with him with a deep sense of loss. Not only were social scientists, both researchers and students, deprived of the opportunity to discuss their work with Charles, knowing that they would receive wise advice and support, but also all concerned with the cause of justice for the disadvantaged were aware that one of the main protagonists had gone. But although the loss is great, Charles has left social science with an invaluable legacy: a lifetime of work which has laid the foundations for changes in policies and attitudes affecting the future of Aborigines in Australia, Papua New Guineans and other indigenous minorities and peoples of the Third World. This provides a sound basis for continuing endeavours in these fields.

Charles Dunford Rowley, born in 1906 at Dunedoo, was the eldest son of a mounted policeman who worked for many years in country towns in central New South Wales. Through scholarships he was able to attend high school and, later, the University of Sydney, and eventually to qualify as a secondary school teacher, a profession which he followed for the next ten years. In 1942 he joined the AIF and for four years served with the military Directorate of Research, largely in Papua and New Guinea. That experience left him with a strong interest in and sympathy for the future of Papua New Guineans, particularly in terms of their progress to independence from colonial rule and their achievement of a way of life compatible with their own desires. In 1951 Charles Rowley was appointed Director of the Australian School of Pacific Administration (ASOPA), an institution established to provide young government officers with the education and experience appropriate to the successful implementation of Australian policies in Papua New Guinea. For the next fifteen years he and his colleagues were responsible for the training of these 'kiaps' and their solicitude for the future administration of Papua New Guinea made a clear impact on many of their students. Charles's first book, *The Australians in German New Guinea, 1914-1921* (1958), clearly demonstrates his concern over the impact of Australian policy in Papua New Guinea. His humanitarian and broadly based understanding and ideals were clearly presented in his next book *The New Guinea Villager* (1964), a thoughtful and evocative study which has provided inspiration and insight for many subsequent researchers and administrators.

In 1964 Charles Rowley was appointed director of a research project, Aborigines in Australian Society, sponsored by the Social Science Research Council (SSRC), now the Academy of the Social Sciences in Australia. The results of this project, more than any other, heightened awareness of the inequities faced by Aborigines in all spheres of Australian life, and provided essential background for the formulation of new policies to promote self-management and self-determination. Charles Rowley's contribution to the project was enormous. His trilogy — *The Destruction of Aboriginal Society* (1970), *Outcasts in White Australia* (1971), *The Remote Aborigines* (1971) — chronicled the long history of dispossession and exploitation and documented the contemporary problems and frustrations faced by Aborigines.
Aboriginal people with a clarity that has made them required reading for all subsequent students. And in addition, through his encouragement, other younger researchers such as Jeremy Long, Fay Gale, Frank Jones and Frank Stevens were able to make contributions which extended the scope of the project.

In 1968 Charles Rowley returned to Port Moresby as foundation Professor of Politics in the newly established University of Papua New Guinea. During the next six years he taught many of the young intellectuals destined to hold positions of responsibility in politics and government during the country's critical early years of independence. His perceptive approach to the questions and pressures confronting these students helped them to form their ideas and make assessments in a reasoning and thoughtful way. Although Charles Rowley's period at the University of Papua New Guinea took him to the conventional age of retirement, his return to Australia in 1974 did not mark his departure from the public arena of Aboriginal affairs. On the contrary, while carrying out the position of Executive Director of the Academy of the Social Sciences in Australia, he also became Chairman of the Aboriginal Land Fund Commission, was a member of the Aboriginal Treaty Committee and, during the last five years, organised a a study of the contemporary social and economic situation of Aboriginal families in rural New South Wales and metropolitan Sydney. Books published during these later years include *A Matter of Justice* (1978), a clear expression of his frustration at the failures of government to carry out policies which, in theory, aimed to achieve equality for Aborigines.

Charles Rowley, through his own work and publications, made an outstanding personal contribution to the growth and development of social science in Australia. He also, through his willingness to listen, his sympathy, his patience and his wisdom, contributed to the work of many other, more recent, scholars in that field. As a newcomer to Aboriginal studies in 1977 I soon became aware that Charles would not only provide me with a wealth of advice and references to otherwise obscure work, but that he would listen, even to naive and poorly formed thoughts, and would criticise without destructiveness. From the beginning he took a personal interest in my research, a study of the Aboriginal economy carried out under the direction of Dr E.K. Fisk at the Development Studies Centre, A.N.U., because, as he had himself stated in a paper on research for the Council of Aboriginal Affairs (1971), 'the greatest single lack of the SSRC project was an overall economic assessment of [the Aboriginal] situation and possibilities'. Although those of us involved in the Aboriginal Economy project were well aware that our study could not fill that gap adequately, we were greatly encouraged by Charles's support and felt sufficiently confident to develop the study as far as seemed feasible within limitations imposed by time, finance and the availability of information. In particular, Charles's understanding of the need to assess economic performance as part of Aboriginal society and culture, rather than as an independent element, did much to alleviate my fears that, as a human geographer, I was delving into fields in which my skills were inappropriate and inadequate.

As I extended my own research experience in socio-economic issues in remote Aboriginal communities I became increasingly aware of the enlightenment of Charles's early ideas on Aboriginal development. During Canberra sojourns between periods of fieldwork in northern Australia I found my discussions with Charles both enjoyable and valuable. In the process of exchanging stories of events in isolated places known to both of us, I learnt much from his inquiries and comments about changes affecting pastoral stations which had passed to Aboriginal control. These communities, of particular interest to Charles because many had
been purchased while he was Chairman of the Aboriginal Land Fund Commission, were, for both of us, of prime importance because they offered people some opportunity for economic independence, to set alongside political and social control. Charles subscribed firmly to the view that, although the commercial success of these enterprises would obviously contribute to the economic well-being of those concerned, the acquisition of these properties was primarily important from a social point of view. It provided groups of people who had been displaced from their land, and who had, as workers in the pastoral industry, been exploited for many years in furthering the interests of capitalists, with control over the land and its resources, and gave them the opportunity to set priorities for their own futures and those of their children. There is no doubt that Charles, after the Aboriginal Land Fund Commission became part of the Aboriginal Development Commission in 1980, became more and more disillusioned as he witnessed the discarding of these socially aware policies in favour of ‘economic viability’ and ‘commercial profit’. His comments on these issues in the 1980s showed a growing sense of frustration, as the rules and regulations governing the allocation of funds to support Aboriginal enterprises became more restrictive, and the chances for all but a very few Aboriginal businessmen to benefit became almost non-existent.

Charles did not retire with the winding up of the Aboriginal Land Fund Commission. On the contrary, he redirected his energies into a project in which he had been interested for many years: a follow-up study of New South Wales Aboriginal families interviewed in the course of the SSRC project of the 1960s. This study was designed to examine whether the social and economic situation had, at the family level, improved during the intervening period, a measure of the achievement of equality and the allocation of justice. The study was also, in accord with ideals often put forward by Charles, to be truly Aboriginal, conducted by Aboriginal fieldworkers working with families who knew them, and posing questions which, in Aboriginal eyes, were relevant. Charles spent many days discussing these issues with his Aboriginal co-workers, and ensuring that the project was fully understood and supported by members of the Aboriginal community. This approach has been advocated by many social science researchers but, unfortunately, carried out by few. Charles’s determination that the approach should succeed emphasises his aim that research into such issues must cease to regard Aborigines as subjects but must be carried out with their full collaboration and co-operation. It undoubtedly earned him well-deserved respect from many Aboriginal people.

This final study produced, as might be expected, conflicting results. While physical aspects of people’s lives — their shelter, their access to essential services — had improved, other aspects demonstrated a marked lack of progress. In particular, levels of employment and, in real terms, wealth had if anything declined. As the title of the first monograph from this study Equality by Instalments (1982) suggests, both the momentum and direction of change were less than satisfactory, an indication that the ideals of social and economic justice were far from being attained. The second part of this project, which extended interviews from rural-dwelling families living in metropolitan Sydney, was conducted in 1984 and Charles was working on the analysis at the time of his death. It will be completed posthumously.

Anyone who knew and worked with Charles Rowley held him in the highest regard: as a scholar of great integrity, whose ideas did so much to promote the cause of justice for the socially and economically deprived; as a friend who was always willing to listen and discuss and who, through his own modest and unassuming approach, gave people the confidence to make greater efforts in their fields of study; and as a fighter for recognition of the value of
customs and beliefs governing the lives of people in non-European societies. We have learned a great deal from Charles Rowley. It is to be hoped that we continue to put that knowledge into practice.

BIBLIOGRAPHY

THE LEGAL CLASSIFICATION OF RACE IN AUSTRALIA

John McCorquodale

An examination of legislation of the Commonwealth and the several States reveals a dichotomy based on 'blood' by which those having Aboriginal or other 'coloured' blood or strains of blood were singled out for special legislative treatment. Aborigines and 'half-castes', in particular, were subject to increasing refinement as legislative subjects in the several jurisdictions. A bewildering array of legal definitions led to inconsistent legal treatment and arbitrary, unpredictable, and capricious administrative treatment.

This paper examines the legal definitions of Aborigines and 'half-castes' from the earliest times to the present for each jurisdiction. Judicial definitions of race are next considered, and the same inconsistencies are noted. Administrative — including parliamentary — definitions are considered in the light of the modern expression of human rights. Non-Aboriginal — but 'coloured' — subjects of Australian law are then examined on an historical basis, parallels being perceived in some, but not all, jurisdictions within the Commonwealth.

It is not proposed to canvass the various theories which sociologists and political scientists have formulated to explain the process by which laws are made. My intention is to show how the same expressions to define or describe Aborigines as special subjects of special laws, or as special subjects by uneven and unequal operation of the same law, recur, but in different legislatures, different areas, and on widely differing time-scales.

In 1983 the Supreme Court of Norfolk Island in *Lewis v. Trebilco* characterised the legislative use of 'descent' as 'an entirely elliptical term'.¹ That case concerned a challenge by a Kenyan-born British subject, a naturalised citizen of Australia, to the *Immigration Ordinance 1968* as being offensive to the *Racial Discrimination Act 1975* ('the Act') and therefore invalid.

The challenge failed. However, its value and interest lie in its consideration of the expression 'race, colour, descent or national or ethnic origin' appearing in s.9 of the Act. The High Court's earlier decision in the *Tasmanian Dam* case² likewise required a consideration of the expression in giving to the Commonwealth the most significant potential expansion of its constitutional powers since the Second World War.

In this era of professed and proclaimed human rights, of subscription to International Conventions and protocols asserting those rights, and of political sensitivity to domestic and

John McCorquodale is an Assistant Secretary in the Attorney-General's Department, Canberra. He is the author of 'Aborigines and the Law: A Digest' (in press), numerous articles and monographs on the operation of the civil and criminal law on Aborigines, and was awarded a Ph.D from the University of New England for his thesis Aborigines: A History of Law and Injustice 1829-1985.


international feelings about those rights, a consideration of Australia's treatment of its indigenous population demonstrates the hollowness of our touted egalitarian traditions. To paraphrase Kipling Aborigines were — and still are — 'lesser breeds within the law'.

Aborigines as Special Subjects of Legislation.

It is important to understand why Aborigines were singled out for such an extraordinarily diverse range of legislation. Equally important is it to appreciate that the antecedent character, scope, application and enforcement of the legislation operated with varying intensity at different levels within society.

As will be seen, much of the legislation reposed simply upon grounds of presumed racial superiority. The first settlers from the United Kingdom, whether as an act of political expediency or justification, seized and claimed the continent, or so much of it as had then been discovered and the geographical limits determined, on the ground that what was annexed to the Crown was terra nullius. In other words, there was no sovereign with which they could treat, on more or less equal terms, also as sovereign.

Second, the pastoralists and other 'land developers' claimed the land as theirs on the grounds that it was not being 'used', 'developed' or 'cultivated'. From an ethnocentric viewpoint, this may have been so, but it stemmed from an abysmal ignorance, or rejection, of native practices and habits in regard to the land.

That initial impetus and self-justification found formulation and expression by which, in law, the Aborigines and their offspring were to be treated. Many of the laws were administrative in character, establishing welfare boards, appointing protectors, guardians, managers, or other forms of legal custodianship, providing determined areas — be they communities, institutions, camps, reserves — in which the subjects of legislation should be treated according to the objects of legislation.

The laws which were punitive in character originated in a formulation of the kind often associated with the notion 'separate but equal'. The egalitarian ideal, of course, operated in a negative fashion. Aborigines being strangers to the ritualised process of the law, to the concepts practised, to the adversary system, to the role of a single arbitrator invested not only with the regalia of office but with the power of life or death, to the nature and extent of punishment meted out, could not hope to compete on anything but unequal terms. In terms of knowledge and command of the language itself, and especially in terms of competing in a criminal process with the resources of the State, the contest was hopelessly lopsided.

The civil processes, too, afforded little relief, based essentially on concepts of property and protection of interests in real or personal property, be they corporeal or incorporeal. Denied interests in land from which, by operation of an alien law, they were dispossessed, and deprived of an economic base in a materialist world with which their acculturation had little in common, the processes of the common law and of equity were of little use and advantage to them. Even where it might be applicable — in terms, for example, of recognition of marriage or of children — it was yet another instrument of denial or degradation because tribal marriages and the issue of such were not recognised in English law. Accordingly, a tribal wife could be compelled to testify in criminal proceedings against the man English law denied as her husband.

The above, necessarily simplistic, recitation of the overall effect of English law as appropriate in the early days of European settlement is intended to reinforce the concept that the law, as conceived and applied, was not supportive of Aborigines as subjects equal before it
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with the European. A law having universal application had drastically unequal consequences.

The Aboriginal population were legislated for specifically in a multiplicity of subject matters. Special laws were devised and applied as for a special people. Accordingly, one of the first tasks of the law-makers and the law-management or law-enforcement agencies was to define, with as much legal precision as legal skills or human ingenuity could devise, who was an Aborigine. The antecedent characteristic of race or ‘blood’ might break down over generations but the negative reach of the law still could obtain with results far more devastating than for a person not categorised as Aboriginal under particular legislation. Explicit inclusion in one category all too often was implicit exclusion from another.

Allied to the legal position of the Aborigines, which defined their status and position in society, was the political aspect of power. The excessive measures as by law provided were founded on notions of superiority (racial, cultural, political) and thereby legalised.

The inferiority of the Aborigine was translated in terms of powerlessness: the inability effectively to thwart, challenge, oppose or even influence at any level within the political or economic structure.

Legal Definitions.

From my analysis of 700 separate pieces of legislation dealing specifically with Aborigines or Aboriginal matters — or other seemingly non-Aboriginal matters — no less than 67 identifiable classifications, descriptions, or definitions have been used from the time of European settlement to the present. These classifications may be grouped under six broad headings according to anthropometric or racial identification; territorial habitation, affiliation, or attachment; blood or lineal grouping, including descent; subjective identification; exclusionary and other; and Torres Strait Islanders. Some definitions, such as ‘Aborigine’, have what I call ‘multi-factor’ references. These are categories of persons, or classes answering a legislative description, which are or are deemed to be within that framework. Professor Rowley in 1970 asked, and then answered, the question ‘Who is an Aboriginal?’ in Appendix A of his The Destruction of Aboriginal Society. Some of my analysis traverses the same ground, but his analysis stopped at 1967 and started at about 1905. Nearly all the nineteenth-century legislation was ignored, but historic parallels formulated under markedly different socio-political conditions persisted well into the twentieth century, a feature not sufficiently brought out by Rowley. For some States, therefore, Aboriginal policy, and its legislative expression, remained static and immured, entrenched by perceptions inapplicable to modern times and conditions.

Prior to the 1967 referendum, the Australian Constitution referred to Aborigines at two places, both in negative terms. In section 51(xxvi) the Commonwealth was given legislative power other than for ‘the aboriginal race in any State’; and in section 127 ‘aboriginal natives’ were not to be counted in reckoning the numbers of the people of the Commonwealth, or of a State. At a number of places in the Constitution ‘people’ is used in a quantitative sense: to determine representation (s.24), allocation of expenditure debits (s.89(ii)(b)). At other places ‘person’ is used for acquisition of property (s.51(xxxi), or appointment of deputies to the Governor-General (s.126). So that the fundamental machinery of governance comprehended both terms. Yet ‘aboriginal natives’ rather than ‘the people of any race’ or ‘the people of the aboriginal race’ was used in section 127. It is almost as if the framers of the

3 McCorquodale in press.
Constitution unconsciously rejected human attributes in contemplating ‘aboriginal natives’.

The States both during the Constitutional Conventions (1891, 1897, and 1898) and at Federation were left in effective control of their Aboriginal populations, unfettered by a clear and present Commonwealth power. Secondly, it was not known how many ‘aboriginal natives’ existed, the enumeration in the several States and New Zealand proceeding in incomplete and inconsistent fashion. In Western Australia, for example, only ‘civilized Aborigines’ were included; there, and in Victoria, ‘half castes’ also were enumerated. In Tasmania, the last ‘full-blood’ male having died in 1869 and the last ‘full-blood’ female in 1876, only ‘half-castes’ were counted. All States counted their ‘native’ population as at 1891, except Queensland, whose base date was 1881. Thirdly, the Aborigines generally were considered a dying race, whose inclusion in the people of the Constitution was not only unnecessary but likely to create future problems of proportional representation. Finally, the Convention debates are replete with thinly-disguised expressions of contempt for non-Caucasoids, and particularly Australoids.

The birth of a supposedly free, liberal and democratic nation — all of whose inhabitants were ‘subjects of the Queen’ under the Constitution (s.117) — was therefore attended by illiberal sentiment, legislative prescriptions, and denial of basic democratic rights and freedoms solely on the ground of racial antecedents or association.

The dominant expression in other Commonwealth legislation was ‘aboriginal native of Australia’. That reference first appeared in 1902 in the *Commonwealth Franchise Act* and was last used in 1973 in the *Aboriginal Affairs (Arrangements with the States) Act*. Curiously, it was not defined until the *National Service Act* 1951 and then the legislation left it to be defined by Regulation. Accordingly, almost from the outset, Commonwealth legislation quite deliberately refrained from providing an unambiguous, and consistent meaning to the expression. The policy motive was *laissez-faire* in relegating to administrative action the formulation of an acceptable reference. Doubtless, the absence of any direct Commonwealth constitutional responsibility for Aborigines induced such a motive. The States until 1911, and the States and Territories thereafter, had responsibility for their Aboriginal and ‘half-caste’ population, which relegated Commonwealth interest and responsibility to one of patronage.

A distinction based on blood first appeared in the *Sugar Bounty Act* 1905, providing a bounty for sugar cane or beet produced by ‘white’ and not ‘coloured’ labour. ‘Coloured’ labour was defined to include ‘half-caste’ and ‘full-blood’, but the Act excluded ‘full-blood’ and — with special permits — ‘half-caste’ Aboriginal labour from its purview. Accordingly, legislation could create artificial barriers based on blood or descent to confer or deny to third parties a benefit or privilege. The Commonwealth was prepared to accept such barriers created by individual States, even if it meant uneven results between States. The *Commonwealth Electoral Act* 1918 provided for a Commonwealth franchise if the individual Aborigine was qualified to vote by State legislation; the *Invalid and Old-age Pensions Act* 1942 provided for those pensions to be paid to ‘exempt’ Aborigines.

In 1964 a reference to the Aboriginal ‘people of Australia’ first appears in legislation establishing the Australian Institute of Aboriginal Studies, and was used in 1968, 1969 and 1975. Even so, the former reference continued in use for a further nine years. The concept of ‘race’ was first expressed in the *Aboriginal Enterprises (Assistance) Act* 1968, and was used again in 1975-76, 1978-79, 1980 and 1982.

At given stages, an ‘Aboriginal’ could be a member of a ‘people’, a ‘race’, or one of the
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‘natives’ or ‘native inhabitants’ of Australia. Further, Commonwealth regulations made under the National Service Act 1951 fully described Aboriginality in terms of admixture of ‘blood’. Under Commonwealth law an Aborigine might acquire a legal status for some purposes but not others according to the reach of legislation.

The States, and later the Territories, defined Aborigines mainly by ‘blood’. The word Aborigine in its primary etymological sense described the inhabitants of a country Ab-origine that is, from the beginning, and so means the earliest known inhabitants. A secondary meaning refers to the natives found in possession of a country by European colonists. Australia, however, has given a third popular meaning to describe the natives indigenous to it. Much of the colonial legislation described those natives by reference to habitation (‘aboriginal natives of New South Wales and New Holland’) but increasingly it described them in terms of admixture or preponderance of ‘blood’. The proliferation of children having ‘white’ blood in their veins, and the decline of the ‘full-blood’ population, prompted a legislative response to redeem the former and protect the latter. New South Wales legislation first referred to ‘half-castes’ in 1839, South Australia in 1844, Victoria in 1864, Queensland in 1865, Western Australia in 1874, and Tasmania in 1912. Thereafter and until the late 1950s the definition of Aboriginality by ‘blood’ was the standard test. Inclusion or exclusion of persons reflected the quantum of ‘black’ blood and not individual merit, achievement, life-style or other form of endowment. Each State was free to pursue its own policies towards Aborigines, such that uniformity of expression, content and application was all but impossible. For example, an Aborigines Act, however described, was first enacted in New South Wales only in 1909, in Queensland in 1897, in South Australia in 1911, in Western Australia in 1886, in Victoria in 1869, and in Tasmania there was none. The Northern Territory had such legislation in 1911, and the Australian Capital Territory relied on the New South Wales Act of 1909 until its own legislation was enacted in 1954.

The Victorian Aborigines Protection Act 1869 is instructive. Section 8 of the Act deemed as Aboriginal ‘every aboriginal native of Australia’, every ‘aboriginal half-caste’ and any child of such ‘half-caste’ associating and living with Aborigines. A form of ‘guilt by association’ brought the subject within the reach of the Act. In the absence of any proof as to status, any justice of the peace could form a subjective view as to whether or not any person were an Aborigine. The first Act in Australia set the pattern for all other States. First, the notion of ‘blood’, however descended; second, the mode of living; third, the extended reach of legislation by use of ‘deeming’ provisions; and finally, the grant of broad discretionary power to a person in authority without proper legislative safeguards. All these created a legal status accorded no others in the several States.

Subsequent legislation refined the definition in a way which extended bureaucratic discretion over a wider range of subjects and minimised external or individual ‘interference’. For example, the South Australian legislation of 1911 included a ‘half-caste’ child under 16, the Northern Territory Ordinance of the same year included not only a ‘half-caste’ child under 18, but a female ‘half-caste’ not legally married to ‘a person who is substantially of European origin or descent and living with her husband’. There were no definitions of ‘European’ nor of ‘substantially’, it being left to regulation to implement. The 1924 Aboriginals Ordinance (N.T.) extended the definition to include ‘half-caste’ males below the age of 21; it was extended again in 1927 to any male ‘whose age exceeds twenty-one years and who, in the opinion of the Chief Protector, is incapable of managing his own affairs and is declared by the Chief Protector to be subject to this Ordinance’. The emphasis is constantly on
extending the class of persons subject to the Ordinance, and on expanding the discretionary power of the Chief Protector or other senior official. The 1936 amendments to the Ordinance provided for a declaration of exemption of ‘half-castes’ and for a revocation of such declaration.4

Thus, an artificial status could be created, removed, and reimposed at the behest of officialdom: this was extended in 1943 to ‘full-bloods’ in the Northern Territory.5 The definition of ‘half-caste’ was omitted in 1953, but the status of ‘part Aboriginal’ created.6 These legislative sleights-of-hand were removed in the Northern Territory in 1957 with the commencement of the Welfare Ordinance 1953. That Ordinance created the legal class of ‘ward’, being a person declared by the Administrator to stand in need of the special care and assistance afforded by the Ordinance. The Ordinance automatically created as a class of persons not liable to be declared those who were, or would be enrolled or entitled to be enrolled as voters, or were spouses of those persons. In other words, the only classes of persons who could be declared were Aborigines. What criteria attended and presupposed a declaration? Section 14 (1) referred to that person’s manner of living, his inability adequately to manage his own affairs, his standard of social habit and behaviour, and his personal associations. Appeal against declaration was possible, but the onus of proof lay on the ‘ward’ to demonstrate that he satisfied the criteria. In fact, the then Administrator made an en bloc declaration two days after the Ordinance commenced by which, in the Northern Territory, 15,211 persons were declared wards. Even though the Ordinance spoke of ‘his’ manner of living in terms of individuality, the High Court upheld the declaration by the Administrator in Namatjira v. Raabe.7

New South Wales legislation in 1901 defined Aborigines as ‘an aboriginal native of New South Wales’, but in the 1905 legislation used the definition ‘aboriginal native of Australia’; that definition included not only ‘full-bloods’ and ‘half-castes’ but ‘any person apparently having an admixture of aboriginal blood’ and either in receipt of assistance from the Aborigines Board or resident on an Aboriginal reserve. The former definition was given in the Vagrancy Act, and the latter in and for the purposes of the Liquor Amendment Act. Accordingly, the definition of a person’s status could vary for reasons and purposes other than blood: it extended to a specific legislative purpose, contained within the body of an Act otherwise having general application. Even New South Wales introduced ‘exemption’ provisions, in the Aborigines Protection (Amendment) Act 1943. This recitation of extant statutory provisions may seem ponderous, but its importance lies in the intent of the legislators consciously to creat and sustain designated ‘blood’ categories for legal purposes, and to insert specificity of de-categorisation within the whole corpus of legislation.

Early Queensland legislation seems to have used the expressions ‘aboriginal native’, ‘aboriginal native of Australia’ and ‘aboriginal’ interchangeably; the aspect of habitation first comes in the 1897 The Aboriginals Protection and Restriction of the Sale of Opium Act, but there referred to habitation in Queensland. That was extended in 1965 to ‘indigenous inhabitant of the Commonwealth’, although legislation that same year referred to ‘Aboriginal

4 Aboriginals Ordinance 1936.
5 Aboriginals Ordinance 1943.
6 Aboriginals Ordinance (No.2) 1953.
7 (1959) 100 CLR 665; LXVI ALR 690, (1959-60) 33 ALJR 24.
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inhabitant of Australia'; The Aboriginal Relics Preservation Act of 1967 included Torres Strait Islanders in 'the indigenous inhabitants of the Commonwealth' but they were excluded from that same reference in the Aborigines Act 1971 and the Local Government (Aboriginal Lands) Act 1978.

The Aborigines' and Torres Strait Islanders' Affairs Act of 1965 created an entirely new species of Aborigine, distinguishing in turn 'Aborigine'(being a 'full-blood'), 'Part-Aborigine', 'Assisted Aborigine', 'Islander' and 'Assisted Islander'.

Between 1874 and 1936 Western Australia distinguished between Aboriginal natives of the 'whole blood' and the 'half-blood', sometimes by reference to the 'native race' (1874) and (1883), sometimes by reference to 'aboriginal race' (1874) and (1943), to the 'Aboriginal race of Western Australia' (1897), to 'Aboriginal native of Australia' (1886), (1893), (1899), (1907), and (1934) until it replaced 'Aborigine' with 'Native' in the Aborigines Act Amendment Act, 1936. The Act created another status, that of 'quadroon' being 'one-fourth of the original full-blood'. But 'quadroons' were not subject to the legislation if they were under 21 and did not associate with or 'live substantially after the manner of Natives'; but even then such a person, and one over 21, could be classified as a 'Native' by order of a magistrate. In 1954 the Native Administration Act Amendment Act provided that a 'Native' could be deemed to be no longer a native for the purposes of the Act if he had served as a member of the armed forces outside the Commonwealth or for at least six months within it and was entitled to an honourable discharge. The classification of 'quadroon' was repealed in 1960. Accordingly, the definition of 'Native' was confined to 'full-bloods' and greater than 'one-fourth of the original full blood' until the blood test was replaced by the 'descent-identification' test in 1972. Even the latter test — of identification and acceptance as Aboriginal by the local community — was omitted from another Act in the same year. Accordingly, descent is the current test in Western Australia. As early as 1939 South Australia introduced the concept of descent 'from the original inhabitants of Australia', an expression used again in 1962 and 1965. That description in the
last two Acts was given to a 'person of Aboriginal blood'. The emphasis changed in 1972, defining 'Aboriginal' as 'wholly or partly descended from those who inhabited Australia prior to European colonization'.

Tasmania's legislative references to Aborigines are sparse. The legislation constituting, continuing, and then apportioning the Cape Barren Island Reserve, for example, refers to 'half-castes' by the family names of 53 people. The National Parks and Wildlife Act 1970 defined 'Aboriginal relic' by reference to its manufacture by any of the aboriginal inhabitants of any of the islands contained within the State. The insertion of the reference to islands seems to predicate the total elimination of such relics elsewhere within the State. If so, the Act is eloquent testimony to the complete destruction of an entire culture on the mainland of that State. The final Act considered, the Aboriginal Relics Act 1975 defines a person of Aboriginal descent as 'any person who has wholly or partly descended from the original inhabitants of Australia'.

Victorian legislation defined or referred to Aborigines in a consistently variable fashion. The Lands Acts of 1862, 1869, 1884, 1890, 1901, 1915, 1928 and 1958 reserved Crown lands 'for the use or benefit of the aboriginal inhabitants'. The Fisheries and Game Statutes of 1864 and 1867, on the other hand, referred to an 'aboriginal native of Australia', the reference to Australia being dropped in the Fisheries Acts of 1873, 1890, 1915, 1928 and 1958. The Police Offences Statute 1865 provided for the punishment of vagrants 'found . . . wandering in company with any of the aboriginal natives of Victoria', but subsequent Acts deleted the territorial nexus. The Masters and Servants Statute 1864 precluded the application of the Act to 'any native of any savage or uncivilized tribe', a provision repeated in the Employers and Employees Act 1890.

The several Aborigines Acts increasingly refined the meaning of 'Aboriginal'. The Aborigines Protection Act 1869 deemed as an 'aboriginal within the meaning of this Act' every 'aboriginal native of Australia' and any 'half-caste' or child of such habitually associating and living with 'Aboriginals'. As in the other States, a justice of the peace could decide 'on his own view and judgment' if any person should be an 'Aboriginal'. 'Half-castes' therefore did not automatically attract the provisions of the Act except by their life-style or association. The next Act, in 1886, included 'every half-caste aged 34' habitually associating and living with an Aborigine. The intent seems to have been to cut down the numbers of persons entitled to public rations and subsistence. The 1886 provisions were repeated in the Aborigines Acts 1890, 1915 and 1928, the Aborigines Act 1910 also permitting the Board for the Protection of the Aborigines to exercise in relation to 'half-castes' the same powers as for 'aboriginals'. 'Person of aboriginal descent' first appears in the Aborigines Act 1957 which spelled out the policy aim of assimilation. The notion of descent was continued in the Aborigines Act 1958 and the Aboriginal Affairs Act 1967. Finally the Archaeological and Aboriginal Relics Preservation Act 1972 defined an Aborigine as an 'inhabitant of Australia in prehistoric ages or a descendant from any such person'.

26 Cape Barren Island Reserve Act 1912, Schedules II-IV.
The status of 'quarter-caste' or 'quadroon', as mentioned above, was created by Western Australia in 1936; in the Native Welfare Act, 1963 the definition of 'native' excluded 'quarter-castes' and the whole reference to blood did not disappear until the Aboriginal Affairs Planning Authority Act, 1972. Queensland, on the other hand, introduced the concept of 'quarter-caste' in the Aborigines' and Torres Strait Islanders' Affairs Act of 1965 and retained it for six years until the Aborigines Act 1971 re-defined 'Aborigine' by descent.

The legislation of the Commonwealth and the States and Territories therefore proceeded in haphazard, inconsistent, unwieldy and far from uniform fashion to construct an edifice and thereafter maintain and extend it by means of an artifice. The concept of 'blood' required ever closer formulation either to include, exclude, or distinguish between the classifications provided. Where the legislation conferred benefits or imposed restraints and disabilities the machinery of implementation was either left to administrative or judicial discretion or, as in the case of Queensland, assumed grotesque proportions. Artificial legal status could be imposed, withdrawn, re-imposed at the behest of one person in authority. I am not suggesting that they were creatures of whim or caprice. But did they fully consider the policy, spirit and intent of the legislation? The en bloc 1957 declaration of over 15,000 'full-blood' Aborigines as wards in the Northern Territory suggests otherwise.

The policy aims of the legislation likewise seemed self-defeating or inconsistent. The Aborigines Protection (Amendment) Act, 1940 of New South Wales defined the duties of the newly-created Aborigines' Welfare Board as including the assimilation of Aborigines 'into the general life of the community', an expression employed in the Victorian Aborigines Act 17 years later. South Australia expressed its policy as 'integration' in the Aboriginal Affairs Act, 1962. The Northern Territory Welfare Ordinance 1953 stated the duties of the Director of Welfare as the promotion of social, economic and political advancement, changed in the Social Welfare Ordinance 1964 to 'relief from poverty or hunger . . . and legal assistance'. Queensland in the 1971 Aborigines Act provided regulatory machinery for, inter alia, 'the development, assimilation, integration, education, training and preservation of Aborigines', as if, for example, 'assimilation' and 'integration' were complementary and not antithetical. Like the Bourbons, the Queensland legislation seems to have forgotten nothing and learned nothing.

Within and between States definitions of 'Aborigine' operated differently, at different levels of subject matter, and advancing either in beneficence or in control. A new species of legal creature was created and sustained as a separate class, subject to separate laws, separately administered. This form of legal apartheid preceded that of South Africa by more than two generations, and continued on a different, but parallel, course for another three. The effluxion of time might have seen the success of government policy demonstrated with removal or dismantling of the more repressive definitions and provisions. But Victoria, for example, maintained the same legislative content for 60 years. Western Australia increased its controls by extending definitions in 1936, and Queensland did likewise as recently as 1965. For Aborigines, therefore, the vacuity or bankruptcy of policy in some States was matched only by the ingenuity of others in extending the reach of legislative control. Those who escaped through having a lesser amount of 'black' blood suddenly found themselves made subject to law; those who obtained exemption could lose it. 'Half-castes' might be placed on the same footing with 'full-bloods' for some purposes (testimony, liquor), but not others (reserves, guardianship of children). The unequal provision and treatment of law even within extended Aboriginal associations mocked the notion of equality; when considered in
the absence of any comparable law for ‘whites’, or even other ‘colours’, it evokes the Aristotelian dictum that ‘injustice arises when equals are treated unequally and also when unequals are treated equally’.28 But how greater is the injustice when even unequals are treated unequally!

Judicial Definitions of Race.

Surprisingly, there are few judicial pronouncements on ‘race’ or ‘Aborigine’ or ‘half-caste’ or even the more extreme examples of race legislation such as ‘quadroon’ or ‘assisted Aborigine’. Surprisingly, because the effect on the individual of falling within the scope of the legislation could be calamitous. Yet there were few challenges to Acts or sections of Acts. To my knowledge, moreover, no Aboriginal administrator in Australia ever prosecuted a tortious action as legal guardian for and on behalf of his wards. Should it be inferred from this wall of silence which enveloped Aborigines that there were no injuries, no injustices or malpractices damaging them and compensable at law? The Commonwealth Court of Conciliation and Arbitration in 1924 put the lie to this aspect. In a wage claim sought to be extended to Aboriginal workers, Powers J referred to the Aboriginals Ordinance prescribing wages as being ‘honoured in the breach — not in the observance of it — possibly because it is impossible to enforce it or because of the state of the industry’.29 Certainly the lethargy of the administration in this regard could be described as monumental at best, or criminally conspiratorial at worst.

Most challenges came from non-Aborigines, particularly from Europeans charged with supply of liquor to Aborigines. In Branch v. Sceats, for example, the New South Wales Supreme Court in 1903 held that a son of a ‘full-blood’ father and a ‘half-caste’ mother was not ‘an aboriginal native of Australia’ within the meaning of the Liquor Act, 1898 (N.S.W.).30 These words were applicable only to offspring of parents both of whom were themselves ‘aboriginal natives’, that is ‘full-bloods’. Only two direct challenges to their legal status were mounted by individual Aborigines in 180 years of subjection to white law; both were from the Northern Territory and they were decided in 1961 and 1962 respectively, the latter successfully.

In Muramats, the High Court of Australia ruled on the expression ‘aboriginal native of Australia, Asia, Africa or of the Islands of the Pacific’ contained in s.17 of the Electoral Act, 1907 (W.A.). The appellant, a Japanese born in Japan, but a naturalised citizen, claimed to be entitled to Commonwealth franchise. That franchise in turn predicated a similar right under State law. The High Court held that the word ‘aboriginal’ must be construed in the vernacular sense; further, that ‘the present Australian Black people’ are ‘the aborigines of Australia from the point of view of white settlers or of Australian laws’.31

Judicial support for the popular or vernacular meaning can also be found in Ofu Koloi v. The Queen32 and Re Bryning.33 In the first case, the High Court in 1956 had to construe

28 Aristotle: 757.
29 The North Australian Industrial Union v. J.A. Ambrose and others (1924) 20 CAR 507 at p.512.
30 (1903) 20 WN (NSW) 41.
31 Jiro Muramats v. The Commonwealth Electoral Officer for the State of Western Australia (1923) 32 CLR 500 at p.507; 30 ALR 81 at p.84.
32 (1956) 96 CLR 172, at p.175.
33 (1976) VR 100, at pp.103-4.
the words ‘European’ and ‘native’ appearing in the (Papua) Evidence and Discovery Ordinance 1913-1952. The Court held that the words are not used in any scientific or technical sense but in a broad and vernacular sense as understood by the persons to whom they are addressed. In Re Bryning the Court in 1976 was called upon to interpret the deceased’s bequest ‘for the benefit of Aboriginal women’. The Court noted that the word ‘Aboriginal’ was probably much more widely used in Australia than in other English-speaking countries. It emphasised the popular meaning of the word to describe persons in groups or societies irrespective of the admixture of ‘blood’.

The proper meaning of ‘aboriginal native of Australia’ as defined in the National Service Regulations was considered in Spitz v. Eades, an unreported 1971 decision of a Court of Petty Sessions in Western Australia.34 The Court there considered a claim for exemption from National Service by an Aborigine, and held that a person who has an admixture of Aboriginal ‘blood’ does not come within the definition of that description. To claim exemption he had to establish on the balance of probabilities that he had lived as ‘an Aboriginal native’ or among Aborigines; the latter required either actual residence with them or the proof of a nomadic life-style. A person could not be held to be living as ‘an aboriginal native’ when it was shown by evidence that he was living in a house situated amongst those occupied by ‘white’ citizens of Australia, was generally in regular employment and had been so during the previous five years, owned his own car, travelled to Perth three times a year to visit friends and relatives, conducted himself in a manner acceptable to responsible citizens of his area, dressed well, and was able satisfactorily to speak the English language. His marriage to a de facto wife of even lesser ‘Aboriginal blood’ and their residing with their children in an ordinary non-Aboriginal community was a stronger factor negating his falling within the purview of the legislative exemption. This case demonstrates the worst aspects of legislative-based racism, assertions of apartheid, negative stereotypes, and the equation of ‘white’ with ‘civilised’.

Does marriage outside the race, as popularly understood, alter the classification? The Supreme Court of Queensland in 1914 held that it did not. In Dempsey v. Rigg,35 an Aboriginal woman, married to a foreigner, was employed in contravention of the Aboriginals Protection and Restriction of the Sale of Opium Acts, 1897 to 1901. Chubb J, with other members of the Court, dismissed the appeal against conviction, observing that ‘a person can no more change his race than a leopard can change his spots’. This precise phrase was employed in 1983 in Mandla v. Dowell Lee, a decision of the Court of Appeal in England.36

There are even fewer judicial considerations of ‘race’ or ‘Aboriginal race’. The most recent — and the only direct — case I have found in Australia is the Tasmanian Dam Case,37 decided on 1 July 1983. Part of the impugned legislation in that landmark case was s.8(1) of the World Heritage Properties Conservation Act 1983, declaring inter alia that s.8 was necessary ‘as special laws for the people of the Aboriginal race’. Although the section was

34 Court of Petty Sessions, Albany, Ryan SM, 13 December 1971 (unreported).
35 (1914) QSR 245; 8 QJPR 57 and 149.
declared invalid, Brennan and Deane JJ in particular considered the proper meaning of 'race'. Firstly, it was 'not a term of art' nor 'a precise concept'; secondly, 'Membership of race imports a biological history or origin which is common to other members of the race'; thirdly, 'physical similarities, and common history, a common religion or spiritual beliefs and a common culture are factors that tend to creat a sense of identity among members of a race and to which others have regard in identifying people as members of a race'. The Court accepted that the words 'the people of any race' used in the Constitution have a wide and non-technical meaning, and that 'Australian Aboriginal' likewise possessed a conventional meaning.

'Race' was considered *obiter* in 1983 by the Supreme Court of Norfolk Island. Fox CJ held 'that one is entitled to look to the reality to see whether, in substance and effect, that is the criterion used'. Accordingly, he considered the origins of the Pitcairn Islanders, the circumstances of their relocation on Norfolk Island, the existence of 'their own traditions and their own background' and 'a dialect of their own'. The Court, in other words, embraced the same tests and criteria employed by the High Court, although it did not refer to the latter's decision in *Tasmanian Dam* given eight weeks earlier.

The word 'Aboriginal' was also considered by the High Court in the *Utopia Station Land Rights* case, decided in 1980. The decision in that case turned more on the meaning of a concept of trust and less on the identity and characteristics of 'Aborigines' as defined in the *Aboriginal Land Rights (Northern Territory) Act* 1976. Argument there concentrated on the locality and not the Aboriginal antecedents of the group, who were assumed to possess them.

What these cases signify is a judicial willingness to accept the popular meaning of an expression, other than one defined by statute, and to accord it a non-technical sense and application. They also signify the paucity of challenges to the 'Aboriginal' legislation as such, and a total failure of authority to assist or prosecute any such challenge.

In so doing, institutional power was preserved virtually unchallenged; with it the integrity of government policy and programmes was not subjected to the authority and countervailing scrutiny of an impartial tribunal. The law, in other words, signal failed to ameliorate the pervasive generality of Aboriginal institutionalisation and tended to be focused on its peripheral aspects.

**Administrative Definitions.**

It is not always appreciated by non-lawyers that the burden of administering the plethora of legislation giving effect to Government policy is accompanied by provisions less than clear and precise not only in their meaning but in their intended application. In the absence of unequivocal statutory instructions or guidelines, bureaucratic or administrative arrangements must be made for the effectual application of legislation. Thus, between policy formulation as enunciated to and agreed by Government and administrative action giving policy force and effect, legal *lacunae* or gaps commonly occur.

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38 Per Murphy J at p.737; Brennan J at pp.791-2; Deane, J at p.817.

39 *Lewis v. Trebilco*, n. 1 supra.

40 *In re Ross; ex parte the Attorney-General for the Northern Territory of Australia* (1979) 54 ALJR 145; (1980) 28 ALR 27.
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In practice, these gaps are filled or covered by judicial or administrative innovation, the one consistent with the language employed by the statute and the concepts discerned within it, the other by knowledge of the policy and its scope possessed by those who assisted in its formulation within the bureaucracy and ultimately charged with administering it.

In 1901 the Commonwealth Attorney-General, Alfred Deakin, gave an opinion that in reckoning the population for the purposes of section 127 of the Constitution ‘half-castes’ were not ‘aboriginal natives’ within the meaning of that section and should therefore be included. No reason was advanced, except that based on the rule as to the construction of statutory exceptions, namely that where they are not remedial they should be construed strictly. Accordingly, for the purposes of Commonwealth law but not necessarily for any other (State or Territory) law, people with a preponderance of Aboriginal ‘blood’ were considered to be ‘aboriginal natives’ and those with less were not.

This is illustrated in another opinion which, as Attorney-General, Deakin gave in 1902. The Excise Tariff Act 1902 allowed a rebate of excise duties on sugar ‘on all sugar cane delivered for manufacture, and in the production of which sugar cane white labour only has been employed’. The Minister for Trade and Customs asked for an opinion, inter alia, on the effect which the employment of persons of mixed blood might have. Deakin again adopted a ‘preponderance of blood’ test, although Commonwealth law in this area was silent on the point:

quadroons may reasonably be considered as white labour; persons in whom the blood of a coloured race predominates should not. Half-castes are on the border line; but in view of the affirmative and restrictive language of the provision, I think that half-castes should be excluded.

The ‘preponderance of blood’ test employed as a coda of construction was adopted by the Commonwealth in 1905, confirmed in 1929, and again as late as 1961. Queensland continued the test until 1971. The 1905 construction had the effect of continuing the exclusion of ‘full-bloods’ and those with a preponderance of ‘blood’ from the census of the Commonwealth, thereby denying the franchise to those persons and consequentially affecting the representation in the lower House of the Commonwealth Parliament of electors in the States.

The 1929 advice, from the Attorney-General’s Department to the Chief Electoral Office, defined an ‘aboriginal native’ as a person in whom Aboriginal descent preponderates and ‘that half-castes were “aboriginal natives” within the meaning of section 127 of the Constitution’. Accordingly, by means of secondary sources, the Commonwealth Electoral Office applied the definition for all Commonwealth electoral purposes (and that of section 127 of the Constitution) between 1929 and 1961. That opinion, in effect, continued the line of advice in similar terms, and for the same purposes, given to the Chief Electoral Officer of the Commonwealth at least since 1911; although, for statistical purposes in connection with section 127 and not franchise purposes, there had been a degree of consistency of opinion and uniformity of advice since Deakin’s opinion in August 1901. The consequences of that

42 Opinions of Attorneys-General; Opinion No.57, p.75.
43 ibid., Opinion No. 13, p.24, f.n.1.
45 ibid.
advice endured for 60 years in Commonwealth legislation.

In a 1961 opinion furnished to the Select Committee on Voting Rights of Aboriginals, a former Solicitor-General, Sir Kenneth Bailey, advised that in s.51(xxvi) of the Constitution as it then stood the expression ‘people of ... the aboriginal race’ applied only to persons of Aboriginal descent and to persons in whom ‘aboriginal blood preponderates’.46 On that view a person ‘of the half-blood’, or a person in whom European or other non-Aboriginal ‘blood’ preponderated, could not be classified as belonging to ‘the Aboriginal race’. Indeed, a person of the ‘half-blood’ would not belong to any race at all.

Even in 1978, administrative discretion was still very wide in the administration of Commonwealth legislation for Aborigines. The Minister answering for the Minister for Aboriginal Affairs answered a question on notice as to those considered ‘Aboriginal’ under Commonwealth law.47

For purposes of legal aid, as then provided by the Aboriginal Legal Service in New South Wales, the definition of ‘Aboriginal’ was settled in consultation with the Australian Government, which funded the Service. An ‘Aboriginal’ was a member or descendant of the Aboriginal race, including Torres Strait Islanders, and ‘where it is in the interests of justice in the circumstances of a particular case’ a person living in a domestic relationship with an Aboriginal. Any degree of Aboriginality sufficed.48

For purposes of Commonwealth law, ‘Aboriginality’ was not exclusively a status conferred or withdrawn by legislation; it might also be the result of administrative decision, based on application, investigation, consideration or other form of review, decision and certification then required in respect of housing loans, enterprise loans, and grants from the Aboriginal Benefit Trust Account.49

The criteria employed by third parties or organisations enjoying recognition as bodies authorised to issue certificates which would be recognised for approved government purposes were neither stated nor known. Further, even in the absence of such certification, the particular government department or instrumentality (be it State or Commonwealth) might pursue those of differing Aboriginal organisations, or proceed according to their ‘own methods of determining ... eligibility’.50

Such ill-defined — or, in the absence of any definition, unknown — criteria promote the prospects of individual abuse, refusal, or neglect of any application dependent upon a demonstration, to administrative satisfaction, of a sufficient degree of Aboriginality.

Non-Aborigines and the Law.

Prior to the assumption of Commonwealth legislative control of naturalisation and aliens,51 and immigration and emigration,52 each State had passed stringent laws severely

46 ibid., p.1440.
47 Australia, Senate, Debates, 12 September 1978, p.503.
48 ibid.
49 ibid.
50 ibid.
51 Constitution, s.51(xix).
52 ibid., s.51(xxvii).
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restricting immigration, employment opportunities, and the franchise. Their short titles reveal the class of person who was *non grata*. Thus New South Wales in 1896 enacted the Coloured Races Restriction and Regulation Act. South Australia in 1882 enacted the Indian Immigration Act for the Northern Territory, in 1888 the Chinese Immigration Restriction Act, and in 1896 the Coloured Immigration Restriction Act, the latter extending to 'all persons of coloured race, and their descendants, inhabiting the continent of Asia or the continent of Africa, or any island adjacent thereto, or any island in the Pacific Ocean or Indian Ocean, not being natives of Australia, Tasmania, or New Zealand'. Western Australia restricted Chinese immigration to one Chinese for every 500 tons of the ship's registered weight.53

One of the earliest Commonwealth Acts forbade the entry of 'native labourers of the Islands of the Pacific Ocean beyond Australia and New Zealand' after 31 March 1904, and provided for the deportation of those already in Australia.54 The legislation was, of course, the successor to Queensland’s *Pearl-Shell and Beche-de-Mer Fishery Act* of 1881, itself preceded by imperial legislation in 1872 and 1875.55 Western Australia forbade the issue or grant of any miner's right, lease, licence or permit on any goldfield 'to any Asiatic or African alien';56 a provision repeated in 189257 and, with amendments, in 189558 and 1904.59 The prohibition on their employment in any mine was retained until 1973.60

Any person 'of the Asiatic race' was denied a certificate as a dealer in poisons under Queensland’s *The Sale and Use of Poisons Act* of 1891,61 Asians being associated in the popular mind as ruthless seducers of gullible blacks and breeders and proliferators of 'half-castes' and other proportionate miscegenations. Non-Europeans had to obtain certificates in order to work in Queensland dairies,62 and as late as 1952 'workers of any Asiatic or Pacific Islands race' were segregated from Europeans in sleeping quarters, separate buildings being provided for each.63

In the Northern Territory Aboriginal females could not be employed by 'any person of any Asiatic or Negro race'.64 Queensland legislation between 193165 and 196766 deemed a

53 *The Chinese Immigration Restriction Act*, 1889, s.8.
54 *Pacific Island Labourers Act* 1901, ss.4, 8.
55 *Pacific Islanders Protection Act*.
56 *The Goldfields Act*, 1886 (50 Vic. No. 18), s.3.
57 *The Mineral Lands Act*, 1892 (55 Vic. No. 3), ss.4, 8, 12.
58 *Goldfields Act*, 1895 (59 Vic. No. 40), s.92.
59 *Mining Act*, 1904.
60 Act 1 of 1973, s.6.
61 55 Vic. No. 31, s.7.
62 *The Dairy Produce Act* of 1904, s.30.
63 *The Workers' Accommodation Act* of 1952 (Qld.), s. 12(2)(d).
64 *Aboriginals Ordinance* 1928, s.2, substituting s.23(5).
65 *The Vagrants, Gaming, and Other Offences Act* of 1931, s.55(v).
66 *The Vagrants, Gaming and Other Offences Acts Amendment Act* of 1967, s.3.
brothel any house in which 'any female of Asiatic or Polynesian race' dwelt and which was frequented 'at any time' between 9 p.m. and 6 a.m. by males not of those races. Firearm licences were denied to any 'person of Asiatic or African race' — whether a British subject or not — in Western Australia; but that legislation contained a grotesque exemption in favour of persons 'of the Jewish and Lebanese races'.

The legislation thus far discussed was restrictive rather than punitive, except as regards involuntary deportation. But each State, and the Commonwealth, also passed legislation which abridged, curtailed, or denied even basic civil rights, solely on the ground of 'colour' or race. Thus those States which enacted old-age pension and similar legislation prior to that of the Commonwealth in 1908 denied that pension to 'Chinese or other Asiatics', whether naturalised or not. The legislation of Victoria and Queensland went further than New South Wales in denying the pension even to those 'Chinese or other Asiatics' who were British subjects. Victoria's Act likewise excluded 'Aboriginal natives ... of New Zealand'; Queensland's Act excluded them and also those 'of Africa, or the Islands of the Pacific'. The Commonwealth's Invalid and Old-age Pensions Act 1908 adopted the broadest and most recent restrictions of the Queensland legislation in denying both kinds of pensions to 'Asiatics (except those born in Australia), or aboriginal natives of Australia, Africa, the Islands of the Pacific, or New Zealand'. It was modified in 1912 to deny maternity allowances to 'Asiatics' and 'aboriginal natives of Australia, Papua, or the Islands of the Pacific'.

Naturalisation attracted modified restrictions. 'Aboriginal natives' of 'Asia, Africa or the Islands of the Pacific, other than New Zealand' were not entitled to apply for a certificate of naturalisation unless already a British subject. This 1903 legislation was repealed and replaced in 1920 by the Nationality Act which adopted the British Nationality and Status of Aliens Act 1914 with its distinction between 'aliens' and 'British subjects'.

However, the franchise continued to be denied even certain of the King's subjects. Queensland, Western Australia, and South Australia, prior to federation, and the Commonwealth after, subjected their citizens to a variety of legal restrictions on franchise. Queensland's The Elections Act of 1872, for example, disqualified 'aboriginal natives' of 'China or of the South Sea Islands or of New Holland' unless possessed of a property qualification.

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67 Firearms and Guns Act, 1931, s.8(3).
68 As an example of which, concerning the Commonwealth's Pacific Islands Labourers Act 1904, see Robtelmes v. Brenan (1906) 4 CLR 395; 13 ALR 168.
69 (NSW) Old-age Pensions Act, 1900, s.51(c); (Vic.) Old-age Pensions Act 1901, s.7(c); (Qld) The Old-age Pensions Act of 1908, s.7(c).
70 ibid.
71 ibid., s.7(d).
72 ibid., s.7(d).
73 ss.16(1)(c) (old-age pensions), 21(1)(b) (invalid pensions).
74 Maternity Allowance Act 1912, s.6(2).
75 Naturalization Act 1903, s.5.
76 35 Vic. No.5, s.3.
was extended in 1874 to include aboriginal natives of India,77 and further refined in 1885 by restricting the property qualification to that of freehold.78 References to India and China were replaced in 1905 by the broader reference to Asia, and even the freehold qualification was removed, thereby totally disenfranchising persons within the impugned racial category;79 this legislative edifice was reasserted in 1915.80 In 1930 Queensland extended the franchise to natives of British India and naturalised natives of Syria.81 This act of legislative largesse was offset by a new provision empowering the Principal Electoral Officer to remove from the electoral roll all those formerly qualified who were now not so.82

Western Australia gave the franchise to those aboriginal natives ‘of Australia, Asia, or Africa’ possessing a freehold qualification,83 a provision repeated in 1899.84 In 1907 even the freehold qualification was removed,85 and only in 1934 were naturalised subjects,86 ‘aboriginal natives’ of British India,87 and New Zealand,88 qualified for enrolment as voters. A parallel provision was inserted in the Constitution Act.89 South Australia disqualified all Northern Territory residents except Europeans or Americans naturalised as British subjects and natural-born British subjects.90

Commonwealth legislation maintained the disqualifications and discriminations enshrined in State legislation. The Commonwealth Franchise Act 1902 disqualified from Commonwealth franchise ‘aboriginal natives’ of ‘Australia, Asia, Africa [and] the Islands of the Pacific except New Zealand’ who were not entitled to vote under State law,91 a provision restated in 1918.92 Natives of British India,93 and persons naturalised under Commonwealth or State law,94 were enfranchised in 1925.

This analysis of legislation and administrative practice reveals that a clear definition of race based on ‘blood’ was elusive and illusory. The focus of legislative attention was that part

77 The Elections Act of 1874 (38 Vic. No.6), s.7.
78 The Elections Act of 1885 (49 Vic. No.13), s.6(1).
79 The Elections Acts Amendment Act of 1905, s.9(2).
80 The Elections Act of 1915, s.11.
81 The Elections Acts Amendment Act of 1930, s.8.
82 ibid.
83 The Constitution Act Amendment Act, 1893 (57 Vic. No.14), s.12, proviso (a).
84 Constitution Acts Amendment Act, 1899. s.15, proviso (a).
85 Electoral Act, 1907, s.18.
86 Electoral Act Amendment Act, 1934, s.2(c).
87 ibid., s.2(b).
88 ibid., s.2(a).
89 Constitution Acts Amendment Act, 1934, s.2(a).
90 The Electoral Code, 1896, s.16.
91 s.4.
92 Commonwealth Electoral Act 1918, s.39(5).
93 Commonwealth Electoral Act 1925, s.2(b).
94 ibid., s.2(c).
of humanity having the singular misfortune to be born other-than-white. Australian legisla-
tion was predicated on a basis of white superiority, and white fear. Both 'blood' and eco-
omic factors predicated a statutory relegation of non-Caucasoids. The legislation was variable,
inconsistent or arbitrary in its formulation and implementation. But it was consistent in its
identification and choice of subject. The modern expectation of and demand for human
rights had no place in a fledgling democracy proudly asserting egalitarian ideals. The edifice
of restriction and prohibition was an expression of popular will denying those ideals in an
Australia which placed a higher faith in being white than in being democratic.

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ALJR    Australian Law Journal Reports
ALR     Australian Law Reports (from 1973) formerly Australian
        Argus Law Reports
CAR     Commonwealth Arbitration Reports
CLR     Commonwealth Law Reports
QB      Law Reports (Queen’s Bench Division)
QJPR    Queensland Justices of the Peace Reports
QSR     Queensland State Reports
VR      Victorian Reports
WLR     Weekly Law Reports
WN (NSW) Weekly Notes (New South Wales)
'WHITE WELFARE: BLACK ENTITLEMENT'

THE SOCIAL SECURITY ACCESS CONTROVERSY, 1939-59

William DeMaria

The basic trouble with the aborigines today is that they have lost their pride of race and will to exist... We are now trying to train the aborigines in North Queensland to live in villages instead of tribes.

So said the Premier of Queensland, E.M. Hanlon, at the 1946 Premiers' Conference. It is a telling statement because wittingly or unwittingly the Premier summed up an official attitude to Aboriginal Australians that has characterised ‘black-white’ relationships since the convict days. This attitude, with its misguided and often punitive benevolence, its wanton cultural ignorance and its confident, if not dogmatic, paternalism, explains much about what is referred to in these pages as the social security access controversy.

It is the intention of this paper to examine this controversy, particularly as it developed in the period 1939 to 1959. It is acknowledged that this dispute over access to the then available social services was part of a much more complicated and longer running reaction to various government policies that either locked Aborigines out altogether from benefiting from various services, or made the determination of their eligibility so bureaucratically onerous and complicated that often the same exclusion was effected.

While many facets of the black-white relationship have been more thoroughly investigated in recent years, the role of social security in that relationship is virtually unanalysed. This point becomes clear when one consults standard authorities on welfare history such as Kewley, Mendelsohn, and Jones. These books express little or no interest in Aboriginal welfare policy. At other times when statements have been made and opinions expressed in the literature, the reader has been weighed down with a gloss on the facts. For instance, in Outcasts in White Australia, Charles Rowley refers to the child endowment as a ‘turning point’ for the part-Aboriginal family living off government reserves. In another place he says:

[Child endowment] had already gone far to revolutionise the conditions of the Aborigines. With an exploding population, it meant that, where previously there was no certain cushion against family starvation, now, so long as there were children, no one would starve.

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1 Transcript of 1946 Premiers' Conference, CRS A431 47/1999. (All CRS and CP references are to material held in the Australian Archives, Canberra.)
2 Kewley 1974; Mendelsohn 1979; Jones 1980.
3 Rowley 1971:38.
Rowley gives no assistance to the reader interested in how this assessment of child endowment was arrived at. Suffice it to say that his view conflicts with the interpretations in this paper.

It is important at the outset to place the access controversy within a context of public issues and government policies that prevailed before and in the period under review. When this is done we are drawn to the conclusion that Aboriginal welfare with respect to Commonwealth benefits was politically non-viable.

The first attempt to give Aborigines access to Commonwealth pensions failed in 1908. In that year the Federal Parliament, in passing the inaugural *Invalid and Old-age Pensions Act*, refused, by 17 to 15, an amendment that would have granted pension rights to 'Asiatics and natives of Australia, New Zealand, Africa and the Pacific Islands'.\(^5\) This refusal was interpreted as consistent with the White Australia Policy, although in 1926 pension rights were given to Indians from British India.\(^6\) The White Australia Policy figured significantly in the debate around the original *Invalid and Old-age Pensions Act*. Appendix I details the platform of the Australian Labor Party in 1908. The first objective of this platform read: 'The cultivation of an Australian sentiment based upon the maintenance of racial purity . . .'. From this date until 1959 frequent attempts were made to induce successive Federal Governments to grant pension rights to Aborigines. These attempts founndered in part because of the entrenched racism within the Australian community.

The two decades under review saw the issue of access move very slowly as two Menzies governments, one Curtin government and one Chiefley government stayed preoccupied with such issues as the war effort, taxation and industrial development. However, an examination of the way Aborigines were seen with respect to social security gives us a window on the way the purpose of welfare has been synchronised to the purpose of industrialism.

The date range here used is convenient for two reasons. First, the choice of 1939 as a start year for the analysis was made through an interest in the influence of the war and the post-war reconstruction ethos on Aboriginal welfare, and coincides with the span used in a larger study on welfare politics in the war and post-war period currently being undertaken by the author. Second, and more importantly, 1959 is a significant date, as the Menzies government claimed that in that year much of the tension in the access controversy was abated with the passing of the *Social Services Act* 1959. I shall deal with this claim immediately by referring to the 1959 policy change and then the analysis of the controversy will proceed from 1939.

**Aboriginal Entitlement and the Social Services Act 1959.**

Under the terms of this Act restrictions on Aboriginal eligibility for the old age and invalid pensions, widows pensions, unemployment and sickness benefits, maternity allowance and child endowment were removed. Aborigines, other than those who were nomadic and 'primitive', became eligible on the same basis as other members of the community.\(^7\)

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\(^5\) P.W. Nelle to Secretary of the Treasury, 3 March 1941, CP184/1, Item B4 Part 1. I could find no record of the debate on this amendment in *Hansard*.

\(^6\) ibid.

\(^7\) *Social Services Act* 1959 (No.57 of 1959). Assented to on 30 September 1959 and commenced on 2 February 1960.
In presenting this Bill to the House of Representatives on 3 September 1959, the Minister for Social Services, H.S. Roberton, referred to those sections dealing with Aboriginal entitlement in these terms:

I come now to the provisions relating to the Aboriginal natives of Australia, and no provision in this Bill could give me greater personal satisfaction. This is an occasion of great historical importance both nationally and internationally. For more than fifty years successive Commonwealth governments have been called upon to defend — or to remove — the traditional discrimination levelled against the aboriginal natives of our country who, for a variety of reasons associated with the native welfare laws of the States, were unable to qualify for social service benefits in the normal way. . . . the effect of the legislation I now bring down to the House is to sweep away the provisions that place restrictions on aboriginal natives in qualifying for social service benefits, except where they are nomadic or primitive. I do not think I need to develop to honourable members the practicality, if not the undesirability, of attempting to pay social service benefits to natives who cannot be identified and who have no fixed location.8

The Minister went on to talk about the ‘considerable difficulties’ that were overcome in developing this new entitlement policy. Here he was referring to opposition amongst some of the States (see below).

The Minister also made reference to another source of opposition — various organised charitable and pastoralist lobbies that believed the schedule of social security payments was excessive and/or that gross misspending would occur. In this matter he said:

Where the Department of Social Services is satisfied that a native’s social development is such that he can with advantage handle the pension himself, then the payment will be made to him direct. In other cases some or all of the pension payable in respect of the native will be paid to the mission, to a State or other authority, or to some other person for the welfare of the native.9

Social Security as a Form of Cultural Destruction.

This link between Aboriginal lifestyle and social security entitlement is a crucial one. It is a central proposition of this paper that the way State welfare10 was related to Aborigines provides us with deep insights into its general purpose of social control. Evidence that social security was culturally destructive to Aborigines will also be presented. In February 1942, in evidence before the Joint Committee on Social Security, F.I. Bray, the Commissioner for Native Affairs for Western Australia, made his point that it was regrettable that Aborigines were leaving State reserves and missions for camps in order to qualify for various social security benefits. His argument was based on the increased use-value of Aborigines to industry, once they were detribalised. On this Bray said:

8 Commonwealth Parliamentary Debates (CPD), 1959:930.
9 CPD 1959:930.
10 The phrase ‘state welfare’, rather than the more conventional ‘welfare state’, is preferred throughout because it is more consistent with the thrust of the article, which is to focus on the state aspects of welfare rather than the more spurious welfare aspects of the State. For more on this see DeMaria 1984.
Western Australia needs more settlements for natives. As the natives are becoming more de-tribalised from day to day, we must look to the education and training of native children in common sense ways to take their places in our industries. Little good is possible when native children live with their parents. It is better to separate them and take them into dormitories, otherwise the children acquire all the vices and disabilities, including indolence, of their parents... It is also vital that the existing camping system, which is a curse of the south-west, should be abolished.

Bray went on to add the chilling statement: 'merging is their inevitable fate'.

Similar sentiments were expressed by John McEwen, an aspiring leader of the Australian Country Party at the time. Addressing a triennial conference of the Church of England's Men's Society on the subject 'The Future of the Aboriginal', he expressed regret that some Aborigines ('near whites') were being driven back to ancient ways after having progressed satisfactorily towards integration in the Western culture. He expressed hope that the new Commonwealth Department for Native Affairs would influence this situation.

In the period under review, moves to have Aborigines recognised as *bona fide* claimants on the State were resisted by Federal Labor and Coalition Governments alike. These moves arose in part because of the way social security was politically promoted during the war years. This promotion often exaggerated State welfare to the point where it was seen as part of the promised land, a corner-stone of the new society that was to emerge after the cessation of hostilities. Given the enormous social pressures generated by this promotion it is little wonder that some Aboriginal groups (either directly or through the mediation of churches and pro-Aboriginal lobbies) saw their rightful place in the post-war 'dream scheme'. They, like much of the indoctrinated European population, shared the inflated expectations of what government should or could do after the war in establishing a social security garden of paradise.

This pressure from Aboriginal and pro-Aboriginal groups was met by an official wall of resistance that had been built up since the early days of Federation. The concept of welfare rights, so important to the social reformers from the 1970s onwards, was not part of serious political dialogue in the earlier period and hence of little value to the Aborigines. Rather than social security being seen as a right (subject to the usual tests), potential welfare beneficiaries were regarded as non-eligible until they themselves proved to the Department of Social Services that certain strict eligibility criteria were met. Often the mustering of evidence by the claimant was crippled because of the anti-welfare prejudices built into the system of decision making by the Department. The phrase 'anti-welfare prejudices' is used because operating out of sight, at a level below the orderly bureaucratic processing of claims,

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11 F.I. Bray's evidence to Joint Committee on Social Security, 11 February 1942, CP 71/8, Bundle 1.
13 The Department of Social Services was established on 26 April 1939 but it did not function fully as a separate department until April 1941, when the administration of the *Invalid and Old-age Pensions Act* and the *Maternity Act* was taken over from the Department of the Treasury. The effect of 33 years of Treasury-administered social security on the ethos and structuring of welfare benefits in the war and post-war period is a story waiting to be told. For one perspective on this issue see DeMaria 1985.
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was a view of welfare as a form of social reward for a life-style that reflected the dominant and prevailing values. Aborigines and the non-Aboriginal poor both became victims of this view.

With respect to the Aborigines, not only did they need to satisfy the statutory requirements such as age (for the age pension) and permanent incapacity (for the invalid pension), they also had to make their life-style (and by extension their Aboriginal culture) available for assessment. They had to demonstrate to the Department of Social Services that there were no cultural impediments to the proper expenditure of these ‘cash benefits’.

In rural areas police were used as agents of the Department for this purpose. For example, in late 1939 in response to a Ministerial inquiry from Prime Minister Menzies in the matter of a rejected invalid pension claim by Mrs Elsie Bugg, the Acting Commissioner of Pensions, T.A. Maguire, said:

The papers relating to this case show that a claim for invalid pension by Mrs. Bugg was rejected by the Deputy Commissioner of Pensions, Sydney, in February last on the ground that claimant was an aboriginal native of Australia. The evidence with the papers indicates that full enquiries were instituted by the police in 1921 and again in 1924 as to the claimant’s descent and it was definitely established that she is a three-quarter caste aborigine.14

Through the requirement for ‘correct’ lifestyle, a wedge was driven into the Aboriginal community. Some urbanised Aborigines, in their quest for assimilation and the fruits of assimilation (social security), disowned their tribal brothers and sisters.

The Early Campaign.

The Australian Aborigines’ League, with William Cooper15 as its honorary secretary and Doug Nicholls16 as its honorary treasurer, wrote to Prime Minister Menzies in late 1939 complaining of discrimination against ‘cultured aboriginals’ and asking for the immediate introduction of enabling legislation that would legitimate Aboriginal social security claims. Cooper did not ask this of Menzies for all Aborigines:

We are not unreasonable and do not ask that community services be given to all natives for we well know that many are not able to understand these matters and as little able to benefit from them.17

A similar point of view was expressed to the Government by the Aborigines Progressive Association. They described their Association as an ‘organisation of intelligent and educated aborigines . . . who have paid taxes, worked and lived all their lives as decent people in the

14 T.A. Maguire to R.G. Menzies, 15 November 1939, CRS A461 N382/1/1.
15 In 1932 William Cooper left Cumeroogunga for Melbourne, where he started the Australian Aborigines’ League. Clark says it was the first organisation of its type in Australia because it was composed entirely of Aborigines. Its aim was to fight for recognition and social justice. Clark 1972:88, 91.
17 William Cooper to R.G. Manzies, 8 September 1939, CP 71/13, Bundle 1.
In another letter, from the Aborigines' Progressive Association, the President, William Ferguson, said:

We do not ask that wild aborigines should be made citizens, but we do expect that we educated aborigines should be treated as fellow Australians, and given the same political rights and social services as our white fellow Australians.19

Another argument used at the time to further the claims of certain Aborigines was in terms of compensation for services rendered to king and country. In the letter from the Australian Aborigines' League cited above William Cooper explained to Menzies that he wrote 'not merely as an aboriginal but as a war pensioner of the last war who gave a son for the Empire, one of the many coloured men whose blood mingled with that of their white comrades as they died in the cause of liberty'.20

These arguments eventually found favour with the government. It appeared that social security was the reward for the diligence with which some Aborigines mimicked the white ways.

Social Security Rights and Voting Rights

The campaign for access to the social security provisions was often combined with the case for Aboriginal enfranchisement and merged under the title 'citizenship rights'.

In May 1939 Senator Foll, the Minister for the Interior, presented a submission to Cabinet entitled 'Citizen Rights for Aboriginals' because he felt that this particular aspect of Aboriginal policy 'was not fully appreciated by Cabinet'.21 He reminded Cabinet that in the previous February, when the matter had first come to Cabinet, a policy of bestowing citizenship rights on European-oriented Aborigines residing in the Northern Territory had been endorsed by Prime Minister Lyons. Foll understood citizenship rights to include access to the old-age and invalid pensions and maternity allowances. Since these were Federal matters he was of the opinion that the standard which the Commonwealth Government proposed to adopt for Territorian Aborigines to qualify for the franchise should be adopted by the State Government with respect to their franchise policies.

Senator Foll then presented the qualification scheme worked out by E.W.P. Chinnery, the Commonwealth Adviser on Native Affairs. There were four separate steps:

1. The Aboriginal should be capable of exercising the 'privileges and of fulfilling the obligation of citizenship'.
2. He should be of 'proved good character', vouched for by a responsible European.
3. He should be capable of earning his own living and living 'in the manner of a European'.
4. Finally, he should have the capacity for education.

Foll finalised his submission with the statement:

It was considered that for some considerable time the number of aboriginals who would be entitled to citizenship rights would be very small, probably not more than ten or twelve for the whole of Australia.

18 W.F. Ferguson (President, Aborigines' Progressive Association) to A. Muir (Premier of New South Wales) 11 March 1940, CP 71/13, Bundle 1.

19 W. Ferguson to Prime Minister Menzies, 10 February 1940, CP 71/13, Bundle 1.

20 Cooper to Menzies, ibid.

21 Cabinet Submission dated 4 May 1939, CRS A461 N382/1/1.
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On 23 June 1939 Foll's Submission was referred to a Cabinet Sub-Committee that was established through the prompting of the then Minister for the Interior, McEwen. The Committee consisted of Senator Foll, Sir Frederick Stewart, Sir Henry Gullett and William Morris Hughes. It was to explore the issue of citizenship rights for Aborigines. Although there is no clear evidence that the committee ever met, there is evidence that the existence of the committee was used to dissipate pro-Aboriginal lobbying during the early years of the war.

By early 1940 Sir Frederick Stewart was starting to reconsider his personal view of the access issue as a result of a constant stream of letters from people like George Fitzpatrick and organisations such as the Committee for Aboriginal Citizenship. In response to a letter from this committee he wrote to the Acting Commissioner of Pensions in April 1940 and said:

there seems to be difficulty in contesting the claim for maternity allowance and old age pensions in respect of aborigines who are living the complete European life, particularly in the face of recent enlistment of aboriginal youths and also bearing in mind that American negroes and semi-coloured Europeans qualify for both these social services.

Stewart went on to ask the Acting Commissioner to give some thought to the practicality of a more open access policy to Aborigines who, in the opinion of the Minister, were living in such a way that they could correctly apply for and use the pensions and maternity allowances.

The Acting Commissioner for Pensions, T.A. Maguire, responded to this direction by first reiterating the current policy which was that full-blood Aborigines were specifically debarred by law from receiving the old age or invalid pensions or maternity allowance. In cases

26 Information from file note headed 'Pensions and Maternity Allowances for Australian Aborigines', 24 April 1940, CP 71/13, Bundle 1.
27 George Fitzpatrick to Sir Frederick Stewart, 20 March 1940, CP 71/13, Bundle 1.
28 George Fitzpatrick to Sir Frederick Stewart, ibid.
29 Sir Frederick Stewart to T.A. Maguire, 20 April 1940. CP 71/13, Bundle 1. The last point in this letter is referred to in Hall 1980:86-7. In his article on Aborigines in the army in World War II he talks about the encounters between black American servicemen stationed in the north (e.g. in late 1942 3,500 black soldiers were based at Mt Isa) and Aborigines in the Australian Army. Hall says these encounters revealed a closer social relationship than existed between Aborigines and 'white' soldiers. His explanation of this is that they shared a 'common experience of racist discrimination'. The Aborigines were able to see that despite the prejudice suffered by blacks in America they had greater access to social security.
of mixed descent, advice from the Commonwealth Attorney-General's Department that a person in whom Aboriginal blood predominates, (i.e. more than 50 percent) must be regarded as an Aboriginal within the meaning of the Invalid and Old-age Pensions Act and the Maternity Allowance Act, was closely followed. In those cases where Aboriginal blood did not predominate and where that person was living on a State reserve, pastoral station or mission, then he or she was also specifically debarred from the relevant social security provision.

In 1939 the only Aborigines who could qualify for the invalid or old age pension or maternity allowance (after they had satisfied the usual non-racist provisions in the statutes) were people with less than 50 per cent Aboriginal blood living off stations, missions or reserves, in a European life-style. Needless to say the Treasurer was not faced with the spectre of a large welfare expenditure!

Maguire then went on to share his thoughts about how the access policy could be modified for this small minority of Aborigines:

Pensioner rights could scarcely be granted to persons to whom Commonwealth electoral rights are denied . . . The question of extending pension benefits to these people therefore involves the question of the grant of the Commonwealth franchise . . . In other words eligibility for the Commonwealth franchise should be a prerequisite for Commonwealth pensions and maternity allowance benefits.30

Maguire's point is well taken. However, he was constructing a shade for the Minister to deflect critical glare from the government's Aboriginal social security policy. Now the argument could run that the only thing standing in the way of granting social security to detribalised Aborigines was the absence of Federal enfranchisement. Maguire had given the government an impeccable stalling strategy. On Maguire's memo Sir Frederick Stewart wrote: 'Hold for present'.

Social Security Surveillance of Aboriginal Mothers: The Case of Betty Sandy.

Of the small number of Aborigines who were able to qualify for welfare payments, the group that came under keenest scrutiny was that of Aboriginal mothers in receipt of child endowment.

The Child Endowment Act was introduced on 1 July 1941. Section 22(1) of that Act made the following provision:

Where the Commissioner [of pensions] . . . is satisfied that, having regard to the age, infirmity, ill-health, insanity or improvidence or other reasonable cause of disqualification of a person . . . to whom an endowment is granted . . . it is expedient that the endowment [be paid] to any other person, the Commissioner . . . may authorise the . . . payment to that person [emphasis added].

Regulation 16 under the same Act said:

(1) Where the Deputy Commissioner is satisfied that it is necessary, in order to ensure the proper application of endowment granted to an aboriginal native of Australia, that the endowment should be paid to a person approved by the Deputy Commissioner.

30 T.A. Maguire to Sir Frederick Stewart, 29 April 1940, CP71/13, Bundle 1.
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(2) Where endowments are granted in respect of Aboriginal children living in a reserve, settlement or mission supervised by a Protector of Aborigines the endowment may, subject to the approval of the Commissioner, be applied to the general maintenance, training and advancement of the children residing on that reserve, settlement or mission.

The new Department of Social Services found itself in a state of unreadiness because it was unprepared for the processing of Aboriginal claims under that Act. It was deeply suspicious about the capacity of Aboriginal mothers to spend the endowment in the statutory way and moved quickly to build a surveillance mechanism into the payment procedure.

Betty Sandy was the first Aboriginal mother to claim under the *Child Endowment Act* and be assessed as requiring supervision with her endowment. Through the existence of this claim (and the knowledge that there were more to come) the Department started negotiating with various State authorities in order to secure their co-operation in establishing a payment monitoring system.

Betty Sandy came from Jolimont in Western Australia. She was an ‘eligible half-caste’ under the *Child Endowment Act* but a ‘native’ under the Western Australian *Native Administration Act*. The Deputy Commissioner of Pensions in Perth, A. Afflick, sought guidance from the Commissioner of Pensions in this case. In his letter he commented:

> Where, as in the case of Betty Sandy, the claim is received through the Department of Native Affairs, a report [recommending payment supervision] is forwarded with the claim. The State Department is willing to undertake supervision in those cases where the applicants live in government settlements.31

The problem for the Department arose in securing suitable supervision of Aboriginal mothers not living on State reserves. The Western Australian Police Department complained that it was not in favour of adding this supervision to its duties. On this Afflick commented:

> It would certainly be in the interests of this Department to secure the co-operation of the Police even if [they] have to be paid for such co-operation.32

One month later Afflick was again writing to his superior reiterating that the Department of Native Affairs was not prepared to carry out the supervision. He drew attention to the fact that the Acting Premier had entered the deadlock situation with the suggestions that postmasters carry out the surveillance.33 Afflick personally disagreed with the merits of this suggestion and again pressured the Commissioner to consider the use of police.

Afflick had to wait seventeen months before Canberra moved on his request to straighten up the surveillance situation in Western Australia. In February 1943 the Director-General of the Department of Social Service, F.H. Rowe,34 briefed the Prime Minister, John Curtin, in respect to a communique Curtin sent to the Premier of Western Australia.35 The briefing

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31 A. Afflick to T.A. Maguire, 14 August 1941, CRS A855 B423.
32 Afflick to Maguire, ibid.
33 Afflick to Maguire, 15 September 1941, CRS A855 B423.
34 F.H. Rowe, born October 1895. Joined Repatriation Commission on return from World War I, Deputy Commissioner for Queensland for 12 years, Chief War Pensions Officer for the Commonwealth 1933-35, Deputy Chairman Repatriation Commission 1935-41, First Director-General, Department of Social Services 1941-58.
35 F.H. Rowe to Secretary, Prime Minister's Department, 26 February 1943, CRS A855 B423.
memorandum stated:

It has been brought to notice that in some instances Child Endowment payable in your State to Aboriginal natives of Australia is not being expended by the recipients to the best advantage, and certainly not for the maintenance, training and advancement of the children which of course was the intention of the legislation.

The memorandum then specifically requested that Western Australian police be used for this purpose. It went on to point to the 'satisfactory system' in New South Wales and Queensland whereby child endowment for Aborigines was paid to the 'authorities controlling Aborigines.' These amounts were credited to personal accounts of a trust fund. Aborigines, under supervision, were issued with orders on shopkeepers and such were debited to these accounts.

At about the same time the Treasurer, Ben Chifley, received a submission from the Graziers' Federation Council of Australia. The Council, relying on s.22 and Regulation 16 of the Act (mentioned above), also brought up this issue of Aborigines misappropriating their endowment. 'Money to them is meaningless,' they argued. The submission went on:

It is feared that if the child endowment is made to Aboriginal parents, they would in many cases be quickly relieved of their money by the activities of the 'more civilised type of native' who travels about living on the indulgence of 'X station natives, and who are already a source of worry to many employers.

This point introduces a stark contradiction. On the one hand, as we have seen, it was only the 'more civilised type of native' who got social security. At this same time, he was regarded as a con-man, a sort of welfare gigolo. Perhaps he mimicked some white ways a little too closely!

The graziers' lobby asked Chifley to amend the new Child Endowment Act so that station owners could receive the endowment for the children of their Aboriginal farm hands. In their submission they said:

There are many stations in the north of Western Australia, in the Northern Territory and Northern Queensland where children are maintained solely by the owners of the properties without assistance of any kind from either State or Commonwealth authorities.

Chifley denied their request, but this did little to resist the community attitude that Aborigines were not to be seen as part of the deserving poor. Rather, they were seen as part of the pool of pastoral labour, once their cultural 'impediment' was overcome. This position is clearly articulated in Bray's evidence to the Joint Committee (mentioned above). In talking about the way syphilis was spreading through the Aboriginal communities in Western Australia, he called for greater health expenditure. 'For the sake of the pastoral industry,' he said, 'we must preserve the supply of native labour.'

36 In New South Wales this authority was the Aborigines' Protection Board of which the Commissioner of Police was the Chairman. See Bray's evidence to the Joint Committee on Social Security, 11 February 1942, CP 71/8, Bundle 1.

37 J.W. Allen (Secretary, Graziers' Federal Council of Australia) to Treasurer, 12 December 1941, CRS A571 411460, Part 2.

38 Ibid.

39 F.I. Bray's evidence, ibid.
Pressure from the States.

At a meeting of the full Cabinet held on 24 March 1942, a memorandum from the Minister for Social Services, E. Holloway, was considered and approved. Among other things, a decision was made to grant social security payments to Aborigines if they were issued with State Exemption Certificates.40 This development was expected to cost £20,000 in 1942.41

By 1943 some of the States added to the complexity of the access controversy through submissions to the Federal Government on the question of social security payments to Aborigines living on State reserves or missions.

The States with the larger Aboriginal populations, Western Australia (26,116), Queensland (15,428) and New South Wales (10,616), could see that if they did not reverse the existing Commonwealth policy about this then they would find themselves with a high and electorally unpopular welfare expenditure.42

<table>
<thead>
<tr>
<th>State</th>
<th>Invalid and Age pensions</th>
<th>Widows’ pensions</th>
<th>Child endowment</th>
<th>Maternity allowances</th>
<th>Unemployment and sickness benefits</th>
<th>Total</th>
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</thead>
<tbody>
<tr>
<td>New South Wales</td>
<td>10,710</td>
<td>4,160</td>
<td>30,000</td>
<td>4,560</td>
<td>500</td>
<td>49,930</td>
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<tr>
<td>Victoria</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Queensland</td>
<td>2,030</td>
<td>-</td>
<td>-</td>
<td>5,300</td>
<td>900</td>
<td>101,230</td>
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<td>T.S.I.</td>
<td>7,000</td>
<td>10,000</td>
<td>75,000</td>
<td>1,000</td>
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<td>-</td>
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<td>South Australia</td>
<td>9,800</td>
<td>310</td>
<td>32,250</td>
<td>1,000</td>
<td>100</td>
<td>43,460</td>
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<td>Western Australia</td>
<td>Inv. Pension</td>
<td>9,800</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>9,800</td>
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<tr>
<td>Age Pension</td>
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<td>25,240</td>
<td>88,160</td>
<td>11,200</td>
<td>1,500</td>
<td>215,240</td>
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<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>128,480</strong></td>
<td><strong>39,710</strong></td>
<td><strong>225,410</strong></td>
<td><strong>23,060</strong></td>
<td><strong>3,000</strong></td>
<td><strong>419,660</strong></td>
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</table>

*Source:* Figures provided by F.H. Rowe, Director-General, Department of Social Services, to the Conference of Departmental Representatives on Aboriginal Welfare, 10 December 1947, CRS A431 49/176.

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40 Mavis Clark in her biography of Doug Nicholls gives Arthur P. Burdeu much of the credit for this development. Like Nicholls and William Cooper, Burdeu belonged to the Church of Christ in Melbourne. Clark refers to him as 'a lone voice' during the 1920s and 1930s for Aboriginal reform. Burdeu worked for Victorian Railways and was President of the Federation of Salaried Officers of Railway Commissioners (Clark 1965:88). He was for a time General Secretary of the Aborigines’ Uplift Society which was based in Melbourne and President of the Australian Aborigines’ League. In a letter to Prime Minister Menzies in 1941, seeking access to pensions for non-tribal Aborigines, he referred to himself as the ‘acknowledged leader of the natives’, CRS A461, Item N 382/1/1.

41 Confidential memorandum from Secretary to the Cabinet to Secretary, Department of Social Services, 25 March 1942, CRS 2700 XM Item, Vol.1.

42 As the table shows, in 1947 just over half of the total Commonwealth expenditure on cash benefits for Aborigines was in Western Australia. On a benefit basis, child endowment accounted for 54 per cent of all such expenditure.
The policy dispute between the Commonwealth and these States ostensibly was concerned with exemption certificates. Covertly it was concerned with what level of government should control the Aborigines.

Commonwealth benefits were available to Aborigines on reserves if the relevant State authorities issued certificates exempting Aborigines from such authority. Certificates were issued in those instances where the State Government felt the Aborigine was progressing satisfactorily with his 'Europeanisation'. However, the States argued that there were many Aborigines living on reserves, under the authority of State legislation, who could not qualify for exemption but who should nevertheless have their social security eligibility recognised.

The Premier of Queensland, Frank Cooper, argued this way in his government's submission in 1943. He said there were 305 Aborigines on reserves and missions who could qualify for social security if the Federal Government reversed its policy of requiring exemption certificates. Cooper emphasised that it was not in the best interests of the Aborigines to remove themselves from these reserves and missions.

His argument was based on an official view of reserves and missions. They were seen to protect the Aborigines in much the same way the Serengeti National Park protects endangered wildlife from the predacious environment.43

Playford, the Premier of South Australia, echoed this view in his representation to the Prime Minister a year later:

Having regard to the obligation recently imposed on Aborigines irrespective of the degree of aboriginal blood, to pay income tax, the Aborigines' Protection Board is of the opinion that all Aborigines, certified by the Board to be living under conditions comparable to the European way of life, [and living on reserves or missions] should be eligible to receive full social benefits.44

New South Wales also submitted much the same argument.45 The issue came to a head at the 1947 Premiers' Conference. The following is an extract from the heated debate:

Mr. Evatt46 I do not know whether it is accidental or deliberate that this item [on Aboriginal welfare] is the last to appear on our agenda; but the Aborigines have been relegated to the last place in Australia for very many years . . . As you are aware Mr. Chifley that invalid, old age and widows' pensions are not paid to Aborigines who are . . . on . . . stations or reserves?

Mr. Chifley That is a qualification.

Mr. Evatt It is a qualification which results in some of these old Aborigines leaving the stations in order to get the pension and these live under the most shameful conditions . . . the maternity allowance is not payable to Aboriginal mothers.

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43 F. Cooper to J. Curtin, 7 May 1943, CRS A461 N 382/1/1.
44 T. Playford to J. Curtin, 19 October 1944, CRS A461 N 382/1/1.
45 Acting Premier to Chifley, 23 August 1945, CRS A461 N 382/1/1.
That is incorrect.

... In what respect . . .?

. . . whether an Aboriginal mother resides on a reserve or not, so long as the State gives a certificate of exemption that she is eligible to receive a maternity allowance. The matter is entirely in the hands of the States.

. . . if the State gives an Aborigine a certificate to mix in the ordinary life of the community, that Aborigine is entitled to Commonwealth social service benefits.

Suppose that it is in the Aborigine’s interests to be kept in a reserve where he is sheltered and provided with food, clothing and other amenities. Because of that the Commonwealth will not pay him an old age or invalid pension. We consider that to be wrong.

We understand that you will not give a certificate of exemption to anybody who resides on an Aboriginal station. Therefore the States deprive such persons of the right to Commonwealth benefits.

Evatt then put the following motion:

That the Conference proposed to be established on the motion of Western Australia consider the advisability of extending Commonwealth social services benefits to Aborigines irrespective of whether they reside on a station or not. This motion was defeated on the votes of the Commonwealth, and Victoria and Tasmania—the States with the smallest Aboriginal populations.

However, a similar motion was passed the following year at the high-level Conference of Commonwealth and State Aboriginal Welfare Authorities. The discussion was initiated by W.R. Penhall, the secretary of the South Australian Aborigines’ Protection Board. The motion, seconded by Professor Elkin (vice chairman, Aborigines’ Welfare Board, New South Wales) read:

This conference is of the opinion that full benefits under the Social Services Consolidation Act . . . should be available to all Aborigines, except full-blood Aborigines living under primitive or nomadic conditions and that Commonwealth legislation should be amended accordingly.

The issue remained a point of dispute between the Commonwealth and the States until the 1959 legislation.

The above account, all too briefly, has traced the controversy surrounding the way welfare benefits were given to the Aboriginal community. In so doing it has explored the private side of public welfare, the way it acted as a vector for nothing less than cultural destruction. Masquerading as an unproblematical phenomenon embracing care, beneficence and security, it was in fact a cultural ‘Check-point Charlie’. Through social security, Aborigines were processed from a people who were central in a marginal culture to a group who became

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47 Hon. Nicholas Edward McKenna, Senator for Tasmania since 1944. Minister of Health and Social Services 1946-49.


marginal in a central culture. On the basis of the material presented in this paper, only eugenics logic can explain these procedures. The 'black' culture was the antithesis of wartime and post-war capitalism. These differences were viewed negatively. The Aboriginal culture was in need of racial improvement. Social security provided cash inducements to the Aborigine who was forced to orient himself or herself in the 'white' direction. The trade off for the Aboriginal culture was profound.

**APPENDIX I**

Extract from Parliamentary Debates on Invalid and Old-age Pensions Act 1908

**Mr. Kelly** Yes. Let us have the objective [of the Australian Labor Party].

**Mr. Thomas** Very well. The objective reads —

A. The cultivation of an Australian sentiment, based upon the maintenance of racial purity and the development in Australia of an enlightened and self-reliant community.

B. The securing of the full results of their industry to all producers by the collective ownership of monopolies and the extension of the industrial and economic functions of the States and municipalities.

The fighting platform is as follows:

1. Maintenance of a white Australia.
2. Nationalization of monopolies.
3. Old-age pensions.
4. Tariff referendum.
5. Progressive tax on unimproved land values.
6. Restriction of public borrowing.
8. Citizen defence force.

The general platform includes —

1. Maintenance of a white Australia.
2. Nationalization of monopolies — if necessary, amendment of Constitution to provide for same.
3. Old-age pensions.
4. Referendum of Commonwealth electors on the Tariff question when the report of the Tariff Commission has been completed; the Party to give legislative effect to the decision of the referendum vote.
5. Progressive tax on unimproved land values.
6. Restriction of public borrowing.
7. Navigation laws, to provide — (a) for the protection of Australian shipping against unfair competition; (b) registration of all vessels engaged in the coastal trade; (c) the efficient manning of vessels; (d) the proper supply of life saving and other equipment; (e) the regulation of hours and conditions of work; (f) proper accommodation for passengers and seamen; (g) proper loading gear and inspection of same; (h) compulsory insurance of crews by shipowners against accident or death.
8. Citizen defence forces and Australian-owned navy.
SOCIAL SECURITY ACCESS

9. Amendment of Commonwealth Arbitration Act to provide for preference of unionists and exclusion of the legal profession.

10. Commonwealth bank of deposit and issue and life and fire insurance department, the management of each to be free from political influence.

11. Uniform industrial legislation; amendment of constitution to provide for same.


Source: Commonwealth Parliamentary Debates vol.XLIV, March 1908:9348-9359.

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Social Services Act 1959.
A MODEL ABORIGINAL STATE

Michael Roe

Throughout the nineteenth century, in both the United Kingdom and its colonies, the petition to Parliament was a major weapon in the armoury of politics. For reasons which no one appears to have explained, this ceased to be so in more recent times. Few petitions appear in twentieth-century Parliamentary Papers throughout Australia, the rarity being even greater at Federal than State level. That makes the petitions that are extant all the more interesting. Perhaps none makes the point better than that submitted to the Federal House of Representatives late in 1927, calling for 'A Model Aboriginal State'. The petitioners showed that itch of conscience, persistent despite and because of its impotence, which always beset some white Australians when confronting the Aboriginal disaster. Their work synthesized a dialectic between hopes for a better post-war world and such realities as the East Kimberley massacre of mid-1926. The whole story merits a little more attention than it has so far received.

The central text of the petition ran thus:

That Whereas:

1. It was not only a moral duty, but also a strict injunction included in the Commission issued to those who came to people Australia that the original occupants should be cared for.

2. The Aboriginal races are mostly fast dying out because:
   (a) Our well-meant and costly experiments in their interests have not been sufficiently on the right lines.
   (b) There have been cases of individual cruelty and oppression which it has been practically impossible for the Governments to deal with.
   (c) Owing to domestic preoccupation so many citizens of Australia have overlooked the claims of the native races and not realized what the alienation of their hunting grounds meant to them.
   (d) The self-sacrificing efforts of missionaries who have done inestimable work have been necessarily limited.

3. In their wild state the natives for centuries have been nomads and hunters but since white occupation their position has become serious, and with the increased pastoral occupation following the construction of railways their already greatly depleted sources of food supplies will be further diminished.

Michael Roe has taught in the History Department, University of Tasmania, since 1960. A Fellow of the Australian Academy of the Humanities, his most recent book is Nine Australian Progressives (University of Queensland Press, 1984).

The author’s thanks are due to the officers of the Bills and Papers Office, Parliament House, Canberra.

2 The matter is noticed, and well set in context, by Biskup 1973:88-89.
4. The opinion so generally held that the Australian native is the lowest type of humanity in the world is now found to be quite erroneous. On the contrary he does not belong to any negro race and has been proved to possess great mental powers, ability to quickly learn, and can be taught agriculture, engineering, carpentering, &c., while there are already a number of native Christian clergy.

5. If we regard the native races as our spiritual equals, if we recognize their rights and do not treat them merely as chattels, if we assist them to accommodate their methods to new conditions, if we return to them areas of country on which they may work out their own salvation safeguarded from the envious eyes of encroaching white population, we shall at least have the satisfaction of knowing that even at the eleventh hour we have endeavoured to redeem any neglect, indifference or maladministration in the past and to do substantial justice. And the aboriginal will pay us back. We shall assuredly find that we have races of people who will be of immense help in developing our empty Northern Estate particularly in the more torrid zones. And we shall find that, relieved of so much attention to material affairs, the self-sacrificing spiritual work of missionaries will be greatly accelerated.

Your Petitioners therefore humbly pray that your Honourable House —

1. (a) Will cause to be constituted a model Aboriginal State to be ultimately managed by a native tribunal as far as possible according to their own laws and customs but prohibiting cannibalism and cruel rites. In the meantime such assistance, as may be necessary, to be given, the greatest care to be exercised that only those of the highest ability and the very fullest sympathy should be selected for this work. Provision to be made that ultimately the Government may be conducted by aborigines, and that it would be possible at some future time that the Administrator himself could be a native.

(b) The Constitution to prohibit, under a very severe penalty, any persons, other than aborigines, except Federal Government officials and duly authorized missionaries, teachers and agricultural instructors from entering this State.

(c) The governing tribunal to decide the extent to which control shall be exercised over such natives still in their wild conditions as are within the State.

(d) No native to be detained in the State against his will but upon his leaving any land allotted to him to revert to the Crown.

(e) The State to have representation in the Federal Parliament on the lines (in a modified form at first) of the Maoris in New Zealand.

(f) That every assistance be given to the governing tribunal for the rigorous medical control and treatment of contagious diseases, especially venereal and tubercular.

Among the many full-blooded aboriginals competent to assist in founding the proposed State may be mentioned Rev. Jas Noble and Mr David Unaipon, who is at present engaged in anthropological work at the Adelaide University.

It is noted that no attempt should be made to force any natives into the proposed State, the nucleus of which to be those tribes now occupying the country to be transferred. If these new plans are found to be on the right lines it will be, no doubt, advisable later on to create one or more other Native States.

2. (a) That, with regard to Aborigines who come in contact with white people, the regulations and supervision should be tightened up so as to prevent to a greater extent the blighting influence of immoral Europeans and others.
(b) That natives who have no regular approved employment or are hangers on to the fringe of civilization should be removed far away from possible contaminating contacts.

(c) That annual returns should be required from all persons who have or had during the past year Aborigines in their employ.

The Bills and Papers Office at Parliament House, Canberra, holds the originals of the petition (bearing 7,113 signatures) and some associated documents, which hint at the background story to the petition. A circular, dated from Adelaide in early November 1926, reported that by then some 1,000 signatures had been gathered, all States being represented, and that a meeting of sympathisers on 2 November had decided to form an 'Aborigines' Protection League' to pursue the good work. The provisional committee then formed had twenty-four members. Included were Herbert Basedow (chairman), long-time enthusiast for Aboriginal culture and protection; the Reverend John Blacket, writer of much popular Methodist history; Professor Darnley Naylor, classicist at the University of Adelaide; W. Ramsay Smith, head of public health in the State and a sympathetic observer of Aboriginal life; and David Unaipon, mentioned in the petition. The proportion of women was sizeable, and Blacket was not the only Protestant cleric. Christian allegiance doubtless was the strongest single force among the activists, and overall the committee had the image of bourgeois philanthropy so pervasive in welfare crusades throughout Australian history. A General Meeting of 26 November confirmed the moves of three weeks before, and the League was formally established, constitution and all. Probably the main effect was to quicken the collection of signatures.

A 'Manifesto' that accompanied the blank forms made its chief points again, with some elaboration. It stressed, for example, that the Aborigines were markedly less caste-conscious than were Indians: an argument which now rings rather odd, but would have made more sense at a time of heated debate as to whether Britain should allow India self-government. The Manifesto asserted that 'the growth of a sense of nationhood' must work upon the Aborigines as a powerful stimulus for good. The petition's reference to these people being 'spiritual equals' with Europeans expanded into the suggestion that their 'religion, laws and customs' had full legitimacy. This created an embarrassment in regard to the churches' work, resulting in the clumsy phrase that 'to invite them to replace their religion by Christianity may safely be left to the self-sacrificing missionaries'. More confidently the Manifesto contrasted the Aboriginal situation with that prevailing in territories held under League of Nations mandate, where Australia had to justify its policies to the world. The current Federal Government, and especially the relevant minister, G.F. Pearce, had shown goodwill, but in stark fact official policies had failed. The most powerful passage of the Manifesto lamented the fate of Aboriginal and half-caste children, who are taken from their country, their home, their parents, from environments where they should have the opportunity of settling down and marrying and they are placed in strange surroundings with people of alien habits and speech, ostracised from association on equal terms with white children, shut off from the hospitality of white people generally and not permitted to marry, and unable to share in national traditions which are held to be most powerful factors in creating character. Even with the greatest kindness from those in whose charge they are placed, what sense of loneliness, of exile, even of slavery must they not constantly feel.
MODEL ABORIGINAL STATE

The case could scarcely have been put better. Perusal of the 98 separate petition folios tells the historian a little more. The overwhelming proportion of signatures derived from Adelaide suburbia, Norwood, Gawler, and Henley Beach having very strong representation. Both locations and calligraphy indicate that more ordinary folk were among the signatories than the composition of the committee might have suggested. One of the two petitions from Melbourne embraced the social range from Fitzroy to Toorak within its thirteen signatories; the other from that city derived from Charles Strong’s Australian Church. Neither contains names of note, thus contrasting with the Sydney contribution. C.E.W. Bean, George Collingridge, David Stead, Albert Rivett, E.G. Waterhouse, A.B. Walkom: all these Sydneysiders had their fame. Wealthy suburbs of the north shore line were much to the fore among the Sydney addresses. Despite the organisers’ claim, there seems to have been little response from the outlying States.

The House of Representatives first heard of the Petition on 13 October 1927. On that day D.S. Jackson (Nationalist; Bass, Tasmania) moved for a joint select committee to consider the plight of the Aborigines and especially the case for ‘segregation in large areas in the Northern Territory of its present aboriginal population’. Jackson had recently visited the Northern Territory and the experience seems to have inspired this effort, the most notable event in his competent but humdrum parliamentary career. He referred to the work of the Aborigines’ Protection League in favourable way, albeit indicating some reservations as to its scheme. N.J.O. Makin (Labor; Hindmarsh, South Australia) was more emphatic in praising the League’s work and echoed Jackson’s stress on the need to save the race; he said that only the absence of W.L. Parsons (Nationalist; Angas, South Australia) had delayed presentation of the ‘Model State’ petition. Next to contribute was C.W.C. Marr, who reported that soon after becoming Minister for Home and Territories in the preceding April he had received a delegation which called for a Royal Commission into the Aboriginal situation. That David Stead was a member of this deputation gave it some tie with the ‘Model State’ petition. Very likely a common impetus for both efforts was the East Kimberley massacre, echoes of which sounded throughout all these Parliamentary debates. Marr said further that Cabinet had agreed to a submission presented by himself, and that consequently the States had been invited to consider co-operating in such a Commission as had been suggested. The Government’s good faith in the matter is open to question: Prime Minister S.M. Bruce became notorious for responding to problems by sending them off for inquiries which often proved long in span but short in effect, while Marr’s response to Jackson’s motion was ‘political’ in the narrowest sense. ‘If we were to broadcast to the world that nearly 100 years ago the aborigines were treated in a dastardly way — and admittedly they were — we should do injury to our White Australia policy; whereas we wish to convince the world that we are as mindful of our black brethren as of the whites.’

Parsons duly presented the Petition on 20 October, but when the Representatives again debated Aboriginal affairs on the 28th the initiative came from a different quarter. The Labor member for the Northern Territory, H.G. Nelson, then moved for discussion of ‘the exploitation of native labour in North Australia’. His complaint was against Aborigines being allowed to supply railway sleepers on government contract, at allegedly exploitative rates, while white men went jobless. Marr replied with a vigour he rarely showed. His assertion that Nelson sought only to secure a trade union monopoly seems a fair enough comment. He took the opportunity to slash at the ‘Model State’ as well: ‘I say that if you want to destroy our aborigines in the North, the best thing to do is to put them into a State of their own;
they will then annihilate each other'. Nelson's motion was defeated on straight party lines, Parsons and Jackson conforming to the Whip. When Parsons spoke to Jackson's motion (3 November) he upheld the 'Model State' notion, albeit disclaiming any personal responsibility for its origin and insisting that no precipitate action was intended. Basedow and Ramsay Smith were among the authorities he cited in support of the Aborigines' capacity and dignity.

On 6 December Bruce told the House that the Royal Commission proposal had failed, the States having offered but little co-operation. Hence the Government would ask Queensland to lend a senior official to report on Aboriginal matters in Central and Northern Australia. In the weeks ahead Parsons, Jackson, and Makin several times asked questions on this matter, guarding against the whole issue disappearing into some pigeon-hole. Parsons won a promise that the 'Model State' would come within the inquiry.

The outcome of this activity was a report by J.W. Bleakley, Queensland's Chief Protector of Aborigines. C.D. Rowley and others have found a good deal to praise in this document. One of its more forceful passages scorned the idea of a separate State:

The above scheme evidently assumes that the natives have, or can be expected to develop, qualities that they have never so far displayed. They have no conception of democracy as understood by civilized nations. Their native laws and customs seem to utterly fail to conceive any idea of combination or federation of tribes for mutual government or protection. Each tribe is a separate and distinct group, with its own language, customs, and laws environing its peculiar totem, and has interest in nothing outside of those associations. Any interference with the government of the tribe by an elected tribunal, even if such a body could be created, would be bitterly resented.

Bleakley claimed that his own views had the backing of David Unaipon, despite the petitioners' invoking his name.

That could have been so. The 'Model State' idea sprang from benevolence and a sense of outrage at sufferings imposed on the Aborigines. It did not promise a line of action viable in either political or anthropological terms. By all these tokens, the passage is one highly indicative of its times.

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EORA AND ENGLISH AT PORT JACKSON: A SPANISH VIEW

Robert J. King

Between 12 March and 11 April 1793, the waters of Sydney Cove, Port Jackson, were graced for the first time by the presence of ships of the Spanish Royal Navy; the corvettes Descubierta and Atrevida, under the command of Captains Alexandro Malaspina and José de Bustamente y Guerra.

The visit to Port Jackson took place as part of a 'scientific and political' voyage of discovery through the South Atlantic and Pacific Oceans planned by Malaspina and Bustamente, and carried out by them during the years 1789 to 1794.

In the Plan of the voyage, which they submitted to the Minister for the Marine and the Indies, Antonio Valdés, on 10 September 1788, Malaspina and Bustamente stated that the principal objects were: a thorough investigation of the natural resources of the Spanish possessions in America and the Pacific (the whole of which was claimed at that time as a Spanish mare clausum); the preparation of hydrographic charts to improve navigation; and a confidential examination of political and social conditions in the Spanish provinces. Included in the secret tasks of the expedition were the preparation of comprehensive political reports on the new Russian and English settlements in the North and South Pacific.¹

During their stay at Port Jackson, the Spanish officers duly collected as much information as possible relating to the purpose and conditions of the 'Botany Bay' colony, both from direct observation and from published sources such as Watkin Tench's A narrative of the expedition to Botany Bay, and John White's Journal of a voyage to New South Wales. This information was put together in a document entitled 'Apuntes sobre la Colonia Inglesa de Puerto Jackson', and in a report composed by Malaspina entitled 'Examen Politico de las Colonias Inglesas en el Mar Pacifico'.²

Both the 'Apuntes' and the 'Examen' devote some paragraphs to a description of the Aboriginal people (the Eora) of the Port Jackson area, and comment on the state of relations between them and the English settlers. Though not to be compared in value to David Collins's Account of the English Colony in New South Wales, Malaspina's 'Examen' and 'Apuntes' are the only non-English record of this period, and as such provide a valuable check on Collins and the other British writers who described the Aborigines. The portraits made by the expedition's artist, Juan Ravenet, are among the best representations ever made of the Eora of this period.³

Robert King is interested in the Anglo-Spanish rivalry in the Pacific which formed the background to English settlement of New South Wales in 1788. He is currently preparing for publication Malaspina's report on his expedition's visit to Port Jackson in 1793.

¹ Malaspina and Bustamente 1788.
² Malaspina 1793a; Malaspina 1793b.
³ Ravenet 1793. 'Eor-rá' was 'the name common for the natives' according to David Collins, who made an attempt to learn their language. Collins 1794:611.
Malaspina’s interest in the Port Jackson colony was first and foremost strategic. He saw it as a threat to the Spanish possessions in the Pacific (as has been explained elsewhere). His observations on the Aborigines were incidental to his main purpose of determining the real motives of the British Government in founding the colony and how Spain should react. He felt deeply outraged, as any Spaniard of that era would, at the effrontery of the English in intruding into Spain’s _mare clausum_, the Pacific. Spaniards felt they had been given a divine mission to Christianise the New World and bring its peoples into the comity of civilised nations. Malaspina compared the reasons given by the Government in London for the Botany Bay project with the actual situation existing at Port Jackson. He stated the conclusions of his analysis as follows:

If we are convinced therefore from the preceding reflections that, although the object of the present measures was solely to secure a double victory to the weighty arm of Justice, of a great improvement of those who had offended her, and of a great warning to those who intended to offend her in the future, far from bringing this about, they have rather given new resorts to Injustice, and to oppression; and have opened a field through which in not much time the individuals who, whether because of their bad education, or because of deficient State policy, could disturb so much the interior peace of Great Britain, can now with impunity menace with their depredations the entire World, and in particular the peaceful Inhabitant of the Isles of the Pacific.

But these are not reflections which could have been hidden from the British Government when, the impossibility of an establishment of this sort on the Coast of Africa having been made public by the reports of an exploratory Frigate, it apparently decided instantly, and without any trial, in favour of New Holland; and they solely appeared negligible because they should produce, as well as the increase already indicated of commerce and of dominion, an active war in the Pacific.

Tranquil Inhabitants of its immense shores . . . how can you imagine at this moment that the present of a few ribbons and Trinkets, the useless gift of a few Domestic animals, and astronomical observations a thousand times repeated, will very soon have brought to you a scene of Blood and Destruction? . . . The smallness of their Islands, the Coral Reefs which surround them, the small utility and scarceness of their Fruits, nothing will suffice to protect them from the vices and greed of the Europeans.

The accuracy of Malaspina’s deduction of the real motives of the British Government in establishing a colony on the east coast of New Holland has been examined elsewhere. Essentially he was correct. The British did aim to open up a new continent for European civilisation and the benefit of British commerce, as they had earlier opened up North America; but it was no accident that Phillip’s expedition was sent off at a time when the renewal of war with Spain, France and Holland appeared imminent. The advantages of a base in New South Wales in case of such a war had been clearly stated by the proponents of the

4 R.J. King 1981.
5 Malaspina 1793b.
6 R.J. King 1981.
colony, and naval and military plans drawn up during wars and crises with Spain before and after the colony was established, for a raid across the South Pacific against Chile and Peru, showed how it would be used as a port of shelter and refreshment. The wishes and rights of the miserable New Hollanders were a minor consideration in this scheme of things.

The English colony at Port Jackson had been established for just over five years when the *Descubierta* and *Atrevida* dropped anchor in Sydney Cove. The Aborigines of the Port Jackson area, the Eora (or 'Iyora') as they called themselves, had tested and felt the strength of the Bereewalgal — the 'people from afar'. An epidemic of smallpox was estimated to have reduced the Eora population by half to about a thousand individuals. Other diseases brought by the English ships, and depredations by the settlers on their fish and other food resources, had probably also contributed to this decimation. The tribe or clan of thirty to fifty people who had lived on the peninsula (*kattai*) between Sydney Cove and South Head, the Cadi-gal, had been virtually extinguished by these causes. After an initial period of intense hostility, the Eora had apparently come to terms with the futility of trying to resist the newcomers.

The turning point in English/Eora relations came with the incident on 7 September 1790 when Phillip was speared by Willemering at Kayemai (Manly Cove). Phillip accepted that Willemering had flung his spear in a moment of panic, and forbade any retaliation. Both Bennelong and Colbee had been present at the incident, and on the next occasion when they and their families were in the vicinity of Sydney Cove, they were reassured with a present of thirty or forty large fish.

The confidential visit [said Captain John Hunter] from two men, who appeared to have some influence among their countrymen, soon brought about a more general intercourse, and the next visit from those men brought the same favour from their wives and families, whose example was followed by many others; so that every gentleman's house was now become a resting or sleeping place for some of them every night; whenever they were pressed for hunger, they had immediate recourse to our quarters, where they generally got their bellies filled.7

Hunter added that before he left Port Jackson, in March 1791, the Aborigines had become 'very familiar and intimate with every person in the settlement; many of them now took up their rest every night in some of the gentlemen's houses; their very unprovoked attack on the governor and his party being passed over and almost forgot'.

Writing of April 1792, Collins said:

The natives had not lately given us any interruption by acts of hostility. Several of their young people continued to reside among us, and the different houses in the town were frequently visited by their relations. Very little information that could be depended upon respecting their manners and customs was obtained through this intercourse; and it was observed, that they conversed with us in a mutilated and incorrect language formed entirely on our imperfect knowledge and improper application of their words.8

A year later, Malaspina gave a corroborating description of relations between the English and the Aborigines. After describing the basic incompatibility of the two, and the great mortality caused by the smallpox, he felt constrained to admit that the measures taken by the English for the civilisation of the Aborigines had been humane and prudent. The Spanish

7 Hunter 1793:143.
8 Collins 1798:209.
officers had seen Aboriginal men and women admitted to the houses of the principal individuals of the colony, where they had been regaled at table with the other guests. Families of Aborigines had cheerfully greeted the Spaniards in English, and on occasion they had been observed singing and dancing the whole night long around campfires in the main streets of the settlement, without anyone molesting them.

David Collins summed up the situation in September 1796:

after many untoward occurrences, and a considerable lapse of time, that friendly intercourse with the natives which had been so earnestly desired was at length established; and having never been materially interrupted, these remote islanders have been shown living in considerable numbers among us without fear or restraint; acquiring our language; readily falling in with our manners and customs; enjoying the comforts of our clothing, and relishing the variety of our food ... They have been always allowed so far to be their own masters, that we never, or but rarely, interrupted them in any of their designs, judging that by suffering them to live with us as they were accustomed to do before we came among them, we should sooner attain a knowledge of their manners and customs, than by waiting till we had acquired a competent skill in their language to converse with them ... By slow degrees we began eventually to be pleased with, and to understand each other. Language, indeed is out of the question; for at the time of writing this, nothing but a barbarous mixture of English with the Port Jackson dialect is spoken by either party; and it must be added, that even in this the natives have the advantage, comprehending, with much greater aptness than we can pretend to, every thing they hear us say.9

The picture given by Collins was corroborated by Louis de Freycinet, a French naval officer who visited Port Jackson for five months in 1802 with the Baudin expedition. Freycinet edited the official report of the expedition which was written by François Péron. Commenting on Péron's division of the colony's society into two classes, the free and the condemned, Freycinet noted:

One could add to this the indigenes; but these latter who are few in number and live with the English on fairly good terms, have not yet been brought to the first beginnings of civilization. The English leave to these savages all liberty to follow their inclinations and habits, and never attempt to enslave them, seldom have they been obliged to safeguard themselves against their blows, even at the original foundation of the colony.10

Writing in 1806 to his successor, William Bligh, Governor King said, concerning the Aborigines: 'Much has been said about the propriety of their being compelled to work as Slaves, but as I have ever considered them the real Proprietors of the Soil, I have never suffered any restraint whatever on these lines, or suffered any injury to be done to their persons or property'.11

9 Collins 1798:543-4.
10 Péron and Freycinet 1816:394.
11 King 1806.
PORT JACKSON: A SPANISH VIEW

Both King and Collins had held positions of responsibility in the colony from its establishment in 1788, and their views may be taken as reflecting the official outlook. The record left by Malaspina confirms the picture we have from other sources of well-intentioned but clumsy and even self-defeating efforts by the English settlers to gain the goodwill of the Aborigines while occupying their lands: the Eora powerless to prevent this 'usurpation' of their rights (as Malaspina referred to the process of English colonisation in his report) but unwilling and unable to give up their own way of life and become 'civilised' as the Europeans wished. In the Sydney of the 1790s, English and Eora dwelt side by side, in a kind of uneasy peaceful coexistence. That there was a high degree of social interaction between the two is shown not least by the fact that most of the Aboriginal words which have come into English did so during this period from the language of the Eora. Malaspina's account of the Aborigine who asked his English friend to make a present of a duck he had bagged to the visiting Spaniard is a nice illustration of the personal friendship which could exist at this period.

Background to the 'Examen' and 'Apuntes' Accounts.

Malaspina was born, of an ancient noble family, on 5 November 1754 in Mulazzo in the Duchy of Parma. He grew up and was educated at Palermo in the Bourbon Kingdom of Naples, and joined the Marine Guard of Cadiz in 1774. Commissioned frigate captain in 1782, he commanded the Asuncion in a voyage to the Philippines in 1783-84, and subsequently the frigate Astrea in a voyage around the world in 1786-88. Conceiving the idea of a 'politico-scientific' voyage of investigation of the Spanish possessions in the Americas and the Pacific, he worked on the plan for this with his partner Bustamente, and on 30 July 1789 set sail from Cadiz as Captain of the Descubierta and senior commander of the expedition.12

Because, after his return to Spain, he fell victim to the intrigues of Godoy, the findings of the expedition, which Malaspina had estimated would have filled seven volumes when published, were placed under a ban and consigned to the archives.

An abbreviated account of the voyage, consisting mostly of Malaspina's 'Diario de viaje'13 was published in 1885 in Madrid by Pedro de Novo y Colson.14 Malaspina's 'Diario', edited by Mercedes Palau, Aránzazu Zabala and Blanca Sáez, was republished by the Museo Naval in 1984.15 The journal of another officer of the expedition, Francisco Xavier de Viana, was published in Montevideo in 1849.16

The portions of Viana's Diario and Novo's Viaje relating to the visit of Descubierta and Atrevida to Port Jackson were republished in translation, together with Malaspina's letters written in 1789 to Sir Joseph Banks and David Collins's account of the visit, by the Australian Documentary Facsimile Society in 1967 under the title The Spanish at Port Jackson: the visit of the corvettes Descubierta and Atrevida, 1793.17 Neither the 'Examen' nor 'Apuntes' was included in this work.

12 Antiguedades . . .
13 Malaspina 1794.
14 Novo y Colson 1885.
16 Viana 1849.
17 Day et al. 1967.
Portraits of three men and a woman of New Holland by Juan Ravenet (Museo Naval, Madrid)
Although there have been many studies of Malaspina, very little attention has been given to the visit to Port Jackson. Edith C. Galbraith, in ‘Malaspina’s voyage around the world’, did not describe his visit to Sydney, nor did Iris H.W. Engstrand in her Spanish scientists in the New World: the eighteenth-century expeditions. However, Antonio Giordano did include a short biography of Malaspina and excerpts from Novo’s Viaje... and Collins’s Account relating to the visit to Port Jackson in his history of Italian exploration in the region.

Malaspina’s ‘Examen’ and the ‘Apuntes’ have hitherto been neglected by scholars in the Australian-Pacific field, though they were among the documents in Spanish archives relating to Pacific exploration which were located by Celsus Kelly, OFM.

The sketches and paintings made by Fernando Bràmbila and Juan Ravenet while the expedition was at Sydney were published by Carmen Sotos Serrano in 1982.

**EXTRACT FROM ‘EXAMEN POLITICO DE LAS COLONIAS INGLESAS EN EL MAR PACIFICO’, 1793, MUSEO NAVAL (MADRID) MS 318**

The Inhabitants of all these parts are without doubt very small in number, and more inclined to Fishing than the Chase, as being a less painful and less uncertain means of subsistence than that drawn from the latter. The unequivocal proofs of this are, the difficulty encountered by the new colonists in trapping Kangaroos, and in hunting them, in spite of the excellent Dogs with which they pursue them, and the marks in the trunks of the trees, referred to by Sir Joseph Banks, and seen by us almost daily, which show how much cost in time and fatigue it takes at other times to procure for themselves the miserable meat of a single bird, not seldom quicker than the Pursuers themselves, by which they are made mock of. This scarcity of Food should then have influence, and actually does have influence, not only in the small proportions of their bodily structure, and particularly in their inferior size, but also in the absolute lack of strength which the English acknowledge after a thousand trials of every kind of Labour including even the softest.

These qualities, united to the total lack of ideas, of activeness, of shelter, of desires, and of Luxury, suffice of themselves to make not reckless the proposition that it would be better for the English to remove them from these parts, than make them useful for future mutual

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18 Camponi 1862; Caselli 1919/1929; Bona 1931 and 1935.
19 Galbraith 1924.
20 Engstrand 1981.
23 Sotos Serrano 1982.
24 Don Juan Ravenet, fearing to incur the accusations which many erudite Europeans had brought against the Painters of Captain Cook, the Messrs. Forster, of representing in their designs rather the beautiful Figures of the Greek School than the natural constitution of badly nourished Savages fed on perpetual idleness, has blindly followed exactitude in his portraits in the same manner which he has displayed in all the other works he has done up till now [orig. footnote].
Prosperity; but besides this are added two other circumstances, which do not appear in any way insignificant. The first is their treachery in taking unawares and killing immediately whoever carelessly goes inland without Arms; also from the habit, which we have already referred to, of burning the countryside; a habit which caused equal concern to Captain Cook at the Endeavour River and to the recent arrivals at Sydney Cove: and the second is the great mortality lately caused them by a violent epidemic of smallpox.

Wary to avoid the accusation of this being the first fruit of their coming to these distant regions, the English allege in their favour that the epidemic manifested itself at almost the same time as their arrival, stating on the other hand legally that in all of the First Fleet there had not been anyone who had carried it; that they found it distinguished among the Natives with its own name; and that finally either this sickness was known before the coming of the Europeans, or that its introduction must have been brought by the French Ships of the Comte de la Perouse. It would be an idle rashness to wish now to entertain ourselves by examining this question: for our purpose it suffices to demonstrate that what will be easier and sooner will be the destruction rather than the civilisation of these unhappy people.

We should not hide, however, the fact that the measures taken by the English for their civilisation have been quite humane and prudent. We have seen gathered and cared for with the greatest kindness, several Boys and Girls. Others, both men and women, although entirely naked and disgustingly dirty, have been admitted to the same Room where we were eating and have been regaled with one or other dainty from the same Table. At times we have heard entire Families salute us with several shouts in English; at times in the principal Streets of the Colony itself they have danced and sung almost the whole night around a campfire, without anyone molesting them. But, whether or not they are able to combine with the sociable Instinct of Man other such strange contradictions, it is certain that, similar to the Hottentots, the young adults at times suddenly quit the house where they are being fed, and the clothing which covers them in order to return to their own to continue their primitive wandering life, divested it would appear of all sociable attraction.

EXTRACT FROM ‘APUNTES SOBRE LA COLONIA INGLESA DE PUERTO JACKSON’, 1793, MUSEO NAVAL (MADRID), MS 181

The Negritos of New Holland described by Capt. Cook are the most miserable and least advanced nation which exists on earth. We are not able to give an idea of their customs or rites, nor of their state of society, as we would wish: our deficiency in the European Language of the country and the lack of opportunities for informing ourselves constantly hindered our investigation; but we will explain simply and with our habitual impartiality whatever occasion has permitted us to observe of them in person at the times when we have had dealings with them, which did not happen to be frequent. We quite realise that one can conclude nothing from investigations undertaken at haphazard nor without a set plan, but will confidently attempt to permit to our imagination a freer field than that which our eyes have beheld. The English nation, disposed toward these kinds of observations by inclination and by character, have already advanced in the subject as much as one could desire: we lack that information and only promise to advance some ideas which may serve as a check on the way we look at things, exposed always to the errors of the weakness of our imagination, and of
confusing the Indigenous customs with those which have been imperfectly adapted from the Europeans.

This wandering Nation, without agriculture and industry, and without any product which would attest their rationality, frugal by necessity and timid by character, received the first Europeans without surprise albeit with some admiration, but neither the strangeness of colour, nor clothes, nor arms, nor whatever means devised by Capt. Cook to arouse their cupidity, nor the efforts of European Artfulness, excited their imagination or covetousness, and at the end of many days he saw with surprise that they abandoned the same articles which they had been made gift of: doubtful of their rationality and at the same time confusing them by their shape with the Orangutans of Africa, he redoubled his efforts to gain a meeting, with little result. Having a lively character, a language exceedingly soft, and enough sharpness, they do not make any exertion of their talent and at the same time are the only nation which does not manifest in either of the Sexes seen any Shyness, nor of having acquired viciousness in exchange for their original grace. Completely naked, without a single thread on their Bodies, neither has the continued contact with Europeans succeeded in increasing their dislike as far as horror of this custom. Men, Women, Youths, children, all present themselves in the streets, or by themselves or in groups, in the same fashion in which they were born, and if sometimes they are seen evincing some repugnance to wearing clothes, they nevertheless love clothing when it is cold, but stupidly throw it away or put it aside when it hinders them.

The figure in both sexes is quite refined: the men are small, of a burnt black colour, the skin roughened by the weather, a little hairy, the Head thickly covered with curly hair, but not lank, beard curly and badly parted, eyes black, round and penetrating, features coarse, nostrils quite wide, the mouth large and thickly whiskered, a weak musculature with little strength, a large belly, thighs and calves short, slender and bowed, the arms and shoulders adorned with seams made in the skin arranged in disorder.

The Women, without a better body than the men, enjoy it would appear a more robust constitution: the faces finer, breasts perfectly formed, almost rounded, elastic and separated, the belly equally rounded, thighs and calves generally more robust and better proportioned than the men's, hips much narrower and regular than those of our European women, their skin in contrast tanned in all parts, and in addition those who have given birth do not remain wrinkled and ravaged like our women; the pubis extremely deep and with a thick growth of hair, and that figure they owe perhaps to a practice, used only by licentiousness among other nations, of leaving to the females the superior position in copulation. From girlhood they cut off one of the little fingers, and their fecundity appears to be much in advance of the other sex. In them one sees how much the beautiful formation of unaided nature exceeds that of art. A well-formed European woman put to examination without any greater adornment than the islander would be made to see what disorders a dress laced up viciously from infancy is capable of causing in our scheme of things.

Their rites are composed of various superstitions, upon which we are not informed. It appears that they are allowed only one wife and several concubines, requiring of them respect for the others. Each family, comprising one man, his wives and his children, form a separate tribe. We do not know how far the faculties of the chief extend, nor at what stage of life the sons proceed to form a new family. Jealousy does not appear to be a passion known in these regions: the females prostitute themselves easily (perhaps this is a vice acquired from contact with Europeans). They are allowed to go freely wherever they wish,
and they themselves make all the efforts to offer themselves: for my part I have seen them in this case only twice, on both there were no men of their kind there, and the offer of all of them fell always on the youngest; I do not know whether in order to consider advantages in that circumstance, or in order not to allow this liberty to their husbands. But it would require a total depravity of sensibilities to suffer the smell, the slovenliness and the roughness of their gross caresses: few women in the universe could present themselves in conditions which would cause an effect so contrary to their desires. However, it happens that such is the desire for novelty and the depravity of tastes in a free country where prostitution is so common, and where nothing is as easy as the means of satisfying every kind of voluptuous passion, that the English lower orders do not disdain them, and each night a large number of them are gathered in the quarters of the troops.

Parental love does not extend its force as far as among other savages: the gifts given to a father for his little sons never reach their destination; and several infants have been seen feeding at the breasts of many mothers. Several pretend that among them they have ideas of revelation, of the flood and of transmigration: what is certain is that they are extraordinarily distressed when they recall to themselves their dead.

In spite of their sobriety they live happily: ordinarily one comes across them dancing. Alike in this to the Guineans, they express the sensuality of their desires in their songs and attitudes. The vibration of their knees, the vigorous rubbing of the most sensitive parts, and the other movements of each sex, with the ardour which may be observed in their features, are other such unequivocal signs of what they express. Their abode is on the beaches and in the Woods: the thick trunk of a tree, or the crevice in a cliff, lodge each family, who withstand the storms and cold without any other aid to oppose them than their skins. Their foods are roots and fish, and so they live as well in the Woods as by the sea, but even in these practices their industry is sensible of its own small vigor. Two or three yards of the bark of a tree scarcely an inch thick, folded at the ends to make a concave figure, is a Boat sufficient for three women, one of whom occupies herself with bailing out the water which enters continually, while the others row with small paddles, with shells or merely with their hands. A fire which is placed on sand moves to and fro among the women, and their skins which are proof against the elements are also incombustible. Hooks formed from the lip of a seashell, and gaffs made solely of wood are their gear for getting fish, which they devour scarcely warmed on the embers, as if they are always hungry, and put in their insatiable bellies whatever they come across — Bread, a Cob of Maize, and even a tallow candle are delicious foods, but nothing equals a Biscuit dipped in salty water, which is the most agreeable to them: they know it by the name ‘Berriguef’, not being able to pronounce its English name.

They keep generally good harmony with the Europeans: punishment has made them cautious in this regard; there are very few tribes which do not maintain a strict subordination to the English, and the inequality in arms has extinguished or removed the discontented. The mere sight of a musket, the appearance of the uniform of a soldier, would scatter an army of natives, who with signs of peace and submission take pains to capture their goodwill — in contrast to their behaviour towards the unarmed citizen travelling by himself, several of whom have been the victims of their lack of precaution. It is not our intention to dwell upon the origin of this dread, or to be either the critic or the apologist for the humanity of the Europeans in the Southern Wales: this has been argued about with enough injustice in the case of America. Happily, the enlightenment and the reflections of Europe will protect them against excessive criticisms; and also several accounts which we received in the country have
given sufficient room to justify us; we are far from proceeding to lightly adopt hostile views, and we scorn whatever has not been compared.

Their arms are composed of an ill-formed machete and a lance of wood hardened by fire or tipped with flint, at any rate a weak help, and infinitely less valuable than ours. The stupidity of the natives is such that they are unable to draw any profit for themselves, contact with the Europeans having merely contributed to increasing their needs without thereby stimulating them to supply the means of satisfying them: they take and ask for what one would give them without any labour; at the most some serve as domestics but without any ability, and work less than it takes to keep them clothed. When we arrived they could not understand that we spoke another Language than English, and the most they could comprehend was that we did not understand how to speak. However, they were treated with openness and thanks to several gifts we merited equal affection with the English. They are appreciative enough to those who treat them well, and one of their greatest courtesies is that of exchanging names and they keep them until they are supplied with a new change. They are exceedingly lively, and in their actions and movements use a thousand stratagems when they wish to be given something, and imitate Monkeys in their gracefulness. When one of our officers was presented by an Englishman to an Indian Friend of his, he was most friendly toward him, and not having anything to present as gift to him he asked the Englishman for a Duck which he had caught to present to our comrade, saying that it was necessary to give something to the visitor.

Their Language is exceedingly soft, each word consists of many Vowels, they pronounce it with incredible volubility, and in an agreeable tone, which seems more like well-composed music. They speak the English Language but in an imperfect way, softening the Gutterals, and they never pronounce any word strongly.

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The following early account of the Tiwi was written by Hermann Klaatsch, a German physical anthropologist, who visited the Tiwi in 1906, one of the 'major points' of his three years of travels in Australia. In the report, originally written in German, Klaatsch gives us a lively and informative narrative of his stay among the Tiwi of Melville Island, whom he calls 'Melvillians'. He refers to many facets of their life and culture and he is the first to draw attention to the Tiwi graveposts.

Klaatsch's account of Melville Island forms part of his final report ('Schlussbericht'), the outcome in writing of a talk he delivered to the Berlin Anthropological Society after returning from Australia. It is contained in Zeitschrift für Ethnologie, where his various reports and letters from Australia were published.\(^1\) During his travels Klaatsch was financially supported by the Royal Academy of Sciences in Berlin (Königliche Akademie der Wissenschaften).

Who was Hermann Klaatsch? He was born in Berlin in 1863. Coming from a family of medical doctors, with his father, grandfather, and also ancestors of his mother being renowned doctors, it is not surprising to find him developing an early interest in natural science. This had already become apparent when, as a boy of six, he was included in the list of donors of the Berlin Aquarium because he had delivered to it his collection of reptiles, the result of his holiday activities.

He studied medicine in Heidelberg and Berlin, specialising in anatomy as a student of Gegenbaur and Waldeyer, both renowned professors of anatomy. He became Waldeyer's assistant in Berlin, and in 1895 Associate Professor of Anatomy in Heidelberg. After 1904 he spent three years travelling, mostly in Australia. After his return he became Professor of Anatomy, Anthropology and Ethnography at the University of Breslau (now called Wrocław, in Poland), a position he held up to his death in 1916, at the age of fifty-three. He died of complications connected with the malaria he had contracted on his travels.

Klaatsch's reasons for travelling to Australia are directly connected with his scientific interests and these, in turn, are linked with his originality of thought. He was a keen worker, dedicated to finding truth. Friends praised his originality, his geniality, his imagination, enemies feared his piercing questions, his disregard of established opinions and theories, even those of eminent authorities. If the results of his own research, considered true by him, contradicted an existing theory, he would create a new one to match the facts, always prepared to rearrange the theory in the light of new findings. For him, facts that were not put into a theoretical framework were worthless 'ballast'.

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\(^1\) Vols 37-39, 1905-1907.
In the first years of his career he worked in the field of comparative anatomy, frequently on problems connected with questions of evolution. The results of his comparative anatomical research on various animal species led him to create his own theory of the evolution of mankind, which he presented at a conference in 1899. However, he could convince few people of the truth of his theory. In connection with his thoughts on the development of mankind he was deeply concerned with learning about early man. He was engaged in the work that led to the recognition of the true status of Neandertal Man and excavated various specimens of early man, such as *Homo mousteriensis* and *Homo aurignacensis*, an area in which he was a widely recognised authority.

[Klaatsch was actually present when Otto Hauser excavated the Le Moustier skeleton, and the two of them co-authored a new description, calling it *Homo mousteriensis hauseri*; they were aware it was of Neandertal type, but considered it somewhat different from standard Neandertalers. The form of the name is confusing: they probably intended the scientific name to be *H. mousteriensis*, with *hauseri* meaning just that Hauser had discovered it; this is more or less supported by the fact that Klaatsch later on did just refer to a *Homo mousteriensis*. *Homo aurignacensis* refers to another of Hauser's discoveries, the Combe-Capelle skull, which Klaatsch and Hauser co-described as *Homo aurignacensis hauseri* in 1910. They thought that the skull's rugged features placed it in an intermediate category between Neandertal and modern. It is nowadays clear that it is a perfectly modern (even European-type) specimen. The tag *hauseri* to the specific name again seems to indicate nothing more than that it was discovered by Hauser, and it would seem quite certain that the name was meant to be *H. aurignacensis*.]

In connection with the skull of the Neandertal Man, the English anatomist T.H. Huxley, as early as 1863, drew attention to the similarity of its protruding browridges (Klaatsch calls them supraorbital arches) to some crania of Australian Aborigines. This similarity, plus the fact that very early hominid remains, *Pithecanthropus*, had been discovered in Java, and the similarity of many physical features of Aborigines to modern Europeans and other modern populations, led him to formulate the idea of the 'Australoid roots of mankind', published by him in 1903. In this hypothesis too he had few followers.

Another of his ideas was, however, in line with the thoughts of most other evolutionists of his time: that hunters and gatherers represented an earlier, primitive, lower stage in the development of mankind; they were seen as being in the stage of youth or childhood, whereas modern Europeans represented the adult, mature, responsible stage of mankind. Evolutionists believed in this 'early', 'savage' stage not only physically, but also culturally or psychologically.

Klaatsch thus believed that by studying Australian Aborigines — in his opinion the 'Urstamm der Menschheit' (primaeval tribe of mankind) — he would gain insights into the

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3 The following paragraph is based on material kindly supplied by Colin Groves.
4 See Klaatsch and Hauser 1909 and 1910.
5 1903:335.
KLAATSCH AND THE TIWI

way of life and way of thought of early races of man, and would learn about the origins of culture in general. The above-mentioned ideas motivated Hermann Klaatsch to travel to Australia and to study its original inhabitants from the physical and cultural points of view. However, in spite of his preconceived ideas about the ‘primitivity’ of Aborigines, his stay among them gave him an emotional, almost romantic, attachment to them. This becomes apparent in his statement:

The sight of the adult male body is aesthetically pleasing, the posture is proud . . . When you see the black man walking by, with his erect posture, his head decorated with feathers, with the spear in his right hand, then you cannot help form the impression that you have a ‘savage gentleman’ in front of your eyes, a king in the realm of the surrounding nature, to which he is so well adapted. How much like a slave and how despicable appears the small Malay, in contrast to him!6

During his extensive travels in Australia Klaatsch collected an immense amount of data, which, in his own words, would take him years to evaluate.7 However, after his return, his palaeontological work on early man in Europe absorbed most of his time. Apart from the above-mentioned reports in Zeitschrift für Ethnologie, only minor publications containing ethnographic material on Aborigines appeared (especially 1911 and 1913). His final major work with the title Der Werdegang der Menschheit und die Entstehung der Kultur (The evolution of humanity and the emergence of culture), published posthumously, refers frequently to Australia and contains twenty-five of his Australian photographs. But his sudden death at the age of fifty-three prevented him from completing the more comprehensive work on Australia on which he was working.8 In spite of his outdated or unusual thoughts, his writings retain their value because of their lively style, the wealth of ideas and the questions asked.9

A Summary of Klaatsch’s Australian Travels.

His journey started on 9 February 1904 in Genoa. After twenty-six days he landed in Perth, then continued by sea to Brisbane where he arrived on 21 March 1904. He spent seven weeks in Brisbane, dedicating most of this time to the study of the private collection of W.E. Roth, who at that time was Protector of Aborigines in Queensland. His collection included both material culture and skeletal material, including crania, from northern Queensland, the latter being Klaatsch’s primary field of study. He was to spend an entire year in Queensland.

On 17 May 1904 he left Brisbane by ship, travelling north, making shorter visits to various towns and districts. He spent one month on ‘Silver Valley’, near Herberton, where he was able to make his first studies of living Aborigines. He also visited Yarrabah mission station, near Cairns. On Thursday Island a government boat was made available to him to take him to the Gulf of Carpentaria. He visited Mapoon Mission on the Batavia River, and then

6 1907b:80.
7 ibid.
8 Heilborn in Klaatsch 1922:xxx.
9 The most complete list of his writings, listing 81 publications, is included in Wegner 1915-1916.
continued to the Archer River, accompanied by the German missionary from Mapoon, Herr Richter. On the Archer River he came into contact for the first time with 'really wild natives' — as he calls them.10 He left Archer River on 12 August 1904, travelling via Karumba to Sweers, Bentinck and Bayley Islands. Then he spent more than two weeks in Normanton. From there he left by boat for Burketown, on the Albert River, made a twelve-day excursion along the Leichhardt River, then continued by boat via Thursday Island to Cooktown, and also visited the nearby mission station at Cape Bedford.

He spent more than two months in the Cairns area, making excursions also to the Bellenden Ker Mountains, where he obtained a mummy,11 and to the lower reaches of the Russell River and its tributaries. He also paid another visit to the Yarrabah mission station.

On 1 February 1905 he left Cairns again, making short visits to other towns and spending twelve days on Fraser Island. He remained another eleven days in Brisbane, where he carried out studies at the Museum and frequently met with Roth, with whom he had become friends and whose anthropological work he respected highly.

After leaving Queensland he arrived in Sydney on 24 March 1905; he was to stay there for the next five months. He studied in libraries, but most of his time was spent at the Australian Museum, where he continued his anatomical studies of the skulls of the Roth collection, which in the meantime had been acquired by the Museum.

During his stay in Queensland, as well as during the rest of his travels in other areas of Australia, he was active in assembling a collection of ethnographical objects. He also collected stone artefacts. However, due to his scientific background in anatomy, his primary interest was physical anthropology. Wherever he could, mostly in prisons and on mission stations, he took physical measurements of Aborigines. He also assembled an anatomical collection. At times his keen scientific interests even led him to open up graves; acts which, not surprisingly, caused occasional personal difficulties for him. Thus he had a hasty departure from Normanton in Queensland, when the Aborigines considered him 'Devil-Devil' and wanted to spear him.

After a long stay in Sydney Klaatsch left on 2 September 1905 for Melbourne, continuing directly to Warrnambool. Here he wanted to get an immediate impression of the sandstone quarry, where ancient animal footprints and controversial human footprints had been found. He discovered the footprints of the extinct Australian giant bird *Genyornis newtoni*.12 He believed the human footprints to be those of a young male person.13 When he was planning his visit to the site other scholars in Sydney and Melbourne had thought it 'a waste of time and money'.14

From Melbourne he continued to Adelaide, then travelled from there by ship to Perth, arriving on 1 October 1905. While in the Perth area he made anatomical studies, taking measurements of Aboriginal inmates of a prison on Rottnest Island, and shortly afterwards measuring prisoners at Roebourne.

10 1905:213.
11 Described in detail in Klaatsch 1911:415 ff.
12 For photograph see Klaatsch 1906:796.
13 Klaatsch 1907b:80 ff; for photograph see Klaatsch 1906:782.
14 Klaatsch 1906:776.
KLAATSCH AND THE TIWI

From Perth he headed north by boat towards Broome, and remained in that area for over a month. On the mission station close to Beagle Bay he had an opportunity to study the Niol-Niol (Nyul-Nyul). He had a good relationship with the Catholic missionaries there, whose work he judged more favourably than that of some missionaries in Queensland, where coercion was more frequently applied.

On 12 December 1905 he left Australia (Broome) in order to visit Java. His main reasons for visiting Java were to examine personally the extremely early hominid skeletal remains and the site of *Pithecanthropus*, which had been discovered there in 1891. Moreover, he wanted to find out whether he could discern there any signs of an earlier, pre-Malay population. The results in the latter respect were negative. He was very unfortunate in acquiring a bad case of malaria, which forced him to return to Australia, hoping that its dry climate would help him regain his health.

After five months' absence from Australia he returned to Broome on 21 May 1906. He had to remain in the hospital there for three weeks — a time which from the anatomical point of view proved to be very successful as it offered him opportunities to acquire human remains (brains) for his collection. He then returned to Beagle Bay to resume his ethnographic studies among the Niol-Niol. He was especially keen on finding out with certainty whether a system of totems prevailed there of the same complicated type as had been described recently for Central Australian tribes. His results were negative: the Niol-Niol did not have totems as described for the Arunta. In a lengthy discussion of this topic he criticised the overly wide and extended use of the term totemism, saying that too frequently it was used for concepts and traditions that lacked a wide enough common basis. He describes a conversation with Gillen in Adelaide, where he informed him of his negative results: 'He was extremely astonished about my failure and regretted not having gone himself to northwestern Australia as he would surely have found totems. "I don’t doubt this for one moment", I replied'. Referring to the Niol-Niol he noted the great importance of the churingas, the special role of the great water snake Wallangan, mentioned marriage classes and spoke of their connection with those of Central Australian tribes.

On 7 July 1906 he continued to Wyndham, via Derby. He had to stay there for two months, awaiting the departure of the next boat to Darwin. Here he suffered a new attack of malaria, only recovering towards the end of this time. In the prison at Wyndham he was able to take anatomical measurements of over seventy Aboriginal prisoners. By maintaining close contact with the doctor, who informed him of new deaths, he had a chance to increase his anatomical collection.

During his two months in Wyndham he had ample opportunity to observe the harsh treatment of the Aboriginal population by Europeans. He saw how twenty-two men were transported to Wyndham, tied to one another with chains around the neck. In a letter he wrote:

15 Spencer and Gillen 1899 and 1904.
16 Klaatsch 1906:796; 1907a:636 ff.
17 Klaatsch 1907a:638.
18 See photographs in Klaatsch 1907a: plates 7 and 8.
these poor savages are getting caught by the police because of the alleged crime of having speared cattle. The policemen get paid per head and take along as many as possible. Considering our modern, supposedly high culture and 'Christian' morals it is an unheard-of cruelty that these innocent children of the wilderness have to carry out hard labour, tied with chains to one another, until death relieves them. Those who survive this ordeal, however, get transported back to their homelands.19

After leaving Wyndham he made a short stop at Port Keats, and then arrived in Darwin in the middle of September 1906. There he noted the more friendly relations prevailing between the old and new inhabitants of the country. From Darwin Klaatsch set out for his expedition to Melville Island, the report of which is translated below. It lasted from 17 September to 1 October 1906.

Back in the Darwin area he had friendly contact with the Larrikia and Kunandja or 'Alligator River tribe'. He also successfully collected items of material culture. He then returned directly to Sydney by ship, arriving on 19 November 1906, and so completing the circumnavigation of Australia for which he had set out fourteen months earlier. He gave talks about his journey, contacted 'the gentlemen of the university' and had his previous work on skulls accepted for publication.20

On 22 December he left Sydney for Tasmania, where he examined anthropological material at the museum in Hobart. From there he continued to Adelaide in order to attend a meeting of the Australian Association for the Advancement of Science, at which he gave a talk which was published in English.21 It was on this occasion that the above-mentioned meeting with Gillen took place. After another stopover in Hobart he arrived in Sydney on 7 February 1907.

During his last few days in Australia he received the offer of a chair in Anatomy, Anthropology and Ethnography at the University of Breslau, which he gladly accepted. He left Sydney on 18 February 1907, returning to Germany via Canada and finally arriving in Bremerhaven on 3 April 1907.

During his three years abroad Klaatsch had assembled an impressive collection of ethnographic material, comprising altogether 2,300 objects. These were temporarily shown in an exhibition which opened on 7 September 1907 in the Rautenstrauch-Jöbst-Museum für Völkerkunde in Cologne. Afterwards the ethnographic collections were distributed to other museums, the greater part being kept in the Ethnological Museums of Hamburg, Leipzig and Cologne. His collection of stone artefacts went to Breslau.22

19 1906:800.
20 See Klaatsch 1908.
21 Klaatsch 1907c.
22 Gesela Voelger, Director of the Cologne Rautenstrauch Jöbst Museum, is preparing a paper on the Klaatsch collections which may also contain information on the whereabouts of his anatomical collection (described briefly in Klaatsch 1907b:2).
A major point of my program was the journey to Melville Island. This northernmost island of Australia is separated from the mainland by a strait of only forty English miles; with respect to its fauna and flora it belongs completely to the mainland, from which it apparently separated only in a relatively late period. In the year 1824 an English military settlement was founded there (Fort Dundas) which, however, had already been abandoned in 1829 because the unhealthy climate and the hostility of the natives had made the stay on the lonely island very unpleasant. Since this time, the blacks [schwarzen] on Melville Island have been left to themselves and, forming a considerable-sized group (they are estimated at about one thousand head), they are living in their original savage ways. They are considered to be treacherous and bloodthirsty, and this is the reason why only a few Europeans dare to venture into the interior of the island. Even a government geological expedition in the year 1905 limited itself to a minimal visit to the coast and did not see a single native.

The only value that Melville Island has at the present time is in the big herds of wild cattle, descendants of a small number of examples of *Bos sundaicus*, which were imported from Timor by the English occupants of the fort. After the withdrawal of the English the freely roaming cattle increased tremendously, because of the favourable conditions offered by the swampy areas of the interior and the lack of enemies — dingoes do exist, but they are not numerous — so that now hundreds of them are shot annually to make use of their skins and horns. The shooting rights have been leased to a gentleman in Sydney in whose service are two buffalo-hunters. They are working on the island and carry out the transport of the skins to Port Darwin. These hunters, two brothers Cooper, typical adventurers of the Australian bush, have erected a big camp in the centre of the island. There one of them takes

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23 The following translation is from Klaatsch 1907a:674-684. See also Klaatsch 1907c, which contains some of the text now published. This paper was given in person (in English) by Professor Klaatsch at the 1907 AAAS meetings in Adelaide. There are no footnotes. There are seventeen plates, of which seven were taken on Melville Island; one is of the graveposts.

24 *Bos sundaicus*. This name (correctly *Bos sondaicus*) formerly used for Banteng, a species of wild cattle living in Southeast Asia. In its domesticated form, especially on Bali, is known as the Bali Ox. The rules of zoological nomenclature now require Banteng to be called *Bos javanicus*. Bali Cattle were brought to the Port Essington settlement, ran wild after its abandonment, and are still found on the Cobourg Peninsula. I do not know of their ever having been on Melville Island, nor do I know of any Humped Cattle (*Bos indicus*) there. There are, of course, buffalo (*Bubalus bubalis*) on Melville Island, brought originally from Sundaland (actually Timor, I think). Klaatsch may have meant buffalo when he wrote *Bos sundaicus*; if so, it is an example of how longstanding is the sometimes casual attitude of anthropologists to the correct identification of wild fauna. [Note supplied by Colin Groves.]

25 The cattle have been imported to the mainland also. In the area of Port Darwin they are used as draught animals. [Original note by Klaatsch, hereinafter indicated by *K.*]

26 See *Australian Dictionary of Biography* (*ADB*). Robert Joel (Joe) Cooper (1860-1936), born South Australia, went on a buffalo-shooting expedition to Melville Island in 1895, with brother George Henry (Harry). Joe was speared in the shoulder by Aborigines and they withdrew to the mainland, taking with them by force four Tiwi (two men, two women). In 1905 the brothers returned to Melville.
charge of the hunting, aided by a group of natives, while the other hauls the spoils to the mainland in a little sailboat of only two tons. This ship, and this man as my companion, were the only support I could obtain in order to make the journey to the island. With them I carried out in the second half of September a fourteen-day expedition, which I have to count among the most interesting episodes of my whole journey.

When we left Port Darwin on the night of 18 September, in our nutshell, all the space on the boat was completely taken up, as we had seven natives on board, two of whom were from Melville Island.

(Footnote 26 cont'd)

Island with a bodyguard of Port Essington Aborigines, and stayed ten years taking a thousand buffalo a year. (There is no mention in ADB of Harry being killed in 1906 or 1907.) Joe Cooper was known as 'The King of Melville Island'. He helped Baldwin Spencer and J.A. Gilruth (Commonwealth Administrator of the Northern Territory 1911-1912) in their expeditions to Melville Island. Joe Cooper was Sub-Protector of Aborigines from 1911 to 1916 but resigned when his bodyguard was accused of intimidating the Tiwi.
We needed one day and two nights to cross the Clarence Strait and not until the 20th in the morning did we reach the south coast of the island in the vicinity of Cape Gambier. I was pleased to see already, from a distance, a group of about twenty natives on the shore. Their black bodies contrasted sharply with the white stripe of the sandy beach, and when we approached all of the natives jumped into the water and soon surrounded our ship.

They were all men, of young or middle age, and also two boys, but there were no women. Like wild children they jumped up and down in the water, raising their knees in a very strange way, similar to the way it is done in some corroboree dances. Only later did I have a chance to see the interesting picture in the already mentioned work of Captain King — the discoverer and namer of Melville Island — in which he presents a very similar scene of landing and the same kind of jumping.

The lapse of more than eighty years since that time has not robbed the black inhabitants of any of their wild happiness. What a difference, compared to the fate of the majority of all the natives in the other coastal areas.

They were splendid figures with wild grins that surrounded the little craft and received the presents with childlike eagerness, especially the iron axes that I had brought as an exchange for spears, etc. Some of the group were well known to my white companion. Joe Cooper, the buffalo-hunter, has a friendly relationship with the blacks, although ten years ago he had received a dangerous spearwound from them, an event he had kept secret from me. The spears of Melville Island are strange; they are the heaviest and the most artistically worked spears in the whole of Australia. The head is formed by a broad flattened part, the edges of which are cut up into about fifteen to twenty barbs. This part is painted beautifully with red, yellow, and white.

Strangely enough, this mighty weapon is thrown without a spear thrower — the woomera is completely absent from Melville Island. These spears serve only for fighting, not for hunting. One would have expected that the Melvillians would have used them to spear the cattle, but to my surprise I was informed by Joe Cooper that the natives of the island never hunted these animals. It was the buffalo-hunters who introduced them to eating their meat.27

The pattern of the body-scars on Melville Island differs from that on the mainland and it consists of short, oblique lines, converging in acute angles, reminiscent of the arrangement of leaves.

I assume that it has to do with an imitation of the barbs on the spears. Once, on the beach of the northern coast of the island, I found a sepia on which there was a drawing of the same pattern. Recently some Melvillians have adopted the oblique cuts of their brothers on the mainland, in order to appear more modern.

Regarding my black visitors I noticed the similarity of the facial features of the various individuals. This is characterised by a broad face with prominent cheekbones, and supraorbital ridges that are clearly visible through the skin in a way rarely found. The expression

27 This observation speaks against the assumption that the natives in other areas have started spearing cattle by themselves; probably they were only led to do so after they had been punished for the assumed crime. At the mission station close to Beagle Bay there are about 2000 head of cattle and the missionaries have never lost one due to the natives. In Australia one can often hear the foolish opinion that the natives of Melville Island are as strong as they are because they nourish themselves with wild cattle! [K].
of the face suggests a mixture of humour, artfulness, and wildness. Their hair was dusted yellow and their faces were partly painted.

Just as at this first encounter, I also had an excellent relationship with the natives later on. Joe Cooper understood their dialect to some extent, but he did not know it well. Verbal communication with the blacks was out of the question for me and, as always in such cases, the communication was limited to gestures. As I had experienced on the islands in the Gulf of Carpentaria, the initial greeting consisted here also in the touching of the white man by the black. In my particular case, the happiness about my good condition of nourishment was expressed with a big grin.

Once I observed a strange happening. An older man came to our ship with two younger men. We gave them biscuits. The older man did not touch them but let them be put into his mouth by his companions. Now I tried the same and the black guest accepted this kind of service by me as something completely normal. I don’t know whether a certain custom is behind that.

Four blacks from our boat crew were put ashore in the area of Cape Gambier with the order to go to the central camp of the other brother Cooper and to inform him of our arrival, so that he could send riding- and pack-horses to our place of landing. After we had said goodbye to our black visitors, who had kindly helped us get the boat out, we entered Apsley Strait, which separates Melville Island from Bathurst Island. Before the voyage of discovery of Captain King, Melville Island was considered to be part of the mainland. When King entered Apsley Strait from the north, he regarded it as a big river, until he reached, in the south, the open sea again, and thus recognised the island character of the area. At the southern exit of the strait there is a small island (Buchanan Island), which King named Pelican Island because of its abundance of birds, which even today is remarkable. We went ashore here and sent the blacks to the island in order to get turtles. They regularly used to return from such missions heavily loaded with spoils.

Passing through Apsley Strait took us two days. The voyage through the narrow strait was very tiresome as the wind was usually only light and we often had to resort to the oars. On the eastern shore of the strait, i.e. Melville Island, is the site of the old fort, of which only a heap of bricks remains. The mighty eucalyptus forest has overgrown everything. We have at our disposal the reports of the two officers who founded and dissolved this fort, Captain Bremer, 1824 and Major Campbell, 1829.

However, their information would have been completely forgotten and their remarks about the strange burial sites of the Melvillians further ignored if I had not had the luck to rediscover them. When going ashore in the vicinity of the old Fort Dundas, about a few hundred paces from the shore, I hit upon a group of nine wooden pillars which surrounded an oval, slightly raised, area of earth. They were of differing height, the tallest reaching a height of about three metres. Not one pillar equalled another in shape. One had an upper addition, shaped more or less like a mushroom, another one ended in two points. Another showed a tangential cut-out in the form of a niche; another one was cut open in its centre, so that only two thin poles were left as a connection between the lower part and the upper one, which also ended in a high pointed tip.

I cut off the upper part of this monument and took it with me; now it is one of the best pieces of my collection. Being excellently painted, it serves as a good example of the characteristics of these pillars. However, due to the smallness of my boat, I could not transport more examples.
The painting consists of ornaments which are carried out in white, red and yellow. On the cylindrical surface of the upper part of the pillar, the same ornament recurs four times. The pillars are made with the help of fire and it appears that sharp pieces of shell have been used as tools, as I have found them on camp grounds. On Melville Island, stone material is completely absent and the inhabitants exist even today in a 'pre-eolithic' state, which clearly shows that the development of mankind could take place even without eoliths and that consequently the whole excitement in this respect is actually of quite little real significance.

These graves with pillars had already been seen by Captain Bremer and Major Campbell, they were also aware of the objects deposited on or near the pillars. When I was there, deep baskets of bark were put over a number of pillars. They were painted in a similar way to the pillars and each one had in two places a roundish drilled hole, the edges of which were sewn and enforced by plant fibres. The young Melvillian who accompanied us and who could speak some English gave us the following information: as indicated by the water vessels a woman was buried here and, because the bark baskets contained drilled holes, she must have been speared. On my suggestion he dug for the skeleton with his hands. Making only a very small hole, he hit the skull precisely; he must have guessed the location from a sign which was not apparent to me. The dead person was a very young girl who cannot have been older than eleven years and who presumably became the victim of a love tragedy.

Luckily, we had remained unnoticed by the blacks during our grave violating enterprise. However they must have soon noticed what had happened because, after we had finally stowed away our spoils on the boat and had continued with our journey, we wanted to stop at an appropriate place to pick up water; it had already got dark, when our blacks turned our attention to little flashes of light that started to appear in the thickets of the shore. These were the fire-sticks in the hands of the natives who followed us. Cooper postponed the landing until the next morning, remarking dryly that he did not wish to give the blacks any ‘opportunity’.

I later found two more grave-sites. The second one I encountered on the return journey along the north coast, on the little island of Karlslake. Here our boat was stranded for a few hours on a coral reef. We waded to the shore and not far from it appeared a grave-site, again with nine pillars, which, however, had been partly destroyed by fire and fallen down. The same variation of shapes, as in the previous case, was still recognisable; there were no deposits, however.

28 Bremer’s report, 1824, is available in print in Russell’s *Genesis of Queensland*, pp. 34-35. ‘On Bathurst Island we found the tomb of a native; the situation was one of such perfect retirement and repose that it displayed considerable feeling in the survivors who placed it there; and the simple order which pervaded the spot would not have disgraced a civilised people. It was an oblong square open at the foot, the remaining end and sides being railed round with trees seven or eight feet high, some of which were carved with a stone or shell, and further ornamented by rings of wood also carved. On the tops of these posts were placed the waddies of the deceased; the grave was raised above the level of the earth, but the raised part was no more than three feet long. At the head was placed a piece of a canoe and a spear and round the grave were several little baskets made of the fan palmleaf, which from their small size we thought had been placed there by the children of the departed. Nothing could exceed the neatness of the whole; the sand and the earth were cleared away from its sides and not a scrub or weed was suffered to grow within the area.’ [K, corrected]

29 Major Campbell 1829, in Russell’s *Genesis of Queensland*, p. 628: ‘The burial place is circular . . ., it is surrounded by upright poles, many of which are formed as top like lances or halberts, 14-15 feet high and between this spears and waddies of the deceased are stuck upright in the ground.’ [K, corrected]
Digging unearthed a beautiful skull, of a strong man, of middle age, the facial part of which showed very clearly the striking facial features of the Melvillians. The skeleton rested on the right side, and this side was partly destroyed, and the same was true for the skull. The teeth were complete, no incisors having been removed, contrary to what could have been expected according to Campbell’s report.30

With respect to the third site, located at the north coast, at Radford Point, I cannot really prove that it is a burial site, but the two monuments found there resemble very closely those described above. The ground showed no irregularities, however, and digging did not bring forth any bones. Perhaps this is a very old grave-site and the remains have disappeared, or perhaps it is a site to be used at a later time. Next to each monument, facing one another, there was a waddy stuck in the ground, and between them lay two sounding sticks, such as are used in the corroboree to mark the beat. The taller of the pillars was nearly six feet high. It was of the type with a hole in the middle and an upper addition, connected to the lower main part by two thin poles only. I cut off the upper part and took it with me. The pillar was daintily painted with red and yellow colour. The lower main part showed five levels, separated from one another by red rings. In between there was a series of little red rings, circling the pillar, all of it applied on a yellow foundation. The upper part had intermittent red and yellow areas. The second monument was of the type of the mushroom-shape, the stem of the mushroom, however, being furthermore surrounded by a protruding ring. Only in this part, and also on the upper circumference of the mushroom hat, red colour had been used, the lower part showing yellow figures of extremely great diversity — circles, half circles, lines, round areas, horseshoe-shaped patterns, etc. — painted on the natural grey of the wood.

I have not yet reached a definite opinion as to the importance of these Melville Island monuments rediscovered by me. So far, I have not found any indications that these occur in the same shapes and arrangements on the mainland. However in Port Darwin various gentlemen gave hints pointing in this direction, especially regarding the region of Van Diemen Gulf, east of Port Darwin, and south of the Coburg Peninsula, but these statements were very vague. The only thing that I can consider more or less comparable with my findings is a painted, low, simple, cylindrical, wooden pillar in the Museum of Adelaide [South Australian Museum], which is supposed to have come from a grave-site near the MacArthur [McArthur] River in the region of Borroloola (Gulf of Carpentaria, Northern Territory).

The most obvious assumption seems to be that the pillars are meant to be stylised representations of human figures, and consequently may represent relatives or ancestors of the deceased. The shape of the mushroom-hat reminds us easily of the head of a human figure. The two poles connecting the upper and the lower parts have perhaps something to do with the idea of arms and in the case of the niche-shaped hole, the thought of depicting a female sex opening seems not too far-fetched.

Regarding possible connections between the grave-pillars and things outside Australia there are a number of aspects to be considered, but I have not yet screened the literature throughly enough on this point.

30 Campbell 1829, loc. cit., p. 625: ‘All these, who have reached the age of puberty are deficient in an upper front tooth . . .’ I also noticed nothing like this among the living. I noted the absence of any kind of penis mutilation; about this point neither Bremer nor Campbell make any remarks. [K]
'Central Camp, Melville Island, mainland and island natives'

'Natives of Jessie River, Melville Island'

Plates from Klaatsch 1907, courtesy of Australian Institute of Aboriginal Studies
A gentleman in Adelaide, who had listened to my talk at the Congress there, directed my attention to sacred pillars which he had found on the Solomon Islands, and of which he gave me an excellent photograph. These monuments are about five metres and more high and terminate in the upper part in a human head shape, whereas lower parts of the body are only vaguely indicated. The photograph shows a figure which carries on the head a kind of hat, reminiscent of the mushroom hat shape of Melville Island. These human pillars are located on sites where numerous skulls are assembled.

Another similarity I noticed recently when reading an article by H. Siedel, about the New Hebrides. Here the village drums are represented, carrying human faces and having a slit-shaped opening in the front. The perspectives that open up in connection with the development of human statues from grave-trees must be dealt with some other time.

On 22 September we circumnavigated Cape Van Diemen, the northernmost point of the island; the name goes back to Tasman's voyage of discovery. On the north coast there appeared some natives who followed the ship for some time. We tried to attract them by calling 'pongi, pongi', i.e. good friend, but in vain. On the sand of the beach one of them performed extremely grotesque dancing movements, swinging his spear and then suddenly disappearing. Here again my attention was drawn to the extreme bending movements of the knees. A few weeks earlier a Japanese man from a pearl-fishing boat had been speared at this place, and the natives might well have feared that we were sent to punish the crime. By the afternoon of 23 September we had reached the mouth of the only major river which comes from the interior of the island. This river has not been geographically described so far and it does not yet have a name, apart from that of a black beauty, by which the buffalo-hunters refer to it. This lubra was with a group of a dozen natives, men, women and children, who awaited us at the mouth of the river. They were put on board with their three dogs, so that we sat really packed together like sardines. Two strong blacks pulled the oars, another one was placed with an axe at the front end of the boat. He had the task of making a way for the boat through the mangrove thickets which grew over the river at some places like a roof and prevented the mast from passing through. With each branch which crashed down onto the boat hundreds of green ants came out of their nests in the leaves and revenged this breach of domestic peace by biting us fiercely. At nightfall we cast anchor. We waded through the mud of the mangrove swamp to the shore and climbed to the land to establish camp. I have never spent a worse mosquito-ridden night. I was happy when the voyage continued at daybreak. The river widened into a vast swamp, in which the buffaloes wallowed and huge numbers of wild ducks and geese appeared.

31 H. Seidel, 'Die politische und wirtschaftliche Lage auf den Neuen Hebriden' [The political and economic situation in the New Hebrides], Globus, vol. 91, no. 18, 9 May 1907, p. 283, fig. 4: 'The idols still existing today are mostly wooden figures two to three metres high, often of obscene character, standing close to the tabu-houses under the shade trees at the end of the village.' According to A. Bässler's description, 'these drum-trees are hollowed-out logs, often in groups of twenty, several metres high and with a slit in the front. By beating them with a heavy wooden club, they give a sound, and as they are toned in different ways, it is possible to play on them a simple melody of the New Hebrides. The logs are firmly driven into the ground and are often artfully carved, the upper end then representing an idol or another figure.' The slit is worth noting, and this figure also calls my attention to the fact that in one of my cases the sounding sticks were found next to the monuments. The drum-trees of Java etc. that are now beaten to mark the hour also have this slit, and remind us of these 'village drums' of the New Hebrides. [K]

32 The German text gives 'Lubra'.
At the landing-place we were awaited by the brother Cooper, accompanied by a big number of blacks and horses. To my surprise the boat was left without any kind of cover. Over a little elevation we then went on horseback for about nine English miles towards the central camp. A big caravan of natives, partly from the mainland, partly from the island, carried the provisions and the instruments. The elevation had a vegetation of light eucalyptus bush and the ground was covered with conglomerates of laterite formation. Shortly before we reached the camp, the landscape changed. After crossing a small river, all of a sudden we found ourselves in the middle of a marvellous stand of huge melaleucas, which formed the canopy to the pandanus and fan-palms. In the truly idyllic, secluded central camp I spent two quiet days in friendly and close contact with the blacks; they soon understood the purpose of my exchange trade and in a short time I had assembled a nice ethnographic collection. With the leaves of the fan-palm, using a bone-needle made of the kangaroo-fibula, the women and girls made those little baskets that Bremer mentions as grave-deposits. The same baskets also occur on the mainland.

The women of Melville Island walk about completely naked. The only time they cover themselves is when they participate in a dance; then they hold a piece of melaleuca bark (paper-bark) in front of the lower part of their body, as a pubic cover. As to their facial and body paintings the Melvillians and the inhabitants of the mainland differ in various respects. Among the women I have found a kind of facial painting that — as far as I have researched this point so far — does not occur elsewhere in Australia. On the cheeks, and sometimes also between the mouth and the chin, little roundish or oval-shaped areas are set apart by painting around them with a colour, e.g. red. The inside is then filled in with dots in another colour, e.g. yellow. These figures can be limited to one half of the face, or they can appear on both halves, then forming separate areas, or they can extend from one side to the other over the chin. By accident, my attention was drawn to a strange resemblance between this kind of body decoration and one of New Guinea. From a representative of Burns Philp in Sydney, I received some photographs in which women from Hula, British New Guinea, are shown; these women have quite similar colour ornaments on their cheeks. The only difference is that the inner area is not filled in with dots, but seems to be evenly covered with one colour.

The women of Melville Island change their colour decorations each day, always inventing new combinations. They spend a considerable amount of time on this work, also helping one another. Cooper pointed out that they believe themselves to be much more beautiful as a result.

The eye and forehead areas get painted with different colours, the former usually with red, the latter with yellow. On the forehead they like to wear a kind of star-shaped disc made of dingo hair, often in combination with a headband made of plant fibres.

33 Cf. H. Basedow, *Anthropological notes . . . (N.W. coast!)*, p. 38. He describes the baskets of palm-leaves of the region of Port Darwin. He also refers to King, *Narrative of a Survey . . .*, vol. 1, pp. 111, 112, where, at an encounter with Melvillians in the Apsley Strait, two such baskets were given as presents to Europeans. He also cites the work of Macgillivray: *Narrative of the voyage of H.M.S. Rattlesnake . . .*, London 1852, vol. 1, p.146, where similar baskets from the area of Port Essington are mentioned. [K]

34 The younger women on Melville Island have pleasant facial features, especially the female children are very delightful creatures. The behaviour of these wild girls and women is of great natural charm, elegance and decency. They also have the happy temperament of the men. [K]
Men may be painted evenly on the whole body with red or brownish colour. Then the area around the eyes is usually accentuated with a differing colour. But the men have also a complicated kind of painting with white, such as I have never seen on the mainland. Leaving out the hands, feet and genital area, they cover the body with a delicate meshwork-pattern, so that on first glance, especially with a photograph, one gets the impression of artificial clothing. It is possible that an imitation of European clothing gave rise to this kind of decoration. The natives of the mainland like to cover themselves evenly with white, or red and white together, probably with a desire to imitate the Europeans a little bit.

The central camp was strictly split into two groups, one of which was that of the Melvillians; the other, however, was composed of the blacks whom Cooper had brought as a kind of bodyguard.35

Thus I had a good opportunity to observe the differences between them, especially obvious in the kind of dances they performed. With regard to these the people from the mainland follow the normal mode of the corroborees, whereas the people from Melville Island have their very special way of dancing.36 Here I found a kind of dance-music which, as far as I know, has never been described, neither with respect to Australians nor to any other native population — that is, the beating of the buttocks with the hands.37 This music is made by the whole audience, which surrounds two single dancers in a semi-circle. The latter imitate both animals and people. With respect to the animals, the shark seems to be of special interest to the Melvillians. To imitate it, the two dancers each held a stick in the right and left hand and with extended arms they pressed one end of each stick into the armpits. Then they vigorously moved around the circle, the right arm, extended towards the front, representing the head of the shark, the left arm held in the opposite direction, the tail. Thus they dart around, apparently looking for prey. Some women and children, holding the pieces of paper-bark in front of their bodies, stamped with the already noted extreme knee-raising movement into the circle, passing between the two shark dancers.

During these dance performances the climax was reached with the imitation, evident at first glance, of the sailors and officers of the old military settlement of Fort Dundas.

One of the two dancers represented a soldier from a ship by continuously kicking backwards and moving his arms as if he were pulling down ropes, whereas the other dancer, in a posture of arrogance, imitated an officer who was giving orders, by majestically moving his hands.38

35 I have recently received the news that one of the brothers Cooper, the one who accompanied me to the island, died suddenly, a few months after my journey. Further details are not available, but it is to be feared that Cooper became a victim of the vengeance for the damage done to the graves. [K]
36 Here I observed for the first time the use of dancing-sticks, which probably also occur at other places. I do not remember, however, that I have seen them described in the literature. The sticks consist of rolls of melaleuca bark and the dancers hit one another, similar to the way it is done at carnival among us. [K]
37 Cf. Major Campbell’s report, loc. cit., p.625: ‘When they express joy, they jump about and clap their hands violently on their posteriors.’ [K]
38 Cf. Major Campbell’s report, loc. cit., p.625: ‘They are also very sensitive to anything like ridicule. They are good mimics, have a facility for catching up words and are gifted with considerable observation.’ [K]
The memory of the military settlement has persisted among them for three generations, proving that the Melvillians are excellent actors and also that they have a lively tradition. That they are extraordinarily gifted — both physically and mentally — has already been recognised by Bremer and Campbell.39

39 Cf. Bremer’s report, loc. cit., p.34: ‘In their habits, these people much resemble the natives of New-South-Wales but they are superior in person . . . ’ [K]

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'Upper part of a carved grave monument, from Radford Point, Melville Island, on which a native rests his arm'

Plate from Klaatsch 1907, courtesy of Australian Institute of Aboriginal Studies
Joe Butler (left) and Jack Butler, Onslow, May 1985

Map showing Jiwarli-speaking area
In May 1985 Jack Butler related to Peter Austin two dramatic stories in Jiwarli of events which took place when he was a child. One event occurred while Jack was travelling near Glen Florrie station with his mother and stepfather. He described the occurrence in graphic terms. There was a loud noise, trees and the earth shook and water, together with the fish in it, was thrown out of the waterholes. At the time, no one knew what had happened; Jack was later to learn that it had been an earthquake. The other event described by Jack Butler was the appearance in the sky of Halley's comet in 1910.

The following Jiwarli texts are thus eyewitness accounts of two significant natural occurrences which date to early this century.

THE EARTHQUAKE

Jack Butler and Peter Austin

The first text describes an earthquake which took place while Jack Butler was travelling with his parents in Jiwarli traditional territory.

According to the Seismology Research Centre, Phillip Institute of Technology, a major earthquake (of approximate magnitude 7.5—8 on the Richter scale) took place at 07:18 GMT on 19 November 1906. The earthquake was centred at 22° S and 109° E, which is off the North-West Cape of Western Australia. Jack Butler's story took place at marntaangu, Mundong Well (see map), which is located at approximately 23° S and 115° E. The earthquake is described as coming from the north and heading east, a description which fits well with advancing shock waves from a point off North-West Cape. A date of 1906 also fits with

Jack Butler and his younger brother Joe were the last two people who knew Jiwarli, the Aboriginal language originally spoken along the Henry River (mirtulyu) inland from Carnarvon in the north-west of Western Australia. Joe Butler understands Jiwarli (and several other Aboriginal languages) but prefers to speak English. All the Jiwarli data came from Jack Butler. Jack was born in May 1901 at wilukampal (Caraline Well) which was a shepherding outcamp east of Moroonah station. He died on 27 April 1986. This paper is a tribute to his collaboration in the recording of Jiwarli language and culture.

Peter Austin is presently senior lecturer and Head of the Division of Linguistics, La Trobe University. He has carried out linguistic fieldwork in northern New South Wales, in northern South Australia and the north-west of Western Australia. His current research focus is the Western Australia languages for which he is preparing dictionaries, grammars and text collections.

1 Research on Jiwarli and neighbouring languages has been carried out since 1978 supported by grants from the Department of Anthropology, University of Western Australia, La Trobe University School of Humanities, the Australian Institute of Aboriginal Studies and the Australian Research Grants Scheme. For the classification of Jiwarli see Austin 1981a, 1983.

2 I am grateful to Mr Garry Gibson for providing this information.
the description; the two boys were being carried by their parents, though Jack is described as a ‘little bigger’, suggesting perhaps that he was able to walk. In 1906, Jack would have been five and his brother three. A date in late spring or early summer is also suggested by the fact that the family was travelling, there was water in the waterholes and there were *nyirrpu* (bardy grubs) in the river gum trees. It seems highly likely then that this text is a record of the 1906 earthquake, recalled almost eighty years later.

Apart from its historical interest as an account of an early Aboriginal experience of an earthquake, the text is also interesting for what it reveals of daily life of the people at that time. The country of the Jiwarli had been occupied by white settlers since the 1860s; Glen Florrie and neighbouring stations, for example, were established in the 1880s. Aborigines were conscripted into the pastoral industry as labourers but they seem to have maintained much of their traditional lifestyle outside the demands of the white economy. Apart from the presence of a *puri*, an introduced European axe, the text describes a purely traditional journey. Other descriptions of his childhood from Jack Butler support this contention. It was not until the 1920s, when Aborigines were pressed into the pearling industry, that the traditional cultural and social system was irreparably disrupted. Jack Butler was unable to be initiated because ‘the whites had buggered it’, although he did repay the debt to his potential initiator in the traditional manner.

The Text.

The following Jiwarli text was tape recorded at Onslow, Western Australia on 18 May 1985 and transcribed the same day. The transcription follows usual Australianist conventions; hyphens indicate morpheme boundaries and a morpheme-by-morpheme gloss as well as a free gloss is provided. For a full description of the grammar of Jiwarli the reader is referred to Austin 1985. Other Jiwarli texts may be found in Butler and Austin 1984b.

1. *Pipi-ju-ngarla papu-ju-ngarla mimpurn-parnti yana-nyja karta-wu-rru*  
   mother-my-also father-my-also Glen Florrie-ablat2 go-past direct-dat-now
   *kawarilari ngurnta-yi yarrkiya-la jirlirr-a papa ngurnta-iniya jirlirr-a.*
   east allat lie-purpSS place name-loc claypan-loc water lie-imperfDS claypan-loc

The story must date from before 1908 since it was in that year that Jack’s sister Molly was born at Glen Florrie station.

See Webb and Webb 1983:47-64.

See Green 1981 for a detailed account of the practices of the pastoralists in this area at the time.

Austin fieldtape SP40; Austin Southern Pilbara fieldnotes, notebook 12, pp.76-78.

Abbreviations used in the morpheme-by-morpheme glosses are:

- ablat1 = ablative case; ablat2 = ablative case (see n.16); acc = accusative case; allat = allative case; coll = collective; comit = comitative; cont = continuous aspect; dat = dative case; def = definite; detrans = detransitivizer; dimin = diminutive; d1 = dual; erg = ergative case; excl = exclusive; fut = future tense; imperfDS = imperfective, different subject; imperfSS = imperfective, same subject; inchoat = inchoative verbaliser; intent = intensive mood; loc = locative case; pl = plural; pres = present tense; purpDS = purposive clause, different subject; purpSS = purposive clause, same subject; spec = specifier.
   child-dl we dl-excl-acc carry on back-cont-imperfDS

   I-def big-dimin-now

   lie-purpSS that dat-ablat2-spec-def place name-loc-def Henry River-loc river-loc

5. Muntu-rru yana-rari warlpari yarti-ngka-manta karlkany-tha\(^8\) ngunhi
   morning-now go-intent west allat river-loc-still fork-loc there
   marntaangu-wakara-la yarti-ngka.
   place name-?-loc river-loc

   see-past we dl-excl-erg child-dl-erg river gum tree-loc this bardy grub
   piji kurrurtu-la.
   many river gum tree-loc

   father-my-def I-loc say-past

   I climb-fut

   that later-clitic-again-now climb-past there-spec tree-loc axe-comit
   jinyji-yi\(^11\) wantha-rnu jalkunungu-wu ngurnu nyirlpu-wu.
   step-dat put-relSS grub type-dat that dat bardy grub-dat

10. Jalkunungu ngunha yini-thu nyirlpu.
    grub type that name-def bardy grub

11. Kumpa-irarriri\(^12\) jalku-jaka mana-ngu wiingka-rnu.
    be-intent hook-comit get-imperfSS pull-imperfSS

---

8 karlkany is a fork, as in a tree or road. It denotes here the place where the Henry River divides into the south and east branches.

9 nyirlpu is a generic term for edible wood grubs. The particular species is later identified as jalkunungu, which seems to be derived by a non-productive process from jalku, the term for the hook used to remove these grubs from trees (see line 11).

10 puri is an introduced European axe, as distinct from yirrangu the traditional stone axe.

11 jinyji are steps cut into trees to assist climbing.

12 The intent(ive) verb inflection is commonly used in narrative to signify an event which follows in sequence from foregoing events (see also lines 19, 20, 25, 28). It is particularly common to find such usage in procedural texts such as recipes (see Butler and Austin 1984b).
ABORIGINAL HISTORY 1986 10:1

12. *Parru-nthu* *papu-ju* *wangka-ja* *yirrara-thu*.
   and then-again father-my say-past above-def

13. *Kurlkayi-nha* *nhaanha* *ngulha*¹³ *puni-a-rni* *yapurruru*.
   hear-pres something ignor come-pres-hence north

14. *Nhuku-rru* *puni-a-rni* *nhaanha*.
   close-now come-pres-hence something

15. *Nhaanha* *ngulha-thu*.
   something ignor-def

16. *Nhukwirla-rryja* *ngunha*.
   close-inchoat-past that

17. *Parru-nthu* *ngunha* *wuru* *wartawarta-rryja-rru*.
   and then-again that tree shake-detrans-past-now

18. *Papu-ju* *ngunha* *julyu* *kurrkapa-rinyja* *yalha-ngka-rru* *ngali-ju*
   father-my that grey hair jump down-past ground-loc-now we dl-excl
   *juma-kutharra* *ngathi-iniya-rru* *yakarri-ngu* *wartawarta-rri-ya-rru*
   child-dl cry-imperfDS-now stand-imperfSS shake-detrans-imperfDS-now
   *wartawarta-lkurnya-la-rru*.
   shake-cont-imperfDS-loc-now¹⁵

19. *Kurlkayi-lkarringu* *parlu-nyarri-rru* *wiliwilirri-ya* *yirrara-nguru* *parlu-nguru*¹⁶
   hear-intent rock-pl-now roll-imperfDS above-ablat1 hill-ablat1

20. *Kumpa-irarri* *ngurnu-pa* *kurlkayi-rru* *puni-ya* *ngula*
   sit-intent that-dat-spec listen to-imperfSS go-imperfDS that loc
   *wartantari-rru* *ngunha-pa*.
   east allat-now that-spec

¹³ *ngulha* glossed as ‘ignora(tive)’ follows an interrogative-indefinite term such as *nhaanha* ‘what, something’ to indicate that the indefinite interpretation is intended.

¹⁴ *rry* in *wartawartarrri* here is a restricted detransitiviser which converts transitive verb roots into intransitive verb stems.

¹⁵ Notice the juxtaposition of intransitive and transitive verbs ‘to shake’ here. The locative case on the subordinate different-subject verb indicates temporal location ‘at the time that...’.

¹⁶ In checking the transcription Jack Butler stated that it was also possible to say *yirraparni* *parluparnti*, using the other ablative case suffix. Jiwarli has two ablative cases, -*nguru* is basically a locational ablative while -*parnti* is a causal ablative (for full details of their distribution see Austin 1985). Interestingly, -*parnti* is the only ablative in the closely related Wariyangka and Tharrkari languages (as well as the more distantly related Kanyara languages, Thalanyji, Purduna and Payungu), while -*nguru* is the form of the ablative in Ngayarta languages (such as Jurruru) spoken immediately north of Jiwarli.
   something ignor

   ignorant-time old man-pl

23. Papa ngunha ngurnta-iniya juma.
   water that lie-imperfDS small

   that-spec go-past that loc east allat-now

   look-intent water-loc

   water-def that that loc-now throw-past

   shake-detrans-past that ground-def

28. Nhanya-rarri punyji-nyjarri-nha.\(^\text{17}\)
   look-intent fish type-pl-acc

   there-now lie-pres river sand-loc flat ground-loc-now

Translation.
1. My mother and father went from Glen Florrie direct east to camp at Yarrkiya claypan
   where there was water in the claypan.

2. They were carrying us two children on their backs.

3. I was big then.

4. After that we stayed at Mirni on the Henry River.

5. In the morning we went west still in the river to the fork there at Marntaangu.

6. We two children saw lots of bardy grubs in the gum trees.

\(^{17}\) punyji are described as a type of small freshwater fish; the particular species has not been identified.
My father said to me:

'I'll climb up'.

Later he climbed up there in the tree cutting steps with an axe for the *jalkunungu* grubs.

*Jalkunungu* is the name of that grub.

He was getting them with a hook and pulling them out.

Then my father said up above:

'I can hear something coming in the north.

Something is getting close'.

We didn't know what it was.

It got close.

And then the tree shook.

My old father jumped down to the ground as we two children stood crying, as the ground was shaking and being shaken.

We heard the rocks rolling down from the hill up above.

We sat listening to it going east.

We didn't know what it was.

The old people didn't know then.

A little water was lying there.

That thing went east now.

We looked in the water.

The water had been thrown out there.

The ground had shaken.

We looked at the *punyji* fish.

They were lying out on the river sand in the open.
The return of Halley’s comet this year to that part of its orbit closest to the earth captured the imagination of the Australian general public. The event, which occurs approximately every seventy-six years, attracted wide media coverage and aroused a great deal of interest. Telecom established a comet hotline and there were a large number of publications dealing with the comet, its orbit, its nature and possible origins, and the history of its sightings by observers on earth. Jack Butler witnessed the comet in the natural observatory of the outback on its previous appearance in the earth’s skies in 1910.

In 1910 Jack was living at Glen Florrie Station (see map) and had begun riding horses and doing yard work on the station. One night early in the year he saw what he describes as a star with a long tail cross the sky. It was so bright that kangaroos could be seen crawling on the hills near the station. According to Jack, the white stockmen said the light was so intense that they could count the sheep in a mob they were looking after. In May 1985 Jack Butler told the story of seeing Halley’s comet in Jiwarli.

The Text.
This Jiwarli text was tape recorded at Onslow on 18 May 1985 and transcribed the same day. The format is the same as the earthquake text above.

   that-time sit-past that dat-ablat2-spec-def

   that-dat-ablat2-def I sit-past

   come-past-hence return-imperfSS Glen Florrie-loc-def house-loc

   boss there-spec

5. Parru-nthu nhanya-nyja kuntharti-jaka partara ngula.
   and then-again see-past tail-comit star that loc

   that star-def east tail-def here sky-loc-now lie-imperfDS

18 SP 40; notebook 12, pp.78-80.
19 maajaru is a loan from English ‘master’.
    *parlu-ngka yirrara.*
    hill-loc top

    afraid-coll-imperfSS-now sit-past old man-pl

9. *Nhaanha ngunha nganthurra-rla?*
    what that we pl-allat

    now long time get up-past

11. *Ngangkarnu.*
    ignorant

12. *Kumpa-ja ngunhi-pa juru-ngka-kunti-rru kartaju-la nhanya-ngu* sit-past there-spec sun-loc-sembl-now night-loc see-imperfSS
    *kurrpirliyi* plains kangaroo-dat
    *mathan-ku parlu-ngka warrkalari-ya-wu* hill kangaroo hill-loc crawl-imperfDS-dat
    *papa-rla.*
    water-allat

    *kurlkanyu-rrri-ngu.*
    thinking-inchoat-imperfSS

14. *Nhaanha ngunha-pa?*
    what that-spec

15. *Nhaanha ngunha-pa nganthurra-rla?*
    what that-spec we pl-allat

---

20 Dative case is assigned to *mathan* 'hill kangaroo' because it is the direct object of an imperfective dependent clause (see Austin 1981b). Note the case agreement on the following dependent verb.

21 *marri* is an intransitive verbaliser (glossed 'collective') which takes a non-singular subject.

22 Note the lack of a verb in this line (and line 15).

23 Dative case appears on *kurrpirli* and *mathan* for the same reason as noted in n.20 above. Note the coordination of the two nouns expressed by juxtaposition.
TWO JWARLI TEXTS

   now long time presence-inchoat-past

17. Payal-pa-rru ngunha-pa
   that's all-clitic-now that-spec

   one-loc that-spec night-loc

   another-loc night-loc look for-past-now old man-pl

20. Aa wantha-wu-rru ngunha-pa-thu yana-nyja kuntharti-jaka partara?
    oh where-dat-now that-spec-def go-past tail-comit star

Translation.
1. Then after that I was (there).
2. After that I was (there).
3. I came back to the house at Glen Florrie.
4. The boss was there.
5. Then I saw a star with a tail there.
6. The tail of the star was here in the east.
7. It was just like daytime and you could see hill kangaroos crawling about on top of the hill.
8. The old men were afraid.
9. ‘What was that (coming) to us?’
10. ‘This is the first time it has appeared’.
11. They didn’t know.
12. It was just like daytime in the night and you could see the kangaroos on the hill crawling to water.
13. After that the old grey-haired men thought:

24 The English word 'only' appears on the tape before kayanura. It was deleted by Jack during transcription.
14. 'What was that?'
15. 'What was that (coming) to us?'
16. This was the first time it turned up.
17. That was all there was.
18. That was on one night.
19. On another night the old men looked for it.
20. 'Oh where has that star with a tail gone?'

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The work of Christian missionaries during the nineteenth century generally had a twofold aim: to convert the heathen to Christianity and to introduce them to European civilisation. The ‘civilising’ process consisted partly of teaching the sorts of skills which would enable indigenous peoples to fit into European society, but it also involved weaning them from their own customs and cultures. The two aims were usually mentioned simultaneously as though they were inseparable, and in the minds of most missionaries they were inseparable, for it was believed that a rejection of pagan ways was as vital as the replacing of pagan religions before Christianity could take a permanent hold. The words Christianity and civilisation were sometimes used interchangeably.¹

As the newly formed Protestant missionary societies gained experience in the field, there was some questioning of these precepts and a debate developed about the relationship of the two aims. Should one be attempted before the other for greater efficiency, and if so, which? Was it possible for the two to be pursued together? The purpose of this paper is to examine the debate particularly in the context of New South Wales in the 1830s and 1840s. It is not intended to discuss in any detail what happened, but to examine the intellectual constraints of the debate.

There was, of course, considerable missionary experience in preceding centuries, when the matter of civilisation was deemed important. In missions conducted in the Americas from the fifteenth to the seventeenth centuries the simplest form of the civilising process consisted of ‘curing’ native peoples of their nomadic habits. Settlement was considered vital for the acceptance of Christianity. Just as the Spanish in southern California encouraged the formerly nomadic population to settle in villages close to the missions,² so did the Puritans of New England try to impress upon the Indians the need for them to discard their hunter-warrior culture and accept some measure of ‘civility’ so that they would be receptive to Christianity.³ In due course the missionaries of New South Wales followed the same pattern and endeavoured to persuade the Aborigines to give up their wanderings in favour of a settled life.

Most missions to ‘primitive’ peoples in the sixteenth and seventeenth centuries were conducted by various Roman Catholic orders, the main exceptions being in North America,
CIVILISATION/CHRISTIANISATION DEBATE

where Puritans, Quakers and Huguenots sought to convert the heathen. Generally speaking, the early Catholic missionaries were content to introduce the most basic ingredients of civilisation and to adapt their Christian message to fit the local culture and society. Indeed, the Catholic missionary body, the Sacred Congregation for the Propagation of the Faith, decided in 1659 that no pressure should be put upon native peoples to make them change their manners and customs, but that missionaries should content themselves with introducing the faith. Many of the present-day religious processions, fiestas and dances of South America were developed from pagan customs under the direction of Spanish priests. This emphasis on Christianity can be explained by the Church’s belief in the urgent need to convert the heathen. The mass baptisms of the late fifteenth and early sixteenth centuries were part of this ‘rapid saving of souls’. Missionaries were also urged to train an indigenous priesthood as quickly as possible.

At the other end of the civilising scale were countries such as Japan and China, where the missionaries found it necessary to settle for a cultural compromise, for these highly advanced civilisations were not receptive to cultural imposition. The Jesuits in China adapted their Christianity to fit in with Chinese culture and society. They also adopted Chinese dress and manners to make themselves more acceptable. In Japan they used Buddhist terminology so that Christianity appeared to be a new form of Buddhism rather than a different religion.

With the opening up of Australasia and the Pacific to European traders and settlers, evangelical Christians saw great possibilities for the furtherance of the Gospel. Writing to tell his daughter of the appointment of the Reverend Richard Johnson as Chaplain to the First Fleet, Henry Venn predicted a great future for the Australian Aborigines who would thus be introduced to Christianity and who would ‘call upon his name’ in vast numbers, ‘and all the savageness of the Heathen shall be put off’. For Venn and others like him the equation was simple: by being introduced to Christianity the Aborigines would become civilized, the two things went together.

The experience of English protestant missionaries in the Pacific would have appeared to confirm the belief that Christianity and civilisation went hand in hand, for in New Zealand, Tonga, Fiji and the Society Islands they had been able to persuade their converts to adopt European dress and manners and to put aside many of their own customs as well as their gods.

But no missionaries actually accompanied the First Fleet and by the time missions to the Aborigines were eventually established in eastern Australia in the 1820s and 1830s the debate as to which should come first, Christianity or civilisation, was already well under

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4 'Do not draw invidious contrasts between the customs of the peoples and those of Europe; do your utmost to adapt yourselves to them'. Quoted in Neill 1973:179.
5 Gibson 1966:73.
7 Fairbank, Reischaeur and Craig 1967:37.
8 ibid.: 31.
9 Rev. H. Venn to his daughter, 28 October 1786, Bonwick Transcripts, Box 49.
way. The surge of missionary activity which grew out of the late-eighteenth-century evangelical impetus led eventually to a more careful consideration of the emphasis and priorities of missionary work, especially where 'very primitive' races were concerned. The establishment of several Protestant missionary training colleges in England early in the nineteenth century meant that undirected enthusiasm gave way to the development of missionary theory and technique and these were modified by experience in the field. One such practice which was changed as a result of experience was the sending of Christian tradesmen with little formal education to primitive tribes, in the belief that primitive people would respond more readily to 'lowly' men, tradesmen who would teach their crafts and so introduce civilisation along with Christianity.11

What did the missionaries mean by civilisation? The word was generally used by them simply to denote the opposite of barbarism, the European way of life as opposed to the 'savage' way. The missionaries expected the civilising process not only to change the way of life but to bring progress to the way of life, for as one missionary writer expressed it, civilisation was 'an improving, elevating process'.12 The naked would be clothed, the wanderer housed and the 'lazy native' would learn the value of work.

A difficulty placed in the way of our present comprehension is that most missionaries, especially Protestants, basing their understanding on a literal interpretation of the Bible, believed that barbarism was not man's original state.

*All barbarism is deterioration*, a state which men have degenerated from some higher and anterior state. His primaeval state was a condition of knowledge; he was made competent to live in a society, to aid its improvement and to profit, in turn, by all its advantages.13

This writer's explanation of the way in which nations sank into barbarity need not concern us here. The important part of his argument for missionary activity is that Christianity was seen as the vital ingredient for civilisation, for it led nations to banish such customs as slavery, infanticide and polygamy and to live under the rule of law. 'Christianity contains the germ of the world's civilization'.14

Another writer conceded that nations like Greece and Rome had been able to attain 'a very considerable eminence in civilization' without the Gospel, but that without the Gospel such civilisations could only be partial, they did not reach the masses, and eventually degenerated.15

Just before William Watson and his wife left England in 1831 to take up their work at Wellington Valley in New South Wales, they received a long letter of instruction from the Church Missionary Society which included a statement of that Society's view of the introduction of Christianity and civilisation:

In connection with the preaching of the Gospel, you will not overlook its intimate bearing on the moral habits of a people. One effect arising from its intro-

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11 For a fuller discussion on this point see Woolmington 1985.
12 Freeman 1848:4.
13 ibid.
14 Freeman 1848:11.
15 Miller 1850:25.
duction into a country, is the “beating of the sword into a ploughshare, and the spear into a pruning hook”. Seek then to apply it to the common occupations of life; instruct the natives in husbandry, in the erections of houses, and in the useful arts of life, and instead of waiting to civilize them before you instruct them in the truths of the Gospel, or to convert them before you aim at the improvement of their temporal condition, let the two objects be pursued simultaneously.  

But this belief in the simultaneous introduction of Christianity and civilisation was no longer held by everybody concerned with missions, as the evidence before the 1836 House of Commons Select Committee on Aborigines (British Settlements) showed. Some missionaries and colonisers believed it was essential to convert heathens to Christianity first, in order to fit them for civilisation, while others held the opposite view and claimed that civilisation was the first logical step to take. Indeed, those in the latter group held that conversion to Christianity was quite impossible unless preceded by the introduction of civilisation.

There had been occasional consideration of the problem before the Select Committee began to raise the question. For example, in 1796 Dr George Hamilton had told the General Assembly of the Church of Scotland:

"To spread abroad the knowledge of the gospel among barbarians and heathen nations, seems to me highly preposterous, in so far as it anticipates, nay, as it even reverses, the order of nature. Men must be polished and refined in their manners before they can be properly enlightened in religious truths. Philosophy and learning must, in the nature of things, take precedence. Indeed, it should seem hardly less absurd to make revelations precede civilization in the order of time, than to pretend to unfold to a child the *Principia* of Newton, ere he is made at all acquainted with the letters of the alphabet. These ideas seem to me alike founded in error, and, therefore, I must consider them equally romantic and visionary."  

Not all were quite as adamant as this. While agreeing that Christianity was better understood by 'a Grotius, a Locke and a Fenelon than by any ignorant savage' and that its virtues could only be developed and exercised in civilised society, another missionary believed that the very limited good effected by Christianity among barbarous peoples was sufficient to encourage further efforts among such peoples. But many took the view that the introduction of civilisation was a necessary preparation for Christianity. The Reverend Samuel Marsden, Chaplain to the penal colony of New South Wales, was advised by the Secretaries of the London Missionary Society that he should

"at the same time contribute to the Civilization of the Heathen and thus prepare them for the reception of moral and religious instruction."  

Marsden certainly subscribed to the view that civilisation was a necessary precursor to the acceptance of Christianity and it was chiefly for this reason that he considered the Australian

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16 C.M.S. to Rev. William and Mrs Watson, 7 October 1831, Aborigines: Australian Colonies, BPP/34/627/1844/152.
17 Quoted in Elliott-Binns 1964:378.
18 Bradford 1830:6-7.
mission field would be a barren one. The Australian Aborigines were not attracted to the trappings of European civilisation. 'They have no wants', he explained to Archdeacon Scott, 'nor is it in our power to create any which will benefit them.' This was an opinion he held to the end of his days and which was the cause of some friction between him and other missionaries. His view appears not to have been based on the same strong objections as Dr Hamilton's (quoted above), but rather on the belief that the advantages of civilisation would attach native peoples to missionaries and so lay the groundwork for the introduction of Christianity.

Missionaries going amongst Savage nations are very differently situated from those who go to preach the Gospel to civilized Heathens — It is necessary to introduce the simple Arts amongst the Savages in order to arrest their idle vagrant Habits . . . I think it will be very difficult for missionaries to maintain their Ground in any Savage Country without the Introduction of Arts and Commerce.

Marsden's missionary energies were therefore spent on the Maoris of New Zealand who, unlike the Australian Aborigines, were attracted to European goods. Others agreed with this view that it was impossible to attract the Aborigines to European ways. They had nothing to trade with Europeans and 'where there is no incitement exertion cannot be expected'.

Similarly, it was observed by several commentators that Aborigines appeared to be quite impervious to what Europeans saw as the comforts of civilisation. While some missionaries were able to persuade them to build simple huts, for example, most Aborigines showed a dislike for staying in such confined areas. Nor did they always see clothes as any particular advantage, especially when engaged in the hunt, and would cast missionary-endowed garments aside if they became inconvenient. Other 'advantages' of civilisation like growing crops to be assured of a food supply were also dismissed, and while they would occasionally assist the missionaries in the fields in return for food or fish-hooks, they refused offers of a piece of land to grow their own crops, on the grounds that they would have to do all the work and then be obliged to share the crop. William Watson saw their sharing obligations as being 'one of the impediments that lie in the way of their becoming possessed of property'.

Nevertheless, most missionaries, while acknowledging these drawbacks, did not agree with Marsden that they were sufficient reason for not trying to convert Aborigines. Many,

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20 Marsden to Scott, 2 December 1826, Threlkeld Correspondence, LMS Archives.
21 Marsden to Coates, 23 February 1836, Bonwick Transcripts, Box 54. He again claimed 'They have no wants'.
22 Marsden to Taylor and Watson, 15 August 1822, Bonwick Transcripts, Box 52.
23 'Agricola', Sydney Gazette, 15 August 1822, Bonwick Transcripts, Box 52.
24 Evidence of Threlkeld, Report of the Committee on the Aborigines Question, NSWLCVP/1838.
27 Watson's Journal, 7 July 1836, CMS Archives.
indeed, recognised that when European civilisation did provide incitement it also led 'semi-barbarous' man into temptation, immorality and wretchedness because he had not the 'correct view of his duty' nor sufficient firmness of mind to resist its temptation. Polding suggested that the material benefits of civilisation should be used to attend the Aborigines' physical wants:

thus you conciliate confidence, induce moral habits, give expansion to the mental powers, thus you prepare them for religious truths.

But he firmly believed that no man could 'remain permanently civilized except through the means of religion', nor could civilisation be introduced in any other way than through Christianity, so that Polding would appear to have agreed with the Church Missionary Society's policy of simultaneous introduction of both Christianity and civilisation.

William Westgarth maintained that the missionaries could succeed in introducing civilisation to the Aborigine even when they failed to convert him to Christianity. They could tame and subdue his spirit, and by removing all 'inducements to his barbarous customs and wandering habits, maintain him at least in quietness, without injury to himself or the colonists'. He admitted that the Aborigines would thus be deprived of their former enjoyments but pointed out that colonisation had made them unobtainable anyway. Such an aim was not shared by any of the missionaries or their societies, although it may well have been shared by other Europeans. La Trobe, for example, acknowledged that 'the real advantages of the extension of civilization in any degree to the Aboriginal Natives, are mainly on the side of the Europeans'. He also believed that any attachment to civilisation displayed to date among the Australian Aborigines could not be considered the fruits of Christianity.

On the other hand the 'Christianity first' school received considerable support. Several missionaries from various mission fields told the House of Commons Select Committee that the Gospel should come first. The Reverend William Yate was one of these, and he brought his New Zealand experience to bear when he gave evidence:

Fifteen years we attempted to civilize without effect, and the very moment that Christianity established itself in only one instance in the island, from that moment civilization commenced, and has been going on, hand in hand with Christianity, but never preceded it.

Yate asserted that Christianity was the only way of raising the moral character 'and proving the means of their civilization', and added that he found this to be true not only in New Zealand, but also 'in the Friendly Islands, the Navigators – the Feejee and the Hapai Islands in the South Seas'. Another South Seas missionary agreed with Yate and said he had not

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28 Rev. William Cowper, examined before the Executive Council 17 April 1838, HRA 1/xx/616.
29 Report from the Select Committee on the Condition of the Aborigines, NSWLCVP, 1845/10.
30 ibid., 1845/8, 10.
31 Westgarth 1846:37.
32 Evidence of C.J. La Trobe, Superintendent of Port Phillip, Appendix to the Report from the Select Committee on the Aborigines and Protectorate, NSWLCVP 1849/7.
33 NSWLCVP 1849/5.
34 House of Commons Select Committee on Aborigines (British Settlements), BPP/7/425/1837/200.
35 BPP/7/425/1837/203.
the slightest doubt that Christianity must come first: 'I think the most effectual and the most speedy way to civilize a people is to commence with teaching them the principles of Christianity'. He said of his own experience in the Pacific:

We could not get them to do anything, or evince any attention to industrious habits, till they made a profession of Christianity. There must be an impetus given to the mind before they will aspire to these improvements.36

Another missionary to claim success in the Pacific by converting to Christianity first was the Reverend S. Leigh, who said the natives in Tahiti were leading civilised lives 'since they received the gospel of peace'.37 Dandeson Coates of the Church Missionary Society told the Select Committee that Christianity must come first because it made men peaceable and honest, and thus prepared the way for civilisation.38 This view seems to have been a modification of the instructions to William Watson quoted above.

Experience on the Australian missionary field largely supported the 'Christianity first' theory. Broughton told the House of Commons Select Committee that he had come to the conclusion that the process of first trying to settle the Aborigines and then to teach them to abandon their former habits, should be reversed. They should be given a knowledge of Christianity 'and make that the groundwork of better habits of life'. He said he based this opinion on the failure of preceding attempts.39

James Günther expressed the belief that the Aborigines of Wellington Valley would never be fully civilised until they became Christians and the Christian principle was 'implanted in their minds'. This was the only way to prevent them from reverting to their former habits, the only way to overcome their innate dispositions.40

Threlkeld also supported the principle of 'Christianity first' from the time he was a missionary candidate and expressed the belief that if he were allowed to preach the Gospel 'in any part of the World', civilisation would follow.41 In Australia a little over a decade later, he found that this view was diametrically opposed to Marsden's and thus the source of some friction.42

The experience of the Wesleyan missionary, Francis Tuckfield, with Aborigines in the Port Phillip district led him to declare:

All merely civilizing schemes have hitherto failed and if ever we [are to] benefit the Aborigines of Australia I am quite convinced it must be done by bringing the Gospel to exert its full and glorious influence upon them.43

The Lutheran missionary Christopher Eipper, working in the Moreton Bay district, asserted that civilisation could never precede Christianity:

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36 Evidence of John Williams, BPP/7/425/1837/668.
37 Leigh to WMS Secretaries, WMS Records NL MS 156.
38 House of Commons Select Committee on Aborigines (British Settlement) BPP 7/425/1837/517.
39 BPP 7/125/1837/19.
40 Gunther to Colonial Secretary, 9 January 1843, HRA/1/xxii/646.
41 Threlkeld to Burder, 21 July 1815, Archives of the Council for World Mission, Candidates’ Papers Box 16.
42 Threlkeld to Burder, 27 March 1826, Bonwick Transcripts Box 53.
43 Tuckfield to Tielchelmann, 17 March 1842, Tuckfield's Journal, SLV MS 655/323.
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The Gospel it was, that changed the lazy Hottentot into an industrious subject; the Gospel it will be that works a change in the habits of the indolent Australian.\(^{44}\)

His colleague William Schmidt said that they worked on the principle that 'civilization will never prosper, without Christianisation having broken the way before it'.\(^{45}\)

The Reverend William Cowper said that he believed that the government and the colonists should not be satisfied with anything less than making the Aborigines Christians, which would eventually lead them to civilisation.\(^{46}\) Tyerman and Bennett, the visiting London Missionary Society agents, urged all influential people in the colony to attempt to civilise the Aborigines by Christian teaching and Christian living.\(^{47}\)

Others, besides missionaries, gave a similar viewpoint. James Dredge, Assistant Protector of Aborigines, considered that whenever Christianity was introduced it became the parent of civilisation.\(^{48}\) One of his colleagues, Edward Parker, agreed, asserting that Christianity alone provided the motive for civilisation.\(^{49}\) Neither men gave evidence of having seen proof of this among the Australian Aborigines; like the missionaries, they seem to have been predicting a possible approach.

In making their Report based upon the evidence taken from many witnesses from British Settlements and trading posts throughout the world, the House of Commons Select Commissioners concluded that mere acquaintance with civilised men was not enough to prepare savages for Christianity, but that civilisation invariably followed the adoption of Christianity. All attempts to instruct savages in the civilised arts as a preparation for Christianity had been signally unsuccessful. They stated their conviction

that there is but one effectual means of staying the evils we have occasioned, and of imparting the blessings of civilization, and that is, the propagation of Christianity, together with the preservation, for the time to come of the civil rights of the natives.\(^{50}\)

The newly founded Aborigines' Protection Society claimed that the 'civilization first' doctrine was 'well nigh universally exploded'. This view, they said, was at total variance with all the evidence; all evidence suggested that the 'invariable result of Christianity is the advancement of civilization'.\(^{51}\)

While the Australian missionaries contributed to the debate, they could do so on theoretical grounds only, for whether like Threlkeld and the Lutherans they recommended conversion before civilisation, or like the Church Missionary Society's agents at Wellington Valley they attempted to introduce both simultaneously, or whether, following Marsden's

\(^{44}\) Eipper to Lang, [n.d.] Lang J.D., Papers re Moreton Bay, ML A2249.


\(^{46}\) Cowper to Broughton, Report from the Committee on the Aborigines Question, NSWLCVP/1838/60.

\(^{47}\) Tyerman and Bennett 1840:190.

\(^{48}\) Dredge 1845:32.

\(^{49}\) Report from the Select Committee on Aborigines, NSWLCVP/1845/54.

\(^{50}\) Report from House of Commons Select Committee on Aborigines (British Settlements) BPP 7/425/1837/45.

\(^{51}\) Aborigines' Protection Society 1838:25-6.
recommendation, civilisation was made the first priority, none of them could claim to have fulfilled their aims. Theories which seemed capable of practical realisation among other 'uncivilised' races appeared to break down when applied to the Australian Aborigines. By 1848 all the early missions in New South Wales had closed, only a handful of infants had been baptised and one adult confirmed, no indigenous clergy had been trained, and the few adults who had learned European skills were generally exploited by the white settlers.

The explanation of this failure lay not in the civilisation/Christianity debate which occupied so much of missionary thinking and anguish. Nor would the explanation have been comprehended by those missionaries, for they had not yet discerned the nature of Aboriginal spirituality and society.

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A QUESTION OF ACCESS: WOMEN, MARRIAGE
AND LAND OWNERSHIP IN SOUTH-WESTERN AUSTRALIA

Lois Tilbrook

If one thing can be said of the observers of Aborigines in Western Australia in the early
nineteenth century, it is that they do not focus undue attention on the women. In fact, the
part played by women in intergroup relations surrounding two vital and closely related
institutions in Aboriginal society, marriage and land ownership, was almost entirely over­
looked by early Western Australian observers. Very little was recorded of Aboriginal women
by those best placed to do so, such as Captain T.T. Ellis of the 63rd Regiment Mounted
Police, Superintendent of Native Tribes (1832-34); F.F. Armstrong, Native Interpreter
(1835-39) and Chief Interpreter, Schoolmaster, and Moral Superintendent to Natives (1840­
c.1872); G.F. Moore, bachelor farmer, lawyer, explorer and Advocate-General (1829-41);
Robert Menli Lyons, bachelor farmer and moral crusader (1830-34); Alexander Collie,
bachelor Colonial Surgeon (1829-35). A notable exception is Sir George Grey, officer,
explorer, then Resident Magistrate, Albany (1839-41). Women were depicted almost ex­
clusively in the role of food gatherers and as victims in marital disputes. They were seen as
both the causes and targets of conflict between men in instances of wife stealing, widow
claiming and other affairs of the heart.

As well, they were often the objects of retribution in chains of retaliatory actions between
groups, initiated and maintained by the men. The importance of women in establishing,
maintaining or changing relations between different groups can only be inferred from de­
scriptive accounts which focus on the actions and motivations of the men.

Social mores which may have inhibited European observers from writing fuller accounts
about Aboriginal women are only part of the explanation for the paucity of information
surrounding the roles women actually played in their own society. Equivalence of status is
also important, where observers such as those mentioned above sought out amongst the local
Aborigines members of their own sex with whom to establish initial contact and create ties.
Not only were European observers predisposed to record more of men’s activity, but Abo­
riginal norms ensured that European men had greater opportunity to observe matters of con­
cern to men than to women.

Thus, in 1832, Lyons confined himself on Carnac Island with Yagan, Dommera and
Ningana, three young men, to attempt to convert them to Christianity;¹ Collie’s particular
friend and informant was Nakina, a young man of King George Sound;² Moore had conti­

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¹ The Swan River Papers (SRP) 10/115-30.
² SRP 9/110-21.
nous contact with the Aborigines centred around his farm at Upper Swan, representing a broad cross-section of age and sex, and he was accompanied by Aboriginal guides on his many exploratory trips along and across the Darling Scarp. He occasionally describes his interaction with the women, such as the young Dukabung³ and the winsome Doodyeep,⁴ although he both approached and was approached by Aboriginal men far more frequently and knew many more of them by name. In his court work as Advocate-General, the vast majority of Aboriginal offenders to appear before him were male, although occasionally a woman appeared before the courts, such as Dilly's wife Monagur.⁵

Armstrong hardly, if ever, mentions women in his journals, although as Native Interpreter and schoolmaster for the Wesleyan missionary Smithies and his wife he must have had considerable interaction with them.⁶ Ellis mentions both men and women in his monthly journals, but his accounts are brief and confined to the context of his work as Superintendent of the Mt Eliza depot and Chief of Mounted Police.⁷

Moreover the norms of Aboriginal society determined on many occasions that men dealt with men. The clear division of roles between men and women was expressed in areas of traditional concern, where men hunted while women dug, foraged, gathered and harvested blossoms and other recurring resources, captured small land animals such as frogs, and caught fish. Women were often accompanied in these pursuits by men and youths. This separation of roles was expressed in interaction with Europeans where it was the men who approached Europeans in formal delegations, although women may also have been present. For instance, Yagan taking the leading role, together with several other men including Migo, Mulligo and Monday, approached Moore to seek information about the fate of Yagan's father Midgegooroo (already shot by firing squad) and about the friction between Aborigines and Europeans following Aboriginal displacement from their traditional resources.⁸ Groups of men, too, engaged in formal group retribution against Europeans, such as the fatal spearing of the Velvick brothers near Bull's Creek in which 50 or 60 men were involved,⁹ and the killing of Nisbet on the Murray in which 21 men ritually speared the victim.¹⁰

The Focus of Intergroup Relations — The Welcome.

The first clue to the importance of women in relations between Aborigines from different areas comes from a description of a corroboree held in Perth in December 1833. In his daily journal the Superintendent of Native Tribes based at Mt Eliza, Captain T.T. Ellis, records the visit of Monang, a man from the Murray (south of Perth), in whose honour the ceremony

³ 1884:213-20.
⁴ 1884:214; 1837:5-19.
⁵ Colonial Secretary's Office, Letters Received (CSR) 66/134, 71/np; The Perth Gazette (PG) 6 July 1839.
⁶ See Armstrong's journals and letters 1835-40, CSR vols 39-89; PG 29 October, 5 and 12 November 1836.
⁷ See CSR vols 29, 30.
⁸ Moore 1884:190-2.
⁹ PG 2 May 1833; CSR 27/71.
¹⁰ CSR 38/192-3.
was performed. He describes how the spectators sat in a semicircle with a number of small fires in front to light the performance area or 'stage', where 18 young men repeatedly advanced, manoeuvred, retreated and came forward again in a single line. Almost in passing, Ellis notes that Gibban's wife also took part, directing the dancers by waving her arms 'as though to excite the performers'.

Clearly Gibban's wife, known to Ellis only through her named husband, was taking a leading role in the event by consensus of all Aborigines present and involved, but to Ellis she ranks as hardly more than a curiosity, and one which he did not choose to dwell on. G.F. Moore also describes a corroboree in verse, probably written over the same period as Ellis's account and referring to the same event, since it appears in corresponding chronological sequence in Moore's Diary. However, Moore's focus of attention is entirely upon the young male performers; the women are the audience, admiring but passive:

While all the young lasses, as each dancer passes,
Keep stealing a peep at their favourite boys.

Who was Gibban's wife, and what was her significance in the events surrounding the corroboree that caused her to be placed in such a central position? To glimpse an understanding of this, it is necessary to place the visit of Monang in social and political context.

Monang of the Murray River district was first recorded as visiting the Perth district in early December 1833, when the corroboree was held for him. A few days later he departed to return southwards to the Murray, accompanied by seven Swan River men. He returned shortly afterwards, bringing with him a young man of around 20 years of age, when Captain Norcott of the 63rd Regiment journeyed to Perth from the Military outpost on the Murray. Monang's second visit to the Swan River district produced very emotional scenes in which the old men wept and embraced the two, while the old women kissed them. Following on from this, the Perth Aborigines as a body, except for four boys who were too ill to go, escorted the Murray men northwards to meet other Aborigines there. After an absence of several days the group returned to Perth, and the widow Duredup eloped with a young Murray man, presumably the one who had accompanied Monang to Perth.

Other visits of Murray men followed. In mid-January more Aborigines arrived from the Murray, and then, in late February 1834, Galute returned to the Murray with his European-breed dog. Later in the same year he was to achieve notoriety for his part in the raid by Murray men on Georges Shenton's flour mill in South Perth.

It is obvious that this chain of visits was planned and organised from the outset. Monang

11 In writing accounts of individual Aborigines I have drawn on work in progress by S.J. Hallam and myself for a volume of Aboriginal biographies 1829-40 in the series Dictionary of Western Australians.

12 CSR 29/157-9.
14 CSR 29/163.
15 CSR 29/163-4.
16 See Endnote 1.
17 CSR 30/20-21.
18 CSR 30/98.
19 CSR 31/2-3.
acted as special emissary in the first instance to initiate the contact between the three groups of Aborigines concerned — the Murray River people, the Perth area people, and the northern group — and this encounter was carried out according to a ritualised formula, with special greetings and ceremony to mark the importance of the occasion. These visits were arranged in the season when group activities could be undertaken, including firing, fishing, wallaby hunting, and zamia nut and banksia blossom collecting, when available resources could and did support up to 100 people at Mt Eliza.

The formal nature of meetings between Aborigines and strangers, never regarded lightly or treated in an offhanded manner, and the ceremony involved has been documented by S.J. Hallam, drawing on material from Spencer and Gillen, who describe a meeting in 1901 in Central Australia between two groups of Aborigines, as well as on historical accounts of encounters between Aborigines and Europeans in nineteenth-century southwestern Australia.

A hint of the place of Gibban’s wife as central to this north-south series of happenings comes from her brother-in-law, Byerman or Biarman, Gibban’s brother. Byermann is described as a ‘tall old man’ who had northern connections as the son of Nardooitch, the patriarch of the northern land group. Byerman was born about 1772 and so was in his 60s in the 1830s. Nardooitch is estimated to have been born about 1735 or earlier.

Hence Gibban also had northern connections, and so too did Gibban’s wife through her marriage, if not also by descent. Byerman’s age would have given him status, although his accustomed authority is hinted at in an incident in which he threw spears at the house of Morgan, the Government storekeeper, when a servant, Mrs Dalton, refused him flour and retreated inside the dwelling. Gibban’s wife, too, was acting with authority on the ceremonial occasion of the corroboree for Monang of the Murray. She was not a young woman and so also had status because of her age.

Details of any ties between Gibban’s wife and the southern, or Murray, people are much more sketchy. Gibban is listed by Armstrong as a member of ‘Yallagonga’s Tribe’, that is the group just north of the Swan River estuary, immediately south of the northern land group to which his brother Byerman is listed as belonging. Dommera, also listed among ‘Yallagonga’s Tribe’, is described as the son of a man from the Murray River district, much farther south. Dommera’s wife Ganiup was the widow of Midgegooroo, whose land was on the south bank of the Swan between the Canning River and the coast to the west. Thus the chain of connections extended, through the operation of agnatic and cognatic kinship, from north to south. However, although there were ties between the Swan and Murray

20 See Ellis’s journal for the period, e.g. CSR 30/98.
22 Gibban himself is a passive figure, known to history only as possessor of one wife and one brother and, seven years later, for being confined on Rottnest Island for petty larceny to do with food shortages. CSR 29/157-9, 30/96-7, 90/np.
23 CSR 30/96-9.
24 Armstrong, CSR 58/161; Grey 1841, I:247, 391.
25 CSR 30/96-9.
26 CSR 58/163.
27 CSR 29/163-4.
28 PG 7 September 1833.

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people, and between the Swan and the northern people, Gibban’s wife’s northern connections were more important to events than any southern ties she may have had. Through her leading role in the corroboree she was charged with welcoming the Murray man Monang not only to Perth but also to the more distant lands to the north.

In admitting visitors to land, restricted access to the resources therein was being granted, and also limited immunity to hostilities and dangers associated with travel from one’s own hearth into the domains of more distant people less closely connected by kinship.

**Land Occupancy, Ownership and Access.**

While marriage establishes a context for access to land and its scarce resources, this is not the same as the inheritance of rights in land. The question arises of the relationship between access to land, land inheritance patterns, and the part played by women in land usage.

In 1837 Armstrong recorded his census of Aborigines of the Swan River Colony (Perth and immediate surrounds), usually listing husband first, then wife or wives, sons and daughters, grouped into loose ‘tribes’ based on locality and identified by patrihead or location.\(^{29}\) For example, ‘Yallagonga’s Tribe’ — Yallagonga being the most senior male member of this land-occupying grouping; Armstrong writes ‘First North Tribe’ to describe the group associated with land to the north of Yallagonga’s. The Aboriginal names for these groupings mostly translate ethnocentrically to Armstrong’s informant or informants. Cordall Kalla or ‘Yallagonga’s Tribe’ may translate as kalla — fire or hearth; kardil — one of the trees used for making wooden shields.\(^ {30}\) Djeeralkalla or ‘Monday’s Tribe’ translates as djeeral or djarryl — mahogany trees growing in sandy districts and poor soil in the hills; or djerral — the north.\(^ {31}\)

On an expedition in 1839 eastwards towards York in the depths of the July winter, when groupings of people were at their most fragmented and nuclear-based families hunted and foraged on land in which individual members held access and usage rights, Armstrong describes the ‘tribes’ or hearths he contacted in terms of father and sons, or clusters of brothers; hence, the ‘Waddarock men’, that is, Moondagun, Yaljat, Boorar, Yoonap and ‘the old father Kalgyle’, and other similar clusters of men (with unnamed women and children) on their land in relation to neighbouring like-clusterings.\(^ {32}\)

However, Charles Symmons, Chief Protector of Aborigines, repeating Armstrong’s census in 1840, identified tracts of land as belonging to both men and women, so that, for example, Monday and his wives Bugup and Kogan are described as ‘owning’ one tract of land, Yallagonga, his wives Windan and Yangan, his sons Elal and Dua (or Dower), and daughters Daleer, Gargap and Morap, as ‘owning’ another.\(^ {33}\) The groupings are still under male heads, but the difference between Symmons and Armstrong is that the former lists wives along with husbands, sisters together with brothers, as people in whom rights, be they ownership or access, are vested. For both men and women the mechanisms of marriage and descent are working

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29 CSR 58/158-62.
30 Moore 1846:39, 41.
32 CSR 75/np.
33 CSR 89/np.
here, but the two are confused and the rules not enunciated, although women's proprietary rights to land are not in doubt.

This view of women as landowners is confirmed by 'Delta', 34 who states that both males and females were allotted a portion of land at birth. This gave them proprietary rights to resources such as zamia nuts, yams, pheasants, emu eggs and meat, although not exclusive use of the land as such. Children inherited rights from their mother as well as their father. When an individual was absent from his (and by implication, her) own land, other close kin had temporary rights until the individual returned and asserted his (or her) claim. 'Delta' counters Moore's statement that land descended in the male line only, although he argues a case for women having lesser rights in land through inheritance than their male counterparts, because they married out. In order to avoid excessive land fragmentation, 'Delta' reasons, women must inherit smaller areas of land than men. Presumably he meant that the tracts they did inherit were not large enough to be worth fighting over.

However, the earlier consensus was that land ownership rights were inherited patrilineally. Armstrong writes: 'The land is apportioned to different families, and is not held in common by the tribe'. He lists clusters of men 'owning' different tracts of territory and states:

These co-proprietors appear equally interested in their respective districts, and equally ready to revenge any trespass . . . land is beyond doubt an inheritable property among them, and they boast of having received it from their fathers' fathers, etc., to an unknown period back. All the sons appear to succeed equally to their father's lands. 35

He might have added: all the daughters, too.

Moore concludes that as hunting ground and property descends in the male line, it never stays in the same 'family name' for two generations. 36 By 'family name' Moore was referring to the name of the father. The same point is made by George Grey and his correspondent J.D. Lang. Grey writes:

I have given . . . a short genealogical list, which will show the manner in which a native gives birth to a progeny of a totally different family name to himself, so that a district of country never remains for two successive generations in the same family. 37

Both Moore and Grey found it odd that ownership rights could descend patrilineally without an accompanying name to identify the patrilineage as a corporate body. In effect both observers confused the European system of nomenclature with the Aboriginal system of named marriage classification by referring to the latter as 'family name'. Marriage classification reflected eligibility for marriage of members of different categories, but not ownership of land.

Roth in 1902, drawing on surveyor Austin's accounts, writes that each family of the tribe had a more or less defined area of country: 'a kind of heritage, its rights over such tracts were respected, as any infringements regarded in the light of trespass', 38 and 'each family in the

34 The Inquirer 19 December 1848.
35 PG 29 October 1836.
36 1884:3-4.
37 1841, II:231.
38 1902:50.

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tribe had its own territorial division, its own ka-la or “fireplace” to which it had a prior right, the land being divided ultimately among the sons upon the death of the owner.39

Bishop Rosendo Salvado, founder and Abbott of New Norcia, Victoria Plains District, 1846-1900, writes that each Aborigine had his own land for hunting and gathering purposes, and regarded the incursion of others onto it as trespass, although resources were shared freely with neighbours.40

Daisy Bates, from her research in 1905-06, describes land ‘belonging to Balbuk’s [a female informant’s] people’, identifying tracts of land ‘belonging’ to her great grandparents and great-grandmothers, and to her fathers (presumably all the people Balbuk called by those kin terms). Daisy Bates identifies land on the ‘opposite side of the Swan’ belonging to a kin group including several sisters and brothers and their uncles. Thus, both men and women are seen as ‘owners’ of land, but Daisy Bates puts emphasis on patrilineal descent through fathers and uncles.41 She also draws a map of Jubyche’s (a male informant) father’s land, plotting several specific places.42

With general reference to the Australian continent, anthropologists Ronald and Catherine Berndt note that typically the local descent group is defined in relation to patrilineal descent and to a specific tract of land. That is, through birth, individuals belong to the local descent group whose focus is through its associated spiritual sites within the particular territory. They go on to state that this forms an exogamous unit in which the male members have particular ritual obligations towards the special sites.43 This is not the same as rights of access for economic usage, which extend to a much wider group.44 However, Diane Bell45 shows clearly that ritual responsibility is shared by women and men in the Central Desert region, the work of Bell and Pamela Ditton46 illustrates the co-operation of brothers and sisters as joint owners in the practical and economic management of land at a Central Desert outstation. Kenneth Maddock surveys the literature on the question of ownership versus occupancy of land, stressing the importance of sites within a territory in defining the area of land associated with a patrilineal group.47

Drawing from mid twentieth century and earlier sources, Maddock notes that traditionally, on the Beswick Reserve in Arnhem Land, descent groups were connected in the male line with a number of totemic sites within a geographical area or clan estate. While the members of residential groups camped and foraged on several adjacent estates, making in all a range, most of the members of a residential group belonged to one or another of the clan estates.

39 1902:55.
40 1851:131.
43 1964:139.
44 Berndt 1982:11.
comprising that range. That is, members of one patrilineal clan associated with a particular area of land tended to marry into a limited number of adjacent like-units. In this way they gained and kept access and usage rights to a wider area of land while at the same time granting access and usage rights in their own clan land to these other groups. Residence then was not restricted to the patriclan estate of either husband or wife, but was spread over a wider area encompassing that of both parties, plus land to which access was gained through their mothers and fathers.

Annette Hamilton's work on bestowal arrangements in Arnhem Land illustrates the input made by members both of the girl's matrilineage and patrilineage. This underscores the importance of the marriage arrangements to both sets of kin. David Turner writes of the East Arnhem Land area for the period 1925-40 that members of any particular local patrilineal group were organised into bands or residential groups based on the nuclear family, which ranged over the local group area of brothers, their wives' and mothers' local group countries, and their wives' mothers' and fathers' mothers' local group country. Diane Bell illustrates how, for the Arandic and Warlpiri systems, rights and responsibilities of 'owners' or kirda and 'worker/managers' or kurdungurlu, enmesh people in complementary roles which validate their rights to country. An individual is kirda for father's, and father's father's country; and kurdungurlu for mother's, and mother's father's, country.

Little is recorded of female land occupancy for the south-west of Western Australia, except indirectly, resulting from the patrifocal bias in the source material. Catherine Berndt gives a number of examples to show how the European propensity to see women as chattels and nuisances brought about a distortion of perception by such observers as G.F. Moore, Bishop Salvado, E.M. Curr and his contributors, and Daisy Bates, as well as by more recent field workers. Hence, in the Perth area Migo was closely associated with his mother and, as her first husband was dead and her current husband Marungo was described as belonging to 'Monday's Tribe' between the Canning River and the Upper Swan River, it seems likely that Migo was in his mother's own country based on the Perth and Monger's Lake areas. Dommera's father was from the Murray, but he lived in the Perth area along with his brothers Edar and Ningana, possibly also with his mother, or on land to which he had access rights through her.

Referring to the recent Arnhem Land situation again, Nicolas Peterson argues convincingly that a couple's residence pattern oscillates between living with wife's kin and living on husband's patriclan land, and that this is due to economic factors. Ageing men with elderly wives need the labour of young women. While their daughters remain unmarried this is no problem, and on the marriage of a daughter it is to her father's advantage for the couple to remain with her parents for as long as possible, thereby adding to the group the advantage of son-in-law's labour as well. When father acquires a second, younger wife he no longer needs his daughter's labour.

48 1982a:56.
49 1978:28-35.
51 1983:139.
53 CSR 58/164, 59/157-64; Grey 1841, II:310.
Moreover, as men get older it is important for them to live as much as possible on their patrician estate in order to attend to ritual there, and to die there, so men move back to their own land as a regular residence pattern. An older woman, when her husband dies, tends to move towards residence with her daughter on her daughter's husband's land, thereby securing the advantages of daughter's labour again. She also regains the pleasure and comfort of her daughter's company and, so far as patrician membership is also shared with daughter's husband (in the case of cross-cousin marriages), the older woman too is returning to her own patrician estate.

Mothers and Marriage Categories.

Traditionally, marriage was both the instrumentality of inheritance and the means of groups of kin gaining access to land owned by other like groups. Strictly enforced rules for marriage cut across territorial divisions and placed people into various categories each of which could marry only with certain other categories but not with all other categories. Moore refers to these as 'great families', thereby successfully confusing the issues of land inheritance, access to land, and kin and marriage classification. The marriage classifications, in contrast to land inheritance rights, were passed through a woman to her own children, and through her daughters in turn to their daughters and sons, and so on through the female line over succeeding generations. Moore listed four 'principal families' further again subdivided into many local subdenominations. The total number of divisions (principal families and subdenominations together) are then grouped into 'common stocks', or matta gyn, 'of one leg', and Moore lists three clusters to form three 'legs', apparently cutting across the 'family' divisions, so that his account is not intelligible. The wife, Moore says, 'is usually taken from the matta gyn or common stock or 'leg', but from a different subdenomination within it from that of the husband', implying a generally endogamous system.

Grey also describes the system of marriage laws, naming five classes or denominations as matrilineally inherited classifications. Salvado lists six 'families' or classes for the Victoria Plains area. Bates decides on a simple four-section model, which she refers to as four subdivisions of two primary divisions or phratries, extracting what is consistent between Grey, Moore and Salvado and ignoring the rest. Delta teases out two moieties subdivided into five and three families respectively, each with various local names, and states that each family may marry near relatives or others with the same family name. He is frankly baffled about what he means by this, and gives up at this point, claiming 'to trace their relationship to each other would puzzle the most erudite herald who ever lived'.

While the rules governing preferred and prohibited marriage are not clear from any of these accounts, what does emerge from Moore, Grey and Salvado is that an individual never

56 1841, II:391-4.
57 1864.
58 1985:74-5; see also White 1985:73.
59 The Inquirer 19 December 1849.
married within his or her own, and mother's own, marriage category; and further that membership of a marriage category was inherited matrilineally so that children bore the same named classification as their own mother.

As Moore and Grey correctly point out, in a polygynous system ownership rights to a man's land then could pass to several sons (and daughters), all bearing a different 'family name' (but not patriname) signifying different marriage classifications, because their mothers were members of different marriage categories. These siblings, or half-brothers and half-sisters, in turn looked to different marriage categories for their respective wives. The net effect of this was to have, within any one family unit, a host of individuals with different but overlapping, and potentially conflicting, alliances based on membership of different marriage categories. These categories criss-crossed the entire society, and individuals owned allegiance to them at certain times when so called on. Within any one local area, land was occupied by clusters of people related on the one hand to each other by ties of blood and marriage, and on the other hand to others outside that territorial area by obligations resulting from the various corporate identities comprising the marriage categories.

Evidence that the marriage categories demanded loyalty of members who acted in a corporate fashion on occasion, cutting across family ties and ties formed by other marriages, is provided by Grey. He gives a detailed account of the death of Mulligo and subsequent dispute over who should have responsibility for, and the favours of, the two young widows. Migo, uterine brother of the deceased and therefore of the same marriage category through their mother, stood in the favoured position to inherit rights to both women. However, Bennyyowlee, of the same marriage category as Migo's mother's husband Marungo (Grey spells this Mooroongo), claimed one of the widows, and so the matter had to be resolved. Caught in the centre of the conflict situation was Marungo, stepfather to one claimant but of the same 'family' or marriage category as the other. He went to the Canning River, from Monger's Lake, to procure spears, although Grey is a little unclear which claimant he intended should have use of the weapons when he brought them back. Bennyyowlee also went to the Canning to get spears.

The spatial organisation of the camp at Monger's Lake reflected the marriage classes and alliances along marriage category lines, so that Bennyyowlee and Marungo were camped in the same area, with Marungo's wife (Migo's mother) taking up residence in her husband's camp, while Migo (of the same marriage category as she was) camped apart with his supporters. However, again Grey is not clear on whether marriage category was the only factor determining this spatial arrangement, as territorial association may have been reflected in it too. Concern was expressed that the 'Murray Men', a classification based on locality and not marriage categories, which would have cut across such a territorial division, were also rumoured to be planning to abduct the widows. By absenting himself from the scene on a legitimate errand, Marungo laid the way open for Migo's mother to exercise her influence and express her interests in the outcome of the dispute. Largely through direct action on her part the young widows were both installed in her own son Migo's hut.60

Here once again, as in the case of Gibban's wife, there is an example of a woman at the focal point of relations between groupings of people with converging but different interests, or similar but conflicting concerns, depending on how the situation is seen.

60 Grey 1841, II:316-29.
Nardooitch’s Genealogy, or Kandowree’s Family.

The apparent, and often real, conflict of interests inherent in marriage and the ensuing extension of access rights to tracts of land on the one hand, and inheritance of ownership rights to land on the other, is contained through the operation of the marriage regulations as illustrated in the genealogy of Nardooitch. This is the genealogy of a northern patriarch which emerges when two different listings of Aborigines are combined: Grey’s genealogy for people north of Perth taken around 1839, and Armstrong’s listing of the ‘First North Tribe’ as part of his census compiled in 1837. The approaches of these two recorders are different but, as it turns out, complementary. Armstrong’s listing appears to be a reflection of the people he knew personally, or knew of through his informants. Hence, he lists husband, wives and unmarried sons and daughters where he knows of these various relatives. He does not note relationships between the male heads of family groupings; for example, in the ‘First North Tribe’ three men who are in fact brothers are listed with some of their family respectively, and then the two sons of one of these brothers are listed complete with their wives, sons and daughters. A list of unattached males is also included where in fact some of these turn out to be married men from other areas, apparently on visits. Armstrong does not make clear the family connection between these individuals, and evidence for this is obtained elsewhere.

Grey systematically compiled a genealogy in order to illustrate how, when children belong to the same marriage category as their mother, over three generations several marriage categories could be represented in the same patrigroup. This genealogy incorporates a number of the individuals listed by Armstrong, making explicit the relationship between them. Grey does not always realise the relatedness of some individuals and so may list a person twice, as a daughter of one man a wife of another, without connecting the two as being the same person; for example, Wandil or Wundaile. Moreover, between 1837 and 1839 one central figure in this family, Helia, died, and by combining the two accounts of Grey and Armstrong it is possible to see the system of levirate operating in which two of Helia’s widows then become wives to one of his surviving brothers Beewullo (or Weeban or Webanjer).

61 CSR 58/161; Grey 1841, II:391-4.
62 CSR 58/161.
63 The most vivid description of camp layout is provided by Gyallipert, an Aborigine from Albany, who in 1832 drew a map of a camp, showing married men’s quarters and, quite distinctly apart, the camp of the single men and boys. The ‘unattached’ in Armstrong’s lists would seem to be those living in the single men’s camp.
64 S.J. Hallam and Lois Tilbrook, work in progress utilising Colonial Secretary’s Office records and The Perth Gazette (see note 11) and various journals.
Nardooitch, or Moreli, born about 1735, had one brother and at least two wives and eight children. One of these wives, Kandowree, had two children. When Nardooitch, her first husband, died she married his brother. Three of her children were fathered by one brother and two by the other. While the family structure was obviously established before Nardooitch and his brother, it is only from them that subsequent offspring and marriages are recorded by Grey. Thus they appear to be at the beginning of what was, in reality, a continuing pattern. For the majority of individuals little, or no, information is recorded.

The most striking feature to emerge from the Nardooitch genealogy is the number of genealogically close marriages over succeeding generations. At Nardooitch’s generation level the system of levirate operated for the wife Kandowree. In addition, Nardooitch had children by a second wife, Bolyeree, including Byerman (and presumably also Gibban). At the next (second) descending generation level, parallel-cousin marriage took place between Kogaree, Kandowree’s daughter by Nardooitch’s brother, and Jeebar, the son of Nardooitch and Bolyeree. Beerytejoor, Kandowree’s son by Nardooitch, married two apparently unrelated women and had three daughters by them. At the third descending generation level, brothers Helia and Beewullo, the sons of parallel cousins Jeebar and Kogaree, married Booyeenung and Djoobeenung, the daughters of Beerytejoor and Yowatung.

That is, Helia and Beewullo married their half-parallel-cousins, for their father Jeebar was the half-brother of Beerytejoor through the common father Nardooitch, or alternatively, they married their half-cross-cousins, their mother Kogaree being the half-sister of the girls’
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Figure 2  Marriage loops

father Beerytejoor through the common mother Kandowree. It is possible that, tracing through Kandowree, a parallel-cousin relationship also existed between Kandowree and Nardooitch to mirror that traced through Kagaree and Jeebar but, understandably, information is lacking to substantiate this suggestion.

When this series of actually plotted marriages is related to the system of marriage categories, it is clear that it conforms to the rules. All the marriages are between people of different marriage categories traced matrilineally. Beginning with Kandowree, the matriline flows through her daughter Kagaree to her grandsons Helia and Beewullo. We can trace no further, for information is lacking about Kagaree’s daughters’ marriages. This probably indicates that they were outside the territorially-based group. The patrilineage, however, apparently may extend indefinitely from Nardooitch through Jeebar to brothers Helia and Beewullo, and then on to their sons, and so on, in this territorially-focused grouping.

The most remarkable point to emerge when descent through the patrilineage is traced, is the extent to which marriage takes place within the male descent line. Thus, at the second descending generation Jeebar and Kagaree are members of the same patrilineage, and at the third descending generation brothers Helia and Beewullo and their respective and then shared wives are all members of the same patrilineage. Put differently, Kandowree’s three granddaughters by her son marry her two grandsons by her daughter and stepson.

This system also had the effect of reducing the number of relatives an individual had at the grandparent level; for example, sisters Booyeenung and Djoobeenung share with their
husbands, the two brothers Helia and Beewullo, two grandparents Nardooitch and Kandowree. All have a maximum of six, not eight, grandparents. A very tight group indeed.

This is not to suggest, by any means, that all marriages occurred within the patriline, and information is lacking to trace the relationship between spouses of other members of the Nardooitch genealogy to see to what extent this turning inwards was general. However, the notion that this pattern may well have been more extensive does gain strength when it is related to the joint questions of land ownership and inheritance, and of acquired access rights through marriage.

Monopolisation of Land and Resources.

Assuming that south-western Australia conformed to the general Australian pattern, land — as noted above — was inherited from father to son to son's sons, and to daughters, so that a particular patrilineage was associated with a specific tract of land and the scarce resources on it. Access to similar tracts of land with different scarce resources was gained through marriage, a husband gaining access to his wife's land on marriage, and vice versa. The children of the union had access rights in both areas, but ownership rights to pass on to their own children in their father's lands only, and then only if they were sons of the union.

The inherent danger in this system lay in the potentially wide dispersal of rights to resources. This could be avoided only if the number of ties by marriage with outside groups could be controlled, and one way of achieving this, consistent with Aboriginal cultural norms of infant betrothal and early marriage for women, was through marriage within the land-owning unit. In this way, the rights of access normally acquired through marriage coincided with those of ownership through inheritance, so that access to and rights over resources remained confined to a few. This close marriage within the land-owning unit was possible so long as a sharp distinction was made between the principles of matrilineage on the one hand, and patrilineage on the other, and as long as the system of matrilineally inherited marriage categories was enforced rigorously. Hence, in the Nardooitch genealogy, Booyeenung and Djoobeenung, Helia and Beewullo (and Wandil, wife to both brothers successively), all shared ownership and access rights in the patrician land through the fathers Jeebar and Beerytejoor (half-brothers) and their father Nardooitch.

However, while patrician endogamy restricted the number of possible marriages with other outside groups, it did not operate to inhibit this altogether. The marriages of Booyeenung and Djoobeenung and their half-sister Wandil, with Helia and Beewullo, represent a remarkably neat example of endogamy. At the parental level (the first ascending generation level) the mothers of the wives (that is, Beerytejoor's wives Kopan and Yowatung) were apparently from outside the patrician, although the mother of the grooms, Kagaree, married within the patrician. Again, at the grandparental level (third ascending generation level) the women Kandowree and Bolyeree were also apparently drawn from outside. Moreover, in the case of senior men of secure standing, the operation of polygyny permitted ties to be established with a number of other groups over a considerable geographical area. For example, Beewullo had a total of seven wives after his brother Helia died, two of the marriages known to be endogamous but several of the others being, presumably, exogamous unions. It is also significant that, on his brother's death, Beewullo took as wives the two half-sisters Wandil and Djoobeenung, members of different matrilineal marriage categories, and thereby

65 See Endnote 2.
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retained access to two lots of land and resources. He does not appear to have assumed any responsibility for Booeyenung, the full sister of Djoobeenung, whose lands would have coincided with those of her sister.

In summing up, then, marriage by male and female members of the patriclan with women and men from outside the patriclan meant an extension of alliances and liaisons with other land-based groups. The system of polygyny provided male members with more scope. This also worked the same way for members of the matriline. However, the important point for marriage was an individual's marriage category, which was determined matrilineally, the patrilineage being ignored. People who belonged to the same patrilineage could fall into different marriageable matricategories. This meant that a number of marriages could take place within the patrilineage, thereby reducing the number of alliances with outside groups, strengthening the patrilineal group as an inward-looking and cohesively bonded group, and also preserving for the group the scarce resources in the land area. Thus, the marriage rules elegantly determined a balance between two opposing principles: an ever-increasing number of alliances with outside groups — presenting the danger of fragmentation; and the tendency to look within — with its attendant dangers of restricting too severely the available scarce resources and isolation in a potentially hazardous world.

Land occupancy and ownership was vested in the patrilineage, but where rights to land through both mother and father coincided with the patrilineage it localised all the members of the group to a particular tract of land. Other marriage liaisons with individuals from other patrilineages meant that rights of access to other resources were established and/or maintained.

However by frequency and intensity of usage the tract of land 'owned' by the patrilineage was to all intents and purposes the life-blood of the group, giving it its local connotation and meaning, vested in locality, and also enabling one group to monopolise a scarce resource and then to use this as a lever in relations with other like groups to gain the 'best' social and political terms. Hence, the importance of the labels used to identify groups: for example, *kardil kalla*, the place where wood suitable for making shields is to be found or Yalla-gonga's land (Yallagonga was another important patriarch in the Perth area).

This then enabled the men and women of the patriclan unit to act as a social and political unit with a territorial base, while at the same time constricting the interests of the unit to that same tract of territory. This latter point is important in understanding the Aboriginal response to dispossession of land following European colonisation as, once made landless, the small patriclan unit lost any vestige of political identity and had nowhere else to turn, no other like units which it could call on for access to resources or for identifying purposes.

The coherence of the patriclan unit also made sense of observer's references to land as being patrilineally owned, or held, although it would have been more correct to describe it as held by all members of the patriclan, rather than by the men to the implied exclusion of the women. However, the importance of women as possessors and bestowers of land usage rights should not be lost in this general labelling. When women married outside the patrilineage they extended their own rights to their husbands and children, and so provided a crucial means whereby members of other patrilineages could justifiably penetrate into the patriclan territory in a limited fashion, working as a counter-balancing force to the strong isolationist pull of the patriclan and also against the tendency towards total monopolisation of a resource by any one patriclan.

66 Moore 1884:41.
Hence, Gibban's wife and Migo's mother played opposite, but complementary, roles as the foci of intergroup relations. Gibban's wife perhaps stood in the position of the wife married into the patrilineage from outside, the bridge between her own and her husband's land group, welcoming strangers to Gibban's lands and opening the way for mutually beneficial relationships between the two groups. Migo's mother's interests were in maintaining the balance and status quo within the group, in acting as a force to prevent a disruption to relationships and rights established through marriage, by ensuring that the system of levirate operated so that she, and her son and daughters-in-law and the rest of the members of her family, suffered minimal disruption on the loss of one member; that the social universe remained intact and the group retained its inward-looking emphasis; and that its existing boundaries were preserved.67

Endnotes.

1. It is extremely unlikely that the 'widow' Duredup (as Ellis describes her) was really a widow of two years' standing. Responsibility for a widow would have been assumed by her husband's brother, or by others standing in the correct marriage relationship to the woman, almost immediately after her husband's death. For example, see Grey's account of a man's claims to the two widows of his brother Mulligo as soon as Mulligo died and before the stipulated three days' mourning had passed (1841, II:316-29). Midgegooroo's older widow was taken care of by Monday immediately after Midgegooroo's death, whilst a dispute raged between Yellowgonga and Dommera over his younger wife Ganiup; it ended in Dommera's favour (PG 7 September 1833). Ellis was probably unaware of Aboriginal marriage customs and may have assumed incorrectly that Duredup had remained widowed and single. There is no conflict recorded between Perth and Murray Aborigines over this period, suggesting (although the records are far from complete) that her elopement met with tacit approval, and may even have been a correction of an anomaly or imbalance in relationships brought about by her former husband's death two years earlier and the consequent marriage and family realignments at that time.

2. This patrilineage endogamy is apparently at variance with the findings of Daisy Bates (1985:83, 85, 118) that cross-cousin marriage was prohibited, marriage with immediate cross-cousins was against the rule, and 'blood relationship is always a bar to marriage amongst all the native tribes of the West'. One explanation may be that as her information was gathered more than 80 years after European colonisation of Western Australia began, her few informants were looking to a European-inspired patrifocal model in discussing marriage with her. Moreover, they had all been exposed to immense changes during their own and their parents' and grandparents' lives, and may have been recalling an overgeneralised ideal picture.

3. One final point needs to be made concerning the role of these two senior women. In his descriptive vocabulary Moore describes briefly the system of formally bestowing senior status on certain older women, the monyo ceremony. This ceremony acknowledged the political and social influence of these women and their roles both as peacemaker and as proponent of war and retaliation. A senior man officiated at the ceremony and the woman offered gifts to him and his wives in the form of implements of war and orna-

67 See Endnotes 3 and 4.
WOMEN, MARRIAGE AND LANDOWNERSHIP

ments. Following this, the woman was immune from retribution and the threat of wife capture, and she was even empowered to disarm potential combatants if she saw fit (1846:56; see also Bates 1985:145-6). This ceremony, then, was a recognition of the greater participation by older and experienced women in the political affairs of the group. Related to the tendency towards patrilineage endogamy, which actually reduced the number of grandparents an individual could have, it is not surprising that seniority in years was accompanied by seniority in status for, accumulated wisdom notwithstanding, the aged were a scarce resource.


Lois Tilbrook’s research into the history of the Aborigines of the south-west of Western Australia has coincided with my own work on the Daisy Bates manuscript collection in the National Library of Australia. I therefore find most interesting the difference between the findings of the writers of the 1830s and 1840s and those of Daisy Bates, whose studies were 60 to 70 years later. Before discounting Bates’s writing, we should take into account her method of fieldwork. For many years she camped with her Aboriginal friends and came to know them well. They were mostly old men and women in their sixties and seventies who had grown up before traditional customs had been seriously eroded.

One of Bates’s discoveries was that descent of the marriage classes was patrilineal along the southern coast from Esperance to the Williams River and for some distance inland, whereas earlier investigators had assumed that the matrilineal descent found around Perth extended over the whole of the south-west. Bates describes in detail the two main divisions (moieties) of all the south-west people: Wordungmat (*wordung* — crow) and Manitchmat (*manitch* — white cockatoo), and their subdivisions, Ballaruk and Nagarnook (Wordungmat), Tondarup and Didarruk (Manitchmat). Bates lists (1985:76) some other names for these subdivisions (including Ngoogunyuk, which is presumably Tilbrook’s Nogonyuk). Bates regards these as further divisions of the four subdivisions. In my notes to Chapter 2 of *The native tribes of Western Australia* I wrote that this would today be called a semi-moity system (with direct descent), not a section system (with indirect descent) as Tilbrook suggests that I called it.

Bates found a firm rule against the marriage of real first cousins, though the preferred marriage was to a distant cross-cousin; parallel cousins were never allowed to marry (1985:80, 82-3). A number of the marriages in the genealogies reproduced by Tilbrook would be illicit according to the rules told to Bates nearly a hundred years later, because they would have been between persons closely related and would have broken the rule of moiety exogamy. It is possible that 70 years of European contact had caused the Aborigines to adopt much stricter rules against marriages of closely related individuals. Mrs Bates’s old friends were either unaware of the change or perhaps ashamed to tell her about their ancestors’ close marriages; or, as Tilbrook suggests, they were quoting ideal rules rather than actual practice.

I wrote in my introduction to *The native tribes of Western Australia* that Bates was ambivalent in her attitude to Aboriginal women (1985:21). While repeating the view commonly held at that time that they were downtrodden chattels of their menfolk, she often described their importance in economic, family and religious life. She stressed particularly the importance in decision-making of the older women. Unfortunately she did not follow up these findings.
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A QUASI-POLICING ABORIGINAL EXPEDITION
IN PORT PHILLIP IN 1838

Marie H. Fels

The Aborigines who left Melbourne on an expedition westward in April 1838 were mostly men who had been members of the first Aboriginal Police Corps in the Port Phillip District, set up in October of the previous year. Some of them were to rejoin the second attempt to form a corps in October 1838, a third attempt in 1839, and a fourth and successful attempt in 1842: the Native Police Corps under Henry Edmund Pultney Dana, which lasted until 1853. The repeated willingness of the men local to the Melbourne area to enlist in these corps forms part of a wider pattern of co-operation with Europeans in Port Phillip, the histories of which have not been written.

Since W.E.H. Stanner made his powerful statement that Aborigines had been left out of Australian history much work has been published, mostly histories of Aborigines as victims of oppression or heroic figures of resistance. These reflect accurately some substantial parts of the joint Aboriginal/European past. They do not however embrace all that past, for within it many examples are to be found of Aboriginal co-operation with Europeans; they need to be acknowledged and understood, for the past cannot be explained away in terms of a simple set of oppositional attitudes. It is more complex and subtle than that.

In the Port Phillip District, in the early years of contact, Aboriginal activities included the following: Aboriginal men made a treaty which exchanged limited rights to the use of some land for material things; they guided overlanders, exchanged names with English gentlemen, worked for Europeans in pastoral pursuits, led shooting parties, sold information to Europeans, minded Europeans, formed a boat crew for the Customs Department at Melbourne, placed their children in school in exchange for certain specific benefits, supplied the curiosity market with lyrebird feathers, possum skin rugs and artefacts, and the food market with eels. Aboriginal women worked for European men and formed liaisons with them. These are positive creative accommodations to the European's planting himself on their land, responses which are not yet fully researched.

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1 It was the first Aboriginal Police Corps in New South Wales, the later Queensland Corps emerging directly out of the success of its southern precursor.

2 Aboriginal police work in Port Phillip forms an exception to the generalisation expressed in Hartwig (1978:132) that 'Aborigines found all but pastoral work, and some forms of work associated with maritime extractive industries, uncongenial'.

3 'The great Australian silence', second Boyer Lecture of 1968 (Stanner 1968).

4 Recent examples of histories which examine some co-operative strategies include McGrath 1983, Attwood 1984, Penney in progress.
The successive Native Police Corps in Port Phillip provide another example of a co-operative strategy. The story seems to have little correspondence with that of the Queensland Native Police, except that the founding Commandant of the latter, Frederick Walker, recruited his initial force from the southern district of New South Wales, from the Murrumbidgee, Murray and Edward river area, from which the established Port Phillip Corps was recruiting at that time (1848-50).

Aboriginal action in the early contact years needs always to be examined first from the perspective of the social relationship of the actors. All the headmen of the sections of the Warwoorong and Bunerong tribes joined one or other of the four attempts to set up an Aboriginal police force. All told, well over a hundred men served with Henry Dana in his 1842 Corps in Port Phillip, and they came from all districts: the Melbourne area, Portland Bay, the Wimmera/Mallee, the Murray, Gippsland and the Omeo/Monaro district. They served in three areas: in the Portland Bay District where they were initially strangers, in the central region of Victoria where the powerful men in the Corps were connected by bonds of affinity and consanguinity, and in Gippsland where they were traditionally enemies. The story told here is peripheral to the main story of the Aboriginal Police of Port Phillip. It is worth telling because some of the actors were men of the various Corps.

A convenient beginning to the story is April 1838, when the missionary George Langhorne recorded that there was a great number of the local people, of the Warwoorong and Bunerong tribes, living about his mission site. The meaning of his phrase ‘a great number’ can only be guessed at: a year later, when Assistant Protector Thomas took up his appointment, he performed the initial bureaucratic act and counted the people. His census identified 124 Warwoorong, with a covering note that there were perhaps twenty more whose names he had not included, plus eighty-three Bunerong. The place where Langhorne situated his mission was a favourite camping spot known as Turruk.

By the end of the story, seven individual lives are enmeshed in the bureaucratic machinery of the foreign justice system accountable to political decisions taken ten thousand miles away. One man Nanymoon, was committed on a charge of murder; another, Jin Jin or Woicom, on a charge of stealing potatoes, and six others on a charge of killing sheep: Mooney Mooney Senior, Bunia Logan, Mainger, Poen known as Murray, Murrummurrumbeel...

5 Fels 1986.
6 Skinner 1975.
7 And over forty more served in the earlier institutions of 1837, 1838 and 1839.
8 Most of the men comprising the expedition to the west had been in the Native Police (Lonsdale to Col. Sec. 8 May 1838,38/46, Victorian Public Record Series (VPRS) 1:211).
9 Barwick has pointed out (1984) that these are not tribal names but terms bespeaking religious and political affiliation. I use them because the writers of the records so designated them at the time.
10 The present Botanical Gardens and a little to the east.
11 Thomas’s census of 20 November 1839 (VPRS 10, unit 1).
12 For details of the mission see report, Langhorne to Col. Sec. 8 May 1938, 38/46, VPRS 1:211.
The Events to the West of Melbourne.

On 4 April 1838, Nannymoon, Willymeluk and an unspecified number of Aboriginal men local to the area tomahawked and killed Terence McMannis, hut-keeper for Thomas Learmonth, at an outstation six miles from Learmonth’s home station, just south of present Ballarat. According to the sworn testimony of Learmonth and his shepherds, Nannymoon had been living at Learmonth’s hut for a considerable time. He wanted McMannis’s pistols, had made an unsuccessful attempt to take them, and when thwarted had threatened to kill McMannis. As they left after the killing, the Aboriginal men took some bedding and a bag of flour and disappeared from European sight for a month, although not from Aboriginal knowledge, as will become clear.14

In the second week in April, Berruke/Gellibrand, an Aboriginal man of the Warwoorong tribe,15 led an expedition out of the settlement at Melbourne. The purpose was described variously to different people, perhaps according to the presumed interest of the listener. To the missionary, they gave the impression that the excursion to the west was connected with the disappearance of the two Europeans, Joseph Tice Gellibrand and George B.L. Hesse, who lost their way in February 1837 en route from Geelong to Melbourne, and who were believed murdered by Aborigines just west of the present site of Birregurra. To settler Kenneth Clarke, who had an interest in keeping his hut-keepers alive, the members of the expedition said they were going after Nannymoon, the man who killed Terence McMannis. To their own though, to Betbenje, Derrimut and Della Kal Keth, they said they were going to kill sheep.16 It may be the case that the twin aims of getting Nannymoon and/or the presumed killers of Gellibrand and Hesse were logically related, as these Kulin were traditional enemies of Nannymoon’s Colac kin. The liberty of killing a few sheep on the way could have been considered as payment for services rendered. The 1837 Corps of Native Police did not last long enough for any field duty to be undertaken, but the terms of the contract spelled out clearly the men’s expectations, in return for their services, of rations at the same scale as for European police. This expedition made no attempt whatsoever to conceal their taking of sheep to eat.

There were thirty to fifty persons in the party, which included women and children, among them the following named individuals: Old Mooney Mooney, his son also named Mooney Mooney, Bunia Logan and his wife, Warrawarock (Mr de Villiers), Moron, Callen,
Nunupton (Billy Langhorne), Nerimbineck, Ningaloin (Captain Turnbull), Harrot, Bundon, Warwooror, Mainger, Morogine (Jack Sloe), Murrumurrumbean (Mr Hill), Poen (Murray), and two boys known to Europeans as 'Charles Ebden’s boys', brought down from the north.

The expedition was still within the bounds of Warwoorong country, and within the Europeans’s settled district, when they called in on John Aitkin of Mt Aitkin station near Sunbury on 14 April. He claimed that he was attacked, but on his own sworn testimony it is difficult to describe the events as an attack. If what he related did indeed happen, the Aborigines walked up to him carrying spears and three muskets, whereupon he took fright, called up his convict servants and broke out the arms of the property. They in turn stopped in their tracks. When Aitkin called out as if he had yet more servants hitherto unseen, they retreated about a hundred yards behind a rock and watched. On horseback, with another European, presumably also mounted, Aitkin rode to within thirty yards of them, whereupon they levelled their guns. When he circled around behind them, they took the further step of cocking their guns. Aitkin managed to get close enough to get a hold on two of their guns, to which Warrawarock responded by attempting to strike him with a tomahawk. So much for the attack as Aitkin experienced it. With only one gun still in their possession they departed. We can read anger and payback in their statement a week later, to Kenneth Clarke, that by and by they would spear some of Aitkin’s sheep.17

Next day, Sunday 15 April, they were at the Saltwater River (Maribyrnong), where Samuel Jackson had sat down, sixteen miles from the settlement; they greeted him, and stopped over till the following Wednesday, when they left between ten and eleven in the morning, after a formal goodbye to him. They were in the habit of visiting him, he said later. It was only after they left that he discovered from his shepherd what they did after leaving him. It seems that about five of the party came up to the shepherd while he was watching the sheep, told him they were hungry and asked for food. He gave it to them in the only form he thought he had — the packed dinner which he had brought from his hut. They had another idea about what constituted a proper meal and, while this conversation distracted the shepherd, the rest of the party set about procuring it. They ‘went down on the sheep shouting and setting their dogs upon the sheep’, spearing a handful, and driving the rest away. The shepherd was deterred from intervening by their one gun, the musket. They cooked and ate some of the sheep, and when they were finished they sent back two of the party to the shepherd to inform him of the whereabouts of the rest of his flock. When he recovered and counted them he found that his master Samuel Jackson had lost about fifty.18

This kind of sheep-killing was to go on for years, the Europeans of the time labelling it as outrage, later historians often reading it as war. The men of this expedition may have been taking subsistence in return for the service they rendered to Europeans, but there are other, more general, ways of regarding sheep-killing from the Aboriginal viewpoint. At the trial in the Court of Quarter Sessions in Melbourne in January 1841, of ten men from the Goulburn accused of robbing Major Snodgrass’s station on 17 March 1840, evidence was given by an eyewitness of a different logic, articulated by Windberry the leader. Windberry is quoted as asking for sheep, and when refused: ‘He said the sheep eat the grass belonging to his kangaroo, and white fellow took kangaroo, and what for not give him sheep?’ Windberry’s logic is

17 Billis and Kenyon 1932:13, 247; HRV vol. 2A:291-2; ibid.:297.
internally consistent, and given the foundation premise of prior ownership of the land, it is
irrefutable. If this attitude was widely held, it would explain many cases of the taking of
sheep for food, presently interpreted as attacks and therefore evidence of war-like attitudes.
A slight variant of this logic was recorded at the same time by Dr W.H. Baylie, a long-term
resident, friend of the Aborigines of the Goulburn area and a careful observer. He believed
that when they first saw cattle grazing in herds they imagined that they had the same liberty
with them as they had with the kangaroo: ‘What other use is the bulganna (cattle) but for
eating never entered their heads.’ What other use indeed: the European use and meaning of
animals as wealth capital cannot be read from the sight of them.19

From the Saltwater River the expedition party walked to the Pentland Hills on the Upper
Werribee river, arriving on Friday 20 April at Kenneth Clarke’s station. He was out, but on
returning to his hut he caught sight of them and the hollow place between him and his hut
where they had concealed their weapons — their spears, the musket, two pounds of shot and
a canister of gunpowder. On his way he picked up the European weapon and its paraphernalia,
and they saw him do so. They asked for it back. He replied ‘By and bye’. When they
laid hold of the gun, he threw away its priming. It was then that they produced a written
authority signed by Captain William Lonsdale, Police Magistrate and Superintendent of the
district, allowing Warrawarock to carry a musket. Having read it, Clarke inquired where they
were going, to which they replied that they were going after the native who killed Mr Lear-
month’s shepherd (Nanymoon). They volunteered further that they were going to bring back
Nanymoon’s ears, which must have satisfied Clarke, as he returned Warrawarock’s musket,
gave them ten pounds of flour and told them to be off as it was getting late. He expected
them to travel on to his upper station, and next morning he went to call on them there, but
by eleven o’clock they still had not arrived, so he left without seeing them. He went to
Melbourne that day. Clarke’s servants had their own expectations, though of a different
nature: they expected that some sheep would be driven off, so they brought in their flocks
and counted them. Their expectations were fulfilled. On Sunday morning they found three
ovens and three fires and the remains of eighteen carcasses. Later the group was to deny
responsibility for this particular incident, agreeing that they were present at the time, but
claiming it was their dogs which did the damage.20

For a fortnight after this the expedition’s whereabouts are unknown, there being no cries
of outrage from the settlers. By this time they were within a day’s walk of Buninyong, where
Nanymoon had killed Terence McMannis eighteen days previously, but there is no hint of
whether or not they caught up with him. They reappeared within the settled district on 6
May, on the land which Joseph Gellibrand acquired as Number 1 shareholder in the Port
Phillip Association’s treaty with the Jika Jika brothers and their associates three years
earlier, land which Dr Jonathon Clerke managed following Joseph Gellibrand’s disappearance.
According to Clerke’s shepherd, who witnessed the incident, his flock was attacked by a
great many dogs, encouraged by Aborigines who stood back some little distance away. This
shepherd estimated a loss of twenty sheep; his master counted twelve sheepskins.21

19 Port Phillip Gazette 16 January 1841; Port Phillip Magazine 1843:189.
20 Billis and Kenyon 1932:46; HRV vol. 2A:294-7; ibid.:220.
21 HRV vol. 1:373; Captain Phillip King’s Diary, HRV vol. 1:116; Governor Bourke’s Journal, HRV
vol. 1:102; HRV vol. 2A:297.
121
The Events Within the Settlement of Melbourne.

In the second or third week of April, around the time that Beruke led the expedition out of Melbourne, missionary Langhorne began to suspect that the people from his mission were taking potatoes from John Gardiner’s potato field.²² He could never actually discover any in their possession, but he warned them against theft according to the European legal and moral code. Several of them promptly decamped, moving their mia-mias to the eastern boundary of the mission reserve, which adjoined Gardiner’s potato field. Potatoes were a food they enjoyed, eaten undoubtedly as a substitute for the traditional mumong (plant with edible root), which was disappearing rapidly from some areas as introduced stock trampled and polluted it.²³

In the third week of April, while Gardiner was reading Sunday prayers to an assembly of his family and convict servants, he was interrupted by screams and cries of ‘murder’ from outside. His dairyman William Underwood had received the fright of his life when he came upon Jin Jin, Tullymarine and three other Aboriginal men and boys taking bags full of potatoes from his master’s field. They put a gun to his head, laughed, and said he would be ‘boomed’, i.e. shot. However, they let him go. An armed party from the house chased the Aborigines across the creek and then across the Yarra, shooting and being shot at in return by the Aborigines. The pursuing party managed to get close enough to Tullymarine to knock him down with the butt of a musket, but claimed ignorance as to whether they hit anyone with their fire. None of them was hit.²⁴

On that same Sunday, just a little later, Langhorne had almost finished his prayers at the mission when the Aborigines came to him ‘in a great body’, crying and sobbing that three of their number had been shot while stealing potatoes. They stayed close to the mission all Sunday, excited and threatening to destroy Gardiner’s house with fire and kill his men. On Monday Jin Jin was caught and appeared with Tullymarine before the Police Magistrate, who committed them both to Sydney to stand trial. In this instance, sending the Aborigines to Sydney was merely a technical device to get the two men out of Lonsdale’s district: he did not expect that they would be proceeded against in Sydney, but considered that banishment for an extended period would teach the others a lesson. Tullymarine, however, was not prepared to go to Sydney. He burned the gaol down on Monday night, collected his wife and child from the mission and fled to the remote part of his country. Jin Jin escaped with him during the fire but was recaptured and returned to gaol. The whole group who had been living at and around the mission then took their children out of school and departed from Melbourne, and Langhorne was left with few pupils, including three whose parents were in gaol. This sending of the children by the community to Langhorne’s school could have been seen by its members as an act of reciprocity.²⁵

When Beruke’s party returned from the west, sixteen of them went straight to the mission

²² John Gardiner’s station was on the site of the present Scotch College, with Gardiner’s creek between his station and the mission station.
²³ HRV vol. 2A:213; ibid.:174.
²⁵ Lonsdale to Col. Sec. 23 April 1838, HRV vol. 2A:324; Lonsdale to Col. Sec. 11 May 1838, ibid.; ibid.:222.
to find it virtually deserted, while the rest proceeded up the Yarra River about fifteen miles. Lonsdale heard immediately of their return, and on 7 May he crossed the Yarra to question them at the mission about the killing of sheep. He took with him Christiaan de Villiers, the man who had been the Superintendent of the first attempt to set up a Native Police in the previous year and who would be Superintendent again a few months later in the 1838 attempt. Lonsdale and de Villiers knew the men they went to interview, as some had been police, and some were particular friends of de Villiers. After questioning the men, Lonsdale left de Villiers with them and recrossed the Yarra to fetch witnesses to identify the killers of sheep. Before the witnesses arrived, however, de Villiers followed Lonsdale back with the news that the sixteen men intended to be off early the next morning. Being certain in his own mind of their guilt, Lonsdale decided not to wait for the witnesses but to proceed immediately with a handful of soldiers of the 80th Regiment and bring them in; the soldiers were not mounted.26

There are two versions of the capture. One comes from Langhorne, who was alarmed by the sound of shots and arrived at the scene when it was almost over, but wrote a lengthy report nevertheless alleging police brutality. The other is Lonsdale’s own account. Lonsdale informed Governor Bourke that he had made a particular point of being present at the capture himself, and of taking de Villiers, because the men to be captured were his own friendly acquaintances and true friends of de Villiers, and the last thing that either of them wanted was that any Aborigine should be hurt by the soldiers.27 It was after seven in the evening but still quite light when the soldiers approached. When the Aborigines saw them coming they stood to their spears: they did not flee nor did they attack — they simply took the measured step of going on guard. When grappled by the soldiers they attempted to wrest the soldiers’ guns from them. There was a struggle; two Aboriginal men were hit on the head with musket butts and there were some shots fired by mistake, but not even the missionary asserted that anyone was hit by gunfire. Lonsdale himself was bitten on the hand. Old Mooney Mooney and another were captured and placed in gaol with Jin Jin.28

On 9 May, two days after this capture attempt, de Villiers led another party of soldiers fifteen miles up the Yarra to capture the rest of the expedition members. Acting on information from Betbenje, he took five, put them in irons, and left them in the charge of Corporal Isaac Slade while he went still further upriver in pursuit of the rest. At three or four o’clock in the morning of 10 May, friends of the prisoners guarded by Corporal Slade surprised him and succeeded in freeing some of the captives, suffering in the process one man wounded by ball fire. There is no record of whether de Villiers captured any others.29

The end result of this busy period was a total of eight men captured, of whom two were discharged by Lonsdale as not implicated in sheep-killing, while six were committed for trial in Sydney like Jin Jin: Mooney Mooney, Bunia Logan, Mainger, Murrummurrumbeel, Poen and Moiagoine.

26 HRV vol. 2A:220; Lonsdale to Col. Sec. 15 May 1838, VPRS 1:218-9.  
27 That he took the soldiers on foot tends to support this.  
28 VPRS 1:218, HRV vol. 2A:220, 224-5, 297-8, 301-2; VPRS 4, unit 4, 38/101, HRV vol. 2A:221-2.  
Voyage to Sydney and Further Captivity.

The seven men spent a week together in the Melbourne gaol awaiting passage to Sydney before being placed on board the 76-ton revenue cutter *Prince George* with other prisoners (European) under the escort of Sergeant Leary of the 80th Regiment. Where the Europeans were housed on this small vessel is not stated, but the Aborigines were housed on the deck with a small upturned boat for shelter. When the *Prince George* ran into a heavy gale outside Port Phillip heads the captain, Commander Scott, decided to turn back as the Aborigines on deck were constantly under water and suffering from cold, cramps and seasickness. He landed them at Williamstown with a recommendation that they be transported to Sydney in a more suitable vessel.

On shore Bunia Logan made a successful bid for freedom, holding his rope-bound wrists over a fire until the rope burned through. His burns became infected and the Colonial Surgeon who treated him, Dr Patrick Cussen, pronounced him unfit to travel. Only six men then were placed in the schooner *Sarah*, an even smaller vessel of 46 tons, when she left Williamstown bound for Sydney on 30 May. The men were admitted into Sydney Gaol on 9 June, processed as follows: ‘hair black, eyes black, colour black, no connections or past history’.

In the same week in June as these six men were admitted to Sydney Gaol to await trial in the Supreme Court, Nannymoon, who had killed Terence McMannis in April, reappeared within the settled districts near Geelong and was arrested by Police Magistrate Foster Fyans. Under police escort he was sent by ship to the Melbourne gaol, where he met up with young Mooney Mooney, whose father was one of the men in Sydney Gaol. Together, on the night of 12 July, they cut through their chains with a file supplied by persons unknown and escaped. Young Mooney Mooney got clean away, but Nannymoon was retaken by a Melbourne Aborigine. It was not his country and local Aborigines felt no solidarity with him. He arrived eventually in Sydney Gaol, but by what ship and when is not clear from extant records. Also in that week, Willymeluk, who was Nannymoon’s associate in killing Terence McMannis, was sighted at the Leigh River near Geelong. Pointed out as a murderer, he jumped into the river, where he remained about an hour, dying on the riverbank after being pulled out by his friends.

Not one of these Aboriginal men went to trial in the Supreme Court in Sydney. Mainger died in gaol at seven o’clock on the morning of 9 October, having been under medical treatment for a considerable time. It could have been an illness arising out of the cold, cramp and sickness he endured during that brief period on the *Prince George*, or a pre-existing condition, but his wife told Assistant Protector James Dredge in Melbourne that he died of a broken heart. An inquest was performed in Sydney but the findings do not appear to be extant.

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30 *HRV* vol. 2A:302-3; Shipping Arrivals and Departures Sydney 1826-1840. Entrance Book to Sydney Gaol, reel 853, Description Book, reel 856 (Archives Office (AO) of NSW). In Sydney the men were recorded as Jen Jen, Mooney Mooney, Mainger, Murry Embal, Jack Sloe and Murrygin or Poen.
31 *HRV* vol. 2A:280; *HRV* vol. 2B:652; *HRV* vol. 2A:303; ibid.:290-1.
Two unnamed men from among the six appeared before the Court in August, where Attorney-General John H. Plunkett begged their discharge, and the discharge of three others from the Wellington Valley in New South Wales, on the ground that there was no interpreter present and therefore no possibility of justice being done. In the case of the others, precedent was followed, the committal bill was ignored, and they were discharged to the Sydney Benevolent Asylum. Their lives are lost there. Of the forty-five volumes of House Committee Minutes of this institution, the one volume crucial to this story is missing.

From the Benevolent Asylum Poen either walked out or was discharged, for he turned up at Langhorne’s mission on the Yarra on 13 October 1838, having walked back from Sydney through all that foreign country. He received, as can be well imagined, an ecstatic welcome. Murrumurrumbeel got back — Dredge had a conversation with him in May 1839, and he enlisted subsequently in Dana’s Native Police Corps of 1842, serving for four years. Dana described him as very determined but tractable, and was pleased with his service. He died on 16 September: 1849. Moragone too returned — Thomas talked with him in September 1839. Jin Jin simply disappears from knowledge at the Benevolent Asylum. Mooney Mooney and Nannymoon remained in Sydney Gaol for twelve months, their case coming before a criminal session of the Supreme Court in June 1839, when it was decided to return them to their districts in the usual manner under escort with prisoners to the interior, i.e. with convicts on assignment. By a remarkable irony, Mooney Mooney travelled back to Melbourne with the man whose ears he had been going to cut off some eighteen months earlier. Their journey was complicated, as they were sent under escort to a ship which refused to board them without correct travel documents, returned to gaol, and finally completed their journey to Melbourne in the *Pyramus* with Superintendent Charles Joseph LaTrobe on his way to take up his new appointment in Port Phillip. They landed in Melbourne to a nine-gun salute.

Insomuch as an arbitrary beginning and end must be assigned to any story, this story ends here. Out of a cast of perhaps hundreds of actors involved directly and marginally in the killing of sheep, the taking of potatoes and the killing of a European, only seven men were deemed finally by Europeans to be accountable for their actions. The rest escaped imprisonment and banishment, and in one case death in a foreign country, through a variety of factors, which included their own determination to avoid capture, their skill in escaping from captivity, Lonsdale’s delicate sensibilities, sheer administrative foul-ups, European inability to distinguish one ‘savage’ from another, but mostly through the incongruity of British law, which defined Aboriginal persons as accountable to it but prohibited them from giving evidence in the courts on the ground that as they did not recognise the existence of the one true God, they could not swear to tell the truth on the book which contained His word.

32 By coincidence, Assistant Protector William Thomas was in court prior to taking up his appointment in Melbourne the following year. He recalled the discharge of these men years later (Thomas to Resident Judge Therry, 14 May 1845, VPRS 11, Box 10/607).

33 Principal Gaoler to High Sheriff, 9 October 1838, and Principal Gaoler to Coroner Brennan, 9 October 1838 (Sydney Gaol, Letters Sent, 1831-1881, AO of NSW); Journal of James Dredge, January 1839 (Box 16, LaTrobe Library, State Library of Victoria); NSW Leg Co V & P 1843; House Committee Minutes, General Committee Minutes and Acting Committee Minutes, Benevolent Society Records, ML; VPRS 4, unit 5, 38/229(a); Dredge Journal, 5 May 1839; Thomas Journal, 17 September 1839 (uncat. MS, set 214, item 1, ML); Sydney Gaol, Letters Sent, 1831-1881, 22 June, 9 July, 10 and 11 September 1839, reel 2727, (AO of NSW); Gunner 1968:49; Nanyymoon was still alive in Geelong in 1840 (Fyans to LaTrobe, 5 October 1840, 40/10679 in AO of NSW, 4.2511).
A Comment on the Story.

This little story raises a number of issues, perhaps most immediately the possibility of writing Aboriginal history about individuals according to the same canons that dictate the writing of European history. It is possible to rescue individual lives from the general category ‘The Aborigines’, avoiding thereby the objectification that necessarily results when a group of people is reduced to the status of a category.34 This story was written from original documents in 1983, before the publication of vol 2B of *Historical Records of Victoria*, but in subsequent re-writing, the references have been changed to the printed version for the convenience of the reader. The publication of this series should result in the abandonment of contact history written mainly from newspapers and second-hand sources.

The account raises questions about theories of war. On a superficial reading of newspaper accounts of events such as those described, it would be easy to amass evidence to support a theory of guerilla war, based on European descriptive terms such as ‘attack’ and ‘outrage’. This would be simple-minded, however, as it would imply the uncritical acceptance of the language of the reports. It might be asked: when is an ‘attack’ not an ‘attack’? And answered: when the word describes an event such as happened at John Aitkin’s in this story. Or when is an ‘outrage’ not an ‘outrage’? To accept without question the language of the reports is merely to hear a statement about the feelings of the Europeans whose interests (usually commercial) were harmed by the event. Clearly, though, all killing of sheep is not a declaration of war, nor is all killing of Europeans. In this story, there are good grounds for supposing that this expedition was a quasi-policing operation that did not quite come off as intended. Later, in a discussion about land, two influential men, Benbow and Betbenje, related to Assistant Protector Thomas ‘all the good services they had rendered to Europeans’.35 Thomas elected to record only two of all the good services, but in any narrative history of co-operation, the self-explained actions of this expedition would probably fit, together with the co-operation by Aboriginal men in the search for the killers of Mr Franks and his shepherd, Flinders, in July 1836.36 Co-operation and collaboration are not necessarily to be read as synonymous with betrayal of past practice — they can also be interpreted as strategies offering survival in conditions not of Aboriginal making.

The story further raises questions about the role played in instances of cross-cultural conflict by lonely and isolated shepherds. Later, in the Western District, Commandant Henry Dana investigated in minute detail some shepherds’ accounts of attacks, only to find they never happened but were fabrications dreamed up for two reasons: the shepherds were lonely and wanted to come in from their outstations, or they were careless and lost some of their

34 See Fels 1986: Appendix C, for recovered biographical details of the men of the Corps.
35 Thomas Journal 13-15 September 1840, (uncat. MS, set 214, item 1, ML).
36 Mr Charles Franks and his convict servant known as Flinders were killed by Aborigines near Mt Cotterill, about twenty miles northwest of Gellibrand’s Point (now Williamstown). The killings occurred in the area covered by the land treaty signed by local landowners with Batman. Four Aboriginal men joined the search parties for the killers of the two Europeans: Benbow, Bethengai, Ballyan and Derri-mut. They were all men of influence; the first three subsequently joined one or other of the four attempts to set up Aboriginal Police Corps. The killers of Franks and Flinders were known, though not captured by the search parties. They subsequently reappeared in the streets of Melbourne, and local Aborigines offered to ‘get’ them for Europeans.
masters' sheep, blaming the Aborigines as a convenient scapegoat. His findings do not stand alone; they are supported by frequently published corrections in the Port Phillip papers of earlier stories based on rumours which turned out to be untrue. Usually they come in the form of station owners' denials — they write saying something like 'It was reported in your newspaper of such and such a date that the Aborigines attacked my station on such and such a date and carried off so many of my stock. I should like you to know that such is not the case: the Aborigines have been quiet around here for six months'. In one case, which involved one of the actors in this story, the Port Phillip Gazette published a retraction itself along the lines of 'Sorry . . . in our last number we were misled by rumour . . . actually the blacks and Gellibrand extinguished the fire, not lit it'.

What Dana could not find out, and what is probably lost forever because never recorded, is the sequence of events that led up to a confrontation or a collision between these lonely shepherds and the Aborigines on whose land they lived. What requires explanation is why the shepherds were not all killed, given the fiercely held proprietorial rights to their land by Aboriginal groups. That the shepherds survived at all points to some kind of private accommodation made between the owners of the land and the occupiers.

Not raised in the story is one of the most important determinants of conflict — the seasonality factor. The whole rythym of the annual pattern of policing in the Western District, the Lower Murray and Gippsland revolved around the expectations of attacks on stock in the winter months because the Aborigines were hungry. The Native Police Corps underwent intensive training and re-equipment in the autumn, was reviewed by LaTrobe, and despatched by him to the area deemed most threatened in May or June. In November they were recalled for more intensive training and outfitting prior to one of the gala events of the Melbourne social calendar — the annual review conducted by LaTrobe at Melbourne in late December. After the review, furlough and station rebuilding occupied the summer months till the cycle started again.

In winter, out in the field, the men were placed at the stations of respectable squatters simply to be there, their presence constituting the deterrent to attack. When attacks on stock came, they never occurred on a property where the police were stationed, but always on a station some distance away. If that squatter was influential, two Native Police would be moved to stop a while on his property, leaving the former station unprotected. In this way an umbrella of cover was extended to a large area, but within that cover Aboriginal groups could still pick off properties to raid at the maximum distance from protected properties, or the minimum distance from a safe place to hide. Understanding the pattern of policing helps to explain the patchy nature of reported conflict. The fundamental determinant, though, was hunger in the winter months.

19 January 1842.

The correspondence between the Commandant and LaTrobe regarding disposition of detachments of the Corps is conducted in terms of the seasonality factor. Settlers' letters Commissioner of Crown Lands' reports and LaTrobe's reports to Sydney display the same concern. See for example 'Return of Duties', 1849, VPRS 4466, unit 1: 12 April - 1 Officer, 1 Corporal and 10 Troopers started for Gippsland to be stationed in that district for winter; 15 April - 1 Officer, 1 Corporal and 12 Troopers
This pattern prevailed for ten years, from 1842 to 1852. Any war theory which does not take into account the seasonality factor is based on only a part of the surviving evidence. Cross-cultural historiography of the early period is probably ready to take the next step away from mere recitations of events, attacks and outrages towards rigorous examination of the complex processes of relationships between Aborigines and Europeans.

proceeded to the Lower Murray to be stationed in that district for the winter. See also Dana to La-Trobe, 24 Oct 1844 (VPRS 19, Box 64, 44/1876), reporting that he had just completed a second tour of the district: 'from observation and information this part of the Province is perfectly free from anything like outrages by the blacks... fine weather seems to have set in and as there is now plenty of food for them in all parts of the bush... do not anticipate any further trouble...', and requesting permission to return to HQ at Nerre Nerre Warren to prepare for the annual inspection. See also C.C.L. Smythe's fears of renewed attacks in the winter months in Smythe to Latrobe, 15 Dec 1843 (43/2823, enc. to 44/6179 in AO of NSW). See also H. Jamieson to LaTrobe, 24 Sep 1849 (VPRS 4466, unit 1) - when the country is flooded is the very time that depredations are always committed. See also LaTrobe to Col. Sec., 25 May 1844 (44/4125 in AO of NSW), reporting a killing by Aborigines of a European Thomas Casey and stating that such attacks must be expected during the coming winter. This was understood in Sydney by the Government (Col. Sec. to LaTrobe, 12 Jul 1847, VPRS 19, Box 94/47/1329) which approved distribution of the Native Police for the winter months. Any detailed examination of the seasonality factor must take into account too that winter was a slack time for Europeans on the stations, that it was the time they moved up their drayloads of supplies, the time kangaroos were scarce and the time Aborigines hunted for lyrebirds. It is a complex matter.
QUASI-POLICING EXPEDITION 1838

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OFF THE MISSION STATIONS:
ABORIGINES IN GIPPSLAND 1860 – 1890

Bain Attwood

During the post-frontier years, throughout southeastern Australia, many Aborigines were
confined on mission stations or government reserves by force or circumstance. But some
scholars have overemphasised this process,\(^1\) ignoring the refusal of other Aborigines to live
on missions in their struggle to survive. A close study of the Kurnai people of Gippsland in
the last third of the nineteenth century reveals that many Aborigines continued to shape
their own lives, some of which were lived away from the missions.

The first contact between Aborigines and Europeans in Gippsland took place in the late
eighteenth century and was followed by further fleeting encounters on the coast. It was not
until the late 1830s that prolonged contact with Europeans began, as explorers and adven­
turers pushed into the area, and pastoralists rapidly took up large parcels of land. As else­
where, Aborigines mounted staunch resistance, and bitter conflict ensued with considerable
loss of Aboriginal life. However, the nature of the European pastoral economy and the topo­
graphy of the area also allowed Aborigines to move away from Europeans, and a decade or
so elapsed before they began once again to range over their traditional land and go into
European settlements. It was not until the 1850s that the Kurnai worked and begged for
food and money from the European settlers on a regular basis, but even then they con­
tinued to live according to Aboriginal mores and beliefs.\(^2\)

In the 1860s a major transformation of Kurnai society began, with the coming of Chris­
tian missionaries, Friedrich August Hagenauer (1829-1908) and John Bulmer (1833-1913).
In 1861 Hagenauer and Bulmer went to Gippsland to assess the potential for missionary
work among the Aborigines. Hagenauer was a Moravian who had been working in the
Wimmera (near Lake Hindmarsh) since January 1859, with a fellow missionary, F.W. Spieseke.
In 1860 he had preliminary discussions with representatives of the Presbyterian Church in
Victoria, which wanted to start a mission to Aborigines. Bulmer too had been a mission­
ary; with the Church of England on the Murray River at Yelta. By 1860 the Anglicans were look­
ing to start another mission, and regarded Gippsland as a possible field for this endeavour.\(^3\)

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earlier draft of this paper.

\(^1\) See for example Christie 1979:ch.5; Haviland and Haviland 1980:119.
\(^2\) See Attwood 1984:chs 1-3.
\(^3\) Rev. A.J. Campbell, letter 24 July 1860, Report of the Presbyterian General Assembly Committee on
Missions to the Heathen, 1861, Rev. F.A. Hagenauer to Br L.T. Reichel, 16 July 1861 (Moravian
Mission, MF166); Church of England Annual Report 1855:6 and 1861:4-5, 10.
After preliminary visits to the area, Hagenauer and Bulmer returned with their wives, Louise and Caroline, to establish missions in 1862. On his first visit Bulmer had stayed for eight to nine months, during which time some Aborigines had helped him choose a site at Lake Tyers. In 1863 Aborigines also played a crucial role in the selection of the site for the other mission station, on the Avon River near Lake Wellington. They agreed to call the station 'Ramahyuck' — the scriptural name 'Ramah' was suggested by the convener of the Presbyterian Missions to the Heathen, with Aborigines adding 'yuck', to denote 'home'.

Both these mission stations were located in out-of-the-way places, isolated from European settlement. Ramahyuck was fifteen miles from Sale, the nearest big town; Lake Tyers Mission Station, surrounded by heavy bush on a peninsula five miles east of the entrance to the Gippsland Lakes, was twenty miles from the nearest town.

By the early 1870s most of the Kurnai Aborigines (who numbered about two hundred) lived on these remote mission stations, which they regarded as 'home'. On Ramahyuck and Lake Tyers a largely enclosed and socially self-sufficient world had evolved, in which the missionary men had acquired tremendous power and influence over the Aborigines. Hagenauer and Bulmer had purposely organised the environment and structure of mission life in accordance with their desire that traditional Aboriginal culture be destroyed, and with their paternalistic principle that Aborigines had to be 'carefully and kindly guided'. Each day a strict, orderly routine, arranged by the clock, was enforced with rules, religious observances, and work set by the missionaries.

However, although the missionary-ruled stations dominated the Aboriginal milieu in the 1870s and 1880s, there was a small group of Aborigines who never 'settled down' on Ramahyuck or Lake Tyers, while those on the mission stations were not wholly insulated from the outside world, many continuing to move in the wider community, working, drinking and holidaying. Both these phenomena will be examined.

At least two Aborigines chose to live away from the mission stations altogether; they were Charles and Annabella Hammond. Although Charles, like other young Aboriginal men, went to Lake Tyers Mission Station when Bulmer founded it in 1862, he was reluctant to stay there. Charles was unwilling 'to mingle with other Aborigines', apparently regarding them with disdain. This is not altogether surprising; as a young child he had been taken away by Europeans and not allowed 'to associate with his tribe', and had probably become imbued with some of the settlers' denigratory attitudes to 'wild blacks'. In 1864 he married Annabella, a woman of mixed descent. She was possibly one of a small group of mixed-descent girls whom Aborigines had allowed Bulmer to teach when he began his mission at Lake Tyers.

4 Hagenauer to Reichel, 17 July and 19 September 1862, 18 June 1864; Hagenauer to Campbell, 10 October 1862 (Moravian Mission, MF 166); Further Facts, paper 4:4-7, paper 5:9, 12; Central Board ... (CBPA), 4th Report 1864:9; Illustrated Australia News, 1 January 1869:5; Campbell 1889:159; Bulmer Papers:papers 1, 2, 3, 7, 13; Pepper 1980:38-9.
5 Gippsland Times, 20 May 1864, 13 January 1874; Surveyor-General 1874:10; Royal Commission 1877:viii; John Bulmer to Dr A. Morrison, 7 April 1885 (Australian Archives (AA) Brighton, Series B536, Item 11); Argus, 2 January 1886:4.
6 See Attwood 1984:ch.5.
Bulmer described Charles as an intelligent, industrious man who had 'evinced a desire to maintain himself by labour'; to do this he wanted a piece of land that he and Annabella could work and make their home. He sought the missionary's help, and in July 1864 a willing Bulmer petitioned the Central Board for the Protection of the Aborigines for some land on the Hammonds's behalf. The Board supported Bulmer's request, and he was directed to apply formally to the Board of Lands and Works. In the meantime, the Hammonds moved to Bruthen on the Tambo River, where they chose a ten-acre block; Charles began work, driving bullocks and doing odd jobs around the town. The Board refused their application for the block, as the land could not be legally granted either to them or to any non-Aboriginal.7

Whatever their disappointment at this rebuff the Hammonds, after a time at Bruthen, moved to Omeo, where Charles worked for many years on Tongio and other stations. Bulmer repeatedly urged them to return to Lake Tyers, but for twenty years they preferred to work and live amidst Europeans, never going 'among their people'. They were both very hard workers, and reared a large family of seven children who were educated at the local school.8

There were other Aborigines in Gippsland who led lives independent of the missionaries, but who spent some time on the two mission stations. Their number is somewhat difficult to assess. The missionaries consistently underestimated the size of this group, asserting that Aborigines had given up 'their wandering lives' and that 'all the blacks' resided at the stations. However the missionaries occasionally admitted that there were exceptions.9 It seems that these 'habitual wanderers' — as the missionaries labelled them — numbered about fifteen.10 They moved on and off the missions as they pleased, staying on Ramahyuck and Lake Tyers 'perhaps for a fortnight at a time' but 'never ... more than two months'.11

The 'habitual wanderers' tended to be men rather than women; they had mostly been born before prolonged European contact in the area, and by 1860 were in their thirties and forties, or older. These Aborigines opted to live away from the stations for several interrelated reasons. Generally they found Christianity, the paternalistic missionaries, and the ordered regime of mission life, distasteful or even intolerable. Most importantly they were traditionalists, seeking to live in a world defined by long-standing Aboriginal social and religious beliefs. Although Hagenauer contended that 'the old manners and customs ... [had] entirely disappeared',12 (as a result of the missionaries' attempts to break down the

7 CBPA, 4th Report 1864:8; Minutes of the CBPA, 15 August 1864 (AA Brighton, Series B314, Item 2); Bulmer to President of Lands and Works, 21 November 1864, J1864/11314 (Public Record Office of Victoria (PROVc), Series 2896).
8 Gippsland Times, 31 January 1871; Bulmer to Secretary, Board for the Protection of Aborigines (BPA), 15 October 1883 (AA Brighton, Series B356, Item 9).
9 Hagenauer to Rev. Robert Hamilton, 11 February 1876 (Hagenauer 1875-85); Church of England Annual Report 1875:7; Hagenauer to Secretary, BPA, 6 March 1877 (AA Brighton, Series B313, Item 171); Royal Commission 1877:36, 50.
10 Barwick 1963:97 may exaggerate the number of Aborigines in the area who refused to go onto the mission stations.
11 Royal Commission 1877:36, 50.
12 Report for Ramahyuck Mission Station, 1868, Queries and answers about Aborigines of Gippsland [c. December 1868] (Hagenauer 1865-72); Hagenauer to Secretary, BPA, 2 January 1888 (AA Brighton, Series B313, Item 181); Report for Ramahyuck Mission Station, 1888 (Moravian Mission MF 175); BPA, 28th Report 1892:9.
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cultural heritage.

traditional ways and 'civilise and christianise' the Aborigines), this was clearly not the case.

These Aborigines shunned permanent residence on the missions as it interfered with their links with their land, 'The Dreaming' and some kin, and hindered their practice of sorcery and other customary beliefs opposed by the missionaries. One elderly man, for example, would often tell Hagenauer: 'Upon Mount Wellington is my home, give me a little ration'. Hagenauer recalled in 1877: 'he would travel home, see his country, and in a fortnight he would come back'.

Many but not all of these men and women also had a considerable 'love of drink'. The missionaries and others explicitly identified 'those who may be termed wandering Aborigines ... [as] very much given to drink', and argued too simply that they stayed away from the mission stations because of this. Many undoubtedly were heavy drinkers; one man was given the name 'Bunjil Bottle' by his fellow blacks, 'on account of his propensity to empty bottles containing strong waters', as one observer expressed it. ('Bunjil' was a term used frequently by the Kurnai to describe anything remarkable.)

Some of these men and women had also developed a strong association with European culture before the missionary incursion, as the life-story of one Aboriginal man, Tulaba or Billy Macleod, clearly illustrates. Billy was a Brabiralung man, born near Bruthen in the early 1830s. He could recall having seen Europeans for the first time at Swan Reach in the early 1840s; he was very frightened, thinking they were *mrarts* (ghosts) and had run off. Later in the decade, presumably after violent clashes between Brabiralung people and Europeans, Billy and several young boys were taken by some squatters, Archibald and John Macleod, and raised on one of their stations on the Mitchell River. At the time, Billy later recalled, he was 'not little boy - not big boy - only little big boy'.

As he grew up, Billy and other young Aborigines on the Macleods' Mitchell River stations, and near Buchan and Orbost, worked as stockriders and drovers, performing the work with great proficiency. They enjoyed the pastoral life. These station workers also identified closely with their employers, and most followed, 'in many particulars', the manner of the Europeans. Indeed by the 1860s John Bulmer claimed they tried to 'imitate "white fellows" in everything'. Most could speak English, a few could read and write a little, and they wore European clothes. When they had money they bought themselves hats and shoes. One observer remarked that some of these young men were 'generally dandies in a small way, taking great pains with their hair, wearing cheap rings, and exhibiting, perhaps, their photograph'. A few of them owned their own stock. One man, Jemmy Gimblet – who worked

13 Report for Ramahyuck Mission Station, 1868 (Hagenauer 1865-72); Howitt to Anna Mary Watts, 20 January and 5 October 1871, 24 January 1872 (Howitt Papers 1047/1b and 2a); Royal Commission 1877:41; Fison and Howitt 1880:191, 246; Howitt 1884:186-9, 191; Howitt 1887:27-8, 32, 34, 51-2.

14 Report for Ramahyuck Mission Station, 1868 (Hagenauer 1865-72); Royal Commission 1877:41.


16 Smyth 1878, I:246.

17 Howitt to Watts, 5 October 1871; Howitt, Notes on the Kurnai, Tulaba's reminiscences (Howitt Papers, 1047/1b, 1053/3b).

18 Bulmer Papers: papers 1, 7, 12; CBPA, 5th Report 1866:10.

19 *Gippsland Times*, 30 October 1863.
for Dalmahoy Macleod at Orbost — owned some cattle and horses, and when he died prematurely in 1866 he had property worth £20. (He had asked Macleod to sell it and pass the money to Bulmer for the mission.)

The relationship between the Aborigines and the Macleods went beyond one of employer and employee. These were not isolated cases, for other Brabiralung congregated at Bairnsdale and Lindenow stations in the 1850s. In their struggle to survive on the fringes of settler society, they attempted to establish a close relationship with the Macleods (and others), trying to assert the principles of sharing and reciprocity which were central to their own social system, in order to gain access to food and other things, as well as to ensure that Europeans treated them with care and respect.

They attempted to do this in a number of ways. As well as doing casual and seasonal jobs, they probably also exchanged food items with the Macleods, providing seafood and game in return for flour, tea, sugar and tobacco. The Brabiralung also sought to incorporate the Europeans into their kinship system by exchanging names with the Macleods and their workers. Thus it was that Tulaba became Billy Macleod. Aboriginal women were offered as sexual partners for the European men on the stations, while the Brabiralung also sought to cement kinship ties and reciprocal relationships by revealing their spiritual/religious beliefs to the Macleods. Both Archibald and John Macleod seem to have been regarded as men of status comparable to initiated Brabiralung men, unlike the missionaries later on, who, according to Billy Macleod, were unable to grasp Aboriginal religious notions. Billy once argued in reference to European views of sorcery that ‘Mr B and H (meaning the missionaries) very stupid — not know this are murrawun [i.e. a throwing stick believed to contain special power] — but Mr Archie and Mr John [Macleod] (two squatters near) cabon [much] know in this murrawun’.

In doing these things, the Aborigines believed they had entered into a relationship with the Macleods which entailed certain mutual obligations and benefits. The Macleods for their part seem to have accepted this. Indeed they took considerable interest in their Aboriginal workforce and John C. Macleod became ‘tolerably acquainted’ with the local Aboriginal language. The Macleods paid the stockmen and drovers good wages, encouraged them to buy stock, and also urged the Brabiralung men to plough some land and plant vegetables. The women of the Macleod clan taught some of the Aboriginal women sewing and other domestic tasks. These ‘intruders’ also dispensed medical supplies to the Aborigines, calling in more professional help when necessary. They became an even better source of food and clothing in 1860 when, under the newly-created Central Board for the Protection of the Aborigines, John C. Macleod became a Guardian of Aborigines and set up a depot to supply them.

The Macleods’ pastoral stations gave the Brabiralung some breathing space and a time to

21 Howitt to Watts, 5 October 1871 (Howitt Papers, 1047/1b); Howitt 1887:28.
22 Archibald Macleod to Deputy Surveyor General, 15 May 1860, A1860/2670 (PROVic, Series 2896); William Thomas, Journal of Gippsland Visit, 31 December 1860 (Thomas Papers, Item 16); Notes (Howitt Papers, 1053/3b); Bulmer Papers: papers 1 and 7.
23 CBPA, 1st Report 1861:33.
become accustomed to European settlement. They also provided opportunities to retain some of the Kurnai social and cultural order. A strong traditionalist such as Billy Macleod was able to maintain a powerful attachment to his own country as the Mitchell River stations lay within its bounds. While he tended stock he also moved about his familiar and traditional world. His life had a dual character — a mix of the old and new — similar to that enjoyed by other Aboriginal men such as George Dutton in northern New South Wales and Aborigines in the Northern Territory cattle industry in the twentieth century.24

For some time after the coming of the missionaries, the Brabiralung and other Aboriginal groups were able to remain largely independent of the newly-founded mission stations. However they came under increasing pressure from Hagenauer and Bulmer to move onto the stations permanently and stop their 'restless wandering'. This pressure, part of which took the form of the closure of the Board food depots (at the request of the missionaries), along with the breaking up of the large pastoral properties, compelled most Aborigines in the area to move onto either Ramahyuck or Lake Tyers by the early 1870s.25

Billy Macleod and others, however, stayed away. Billy never 'settled' on the mission stations, only going there occasionally. At the direction of the Macleods, Billy went to Melbourne in 1861 to guide John Bulmer over the rough road to Gippsland. However he took little interest in the missionaries or their faith.26 Other Aboriginal stockmen too were, as Bulmer once noted, 'always busy with their employer's business', and seldom went to the missions except 'for a spell' when they were not needed on the pastoral runs.27

They lived by begging food and money, using the remaining traditional food sources, and by working as bark-strippers, stockmen, shearsers, reapers, maize-pickers and hop-pickers.28 John Bulmer believed they survived by 'begging generally and working occasionally'.29 He was to some extent correct in that assessment, as the 'wanderers' preferred not to be involved in regular wage labour, and they believed that Europeans had an obligation to share, in accordance with traditional Aboriginal values. As Alfred Howitt noted of Kurnai society:

There . . . [is] a common obligation upon all to share food, and to afford personal aid and succour. The food, the clothes, the medical attendance which the Kurnai receive from the whites, they take in the accustomed manner; and . . . the donors are regarded as having unlimited resources. They cannot be supposed by the Kurnai to be doing anything but giving out of their abundance.30

Many Aborigines were very persistent in begging food from Europeans, and in some instances, angered by the settlers' failure to share their 'wealth', they were aggressive and

28 Gippsland Times, 15 October 1872, 13 September 1876, 4 May 1877, 3 June 1878; Royal Commission 1877:36, 50.
29 Royal Commission 1877:36, 50.
30 Fison and Howitt 1880:257.
Abusive towards them. In early 1859, for example, an Aboriginal man, Big Joe, threatened a European woman named Harding at Swan Reach, demanding food and clothing. Harding reluctantly agreed, but asked that he cut wood in return. Big Joe became annoyed at her parsimonious response, struck her on the throat, and made off with some goods. He was later convicted of aggravated assault.31

Big Joe was a powerfully-built man, with a gruff manner and a very abrupt way of speaking. As a result of the incident in 1859, and his abrasive disposition, he acquired an ‘unenviable reputation’ among the settlers. In Bairnsdale he was regarded as ‘a dread to everyone in the neighbourhood’. He often begged food from shopkeepers, but when they were not very generous Big Joe threw his weight around. On one occasion he again went too far, trying to carry off 30 lb of beef from a butcher, and was charged with larceny and assault.32

The methods of other Aborigines were more subtle. One local newspaper reported that they were ‘highly accomplished’ in ‘the art of begging’, commenting: ‘it is difficult even for those accustomed to their ways to resist their entreaties for “one little sixpence”, just to buy a loaf or some other necessary of existence’.33 Strangers and holiday-makers in the district seem to have been regarded as an ‘easy touch’, Cunninghame being a favourite haunt in the summer. Aborigines also frequented pleasure-steamer landings and railway stations.34

Not surprisingly some Aboriginal men and women became well known in the small towns of Sale and Bairnsdale. For some, their fame or notoriety was related to the number of appearances in court for ‘the old complaint’ — being drunk and disorderly. Bobby Brown, for example, was ‘a noted character among the Europeans’; indeed, they bestowed upon him, as was common practice, a ‘monarchic title’, and gave him a brass plate with a chain. According to Howitt and others, this plate was ‘much prized’ by Bobby; undoubtedly it was, for its utilitarian value in ‘exploiting the exploiters’. As one newspaper noted in 1906 on Bobby’s death, ‘his appeal for a “tikpens” as some consolation for having been deprived of his birthright was seldom refused’.35

Another traditionalist, James MacKay, was marked out by his dress as much as anything, although he too had an ‘artistically engraved brass plate’; he wore a coat and a boxer hat, and always carried a tucker box, in which he had flour, potatoes, bread, and a tomahawk. (Like Billy McLeod, he had acted as a guide for the missionaries in the early 1860s. In 1862 he had taken Hagenauer through the district, and actually saved the missionary’s life on one occasion, something both he and Hagenauer reminisced about late in their lives.)36

These Aborigines, who depended upon traditional food sources, begging, and occasional wage labour, had a tenuous economic existence and so were forced to rely on the settlers in order to survive. During the 1870s they formed a relationship with Alfred and Liney Howitt

31 Gippsland Guardian, 29 March 1861.
32 Gippsland Times, 15 March 1865; Minutes of the CBPA, 22 May 1865 (AA Brighton, Series B314, Item 2); Bulmer Papers: paper 7.
33 Gippsland Times, 15 October 1872.
34 Gippsland Times, 26 September 1867; Bulmer Papers: paper 13.
35 Howitt to Mary Howitt, 20 January 1871 (Howitt Papers, 1047/1b); Bairnsdale Advertiser, 8 November 1906; Bulner Papers: paper 13.
36 Gippsland Times, 29 December 1886; Bairnsdale Advertiser, 6 August 1903; Hagenauer to Br P. La Trobe, 18 September 1903 (Moravian Mission MF 186).
which resembled the earlier one with the Macleods.

Alfred Howitt was appointed Police Magistrate and Warden to the Omeo Goldfields in 1863, and was transferred to Bairnsdale in 1866, where he later also became a local Guardian for the Board for the Protection of the Aborigines. He and his wife, Liney, settled at Eastwood on the Mitchell River, near Bairnsdale. In the late 1860s, encouraged by his sister Anna Mary Watts, Howitt began to take a deep interest in traditional Aboriginal society, embarking on work which helped lay the foundations of anthropology in Australia.

Billy and Mary Macleod were at the centre of the network of relationships which developed between Aborigines and the Howitts on Eastwood. Their association with the Howitts began in the late 1860s; in subsequent years they spent long periods on Eastwood, which, like the Macleods' pastoral runs, was set within Billy's own country. By 1871 Billy was referred to by the Howitts as 'our blackfellow', and 'our Man Friday'; and for Billy, it seems, Howitt was 'master'. Howitt built them a bark hut, and they began doing some odd jobs for the Howitts. Most importantly, they began to work frequently on what was to become a prosperous hop-ground on the property. Yet in the early 1870s Billy seemed intent on continuing his work as a stockman. In April 1871 he left some of his savings from hop-work with Liney Howitt, who wrote:

Of course, he is going to buy a horse with it — To be possessed of a horse is the height of a Black's ambition. Some time ago Howitt suggested to the Government that they should allow the 'natives' to keep any of the wild cattle they can get in. (There are great numbers of these cattle in the hill country east of this — by the Snowy River.) I believe the blacks are very pleased at this and are eager to get horses now.

When nothing came of this proposal Billy turned his attention to the hop industry. The first Victorian hops were grown in Gippsland; between 1866 and 1870 several settlers experimented successfully with the crop, and later established gardens. The area around Bairnsdale and along the Mitchell River became one of the four major hop-growing areas in the colony. By late 1876 Billy was apparently 'making his living out of hops', probably contracting himself out to various hop-growers who needed his skill and experience. Nevertheless, he mostly worked on Eastwood, which by 1877 was one of the largest fields in Gippsland, needing sixty to seventy workers to harvest its ten acres of hops. Some of the pickers were Aborigines and each year Billy acted as foreman, showing them the ropes.

As well as working on the hop-ground, Billy and other Aboriginal men acted as 'guides' for Howitt. In January 1875, for example, two of them accompanied Howitt on 'a little

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37 For a biography of Howitt, see Walker 1971.
38 For a useful assessment of Howitt's anthropological work, see Mulvaney 1971 and Stanner 1972.
39 Liney Howitt to Mary Howitt, 18 April and 8 September 1872; Howitt to William Howitt, 21 April 1872; Liney Howitt to Watts, 22 February 1873; Howitt to Watts, 10 June 1873 (Howitt Papers, 1047/1b, 2a, 2b).
40 Liney Howitt to Mary Howitt, 18 April 1871; Liney Howitt to Watts, 23 November 1876 (Howitt Papers, 1047/1b, 1048/1b).
41 Illustrated Sydney News, 23 November 1872:16; Howitt to Watts, 2 September 1872; Liney Howitt to Watts, 23 November 1876, Liney Howitt to Mary Howitt, 10 March 1885 (Howitt Papers, 1047/2a, 1048/1b, 10a); Howitt 1882; Pearce 1976:1, 73, 81.
adventurous trip' for some geological research. Howitt wrote to his father:

I wanted to examine a long portion of the Mitchell River which runs through horizontal strata and which are almost unknown. I therefore sent up two blackfellows "Long Harry" and "Charley Boy" under the care of a trustworthy man to Tabberabbera station at the head of the Gorges. Here they made two bark canoes by the time I arrived from Crooked River and the following morning we started on our voyage... Long Harry [sat] behind with a piece of green wattle bark in each hand about 6 in. x 12 in. which he used as a paddle — he also sat cross legged. The other canoe contained Charley and the provisions for three days.\(^\text{42}\)

These Aborigines established a reciprocal kin relationship with the Howitts as they had earlier with the Macleods. Howitt became Billy Macleod's *brogan* (brother) and, as Howitt noted, 'it followed... that a particular relationship was established, and in accordance with the custom, his wife often addressed me as "bra bittel" (my husband), whilst I spoke to her as "rukut bittel".'\(^\text{43}\) As a result, Billy and Mary Macleod and other Aborigines expected the Howitts to share food, clothing and money in times of need and emergency. Howitt, as a local Guardian for the Board for the Protection of the Aborigines, could authorise medical help and distribute medicine, food, clothes and blankets. Throughout the 1870s several Aborigines were cared for by the Howitts, who encouraged those who were unwell and needing care to camp close to the house at Eastwood or to occupy the bark hut they had built for Billy and Mary Macleod.\(^\text{44}\)

The relationship between the Howitts and the Aborigines may have been buttressed by other factors. For example, the Aborigines may have felt they shared a common concern for the land, their country on the Mitchell River, and Howitt seemed aware of that common bond. When he visited Ramahyuck in 1871 he renewed his acquaintance with a Brabiralung man who told him: 'Mine most not see you at first — I know you — my country down a long a Mitchell'. Howitt replied: 'That my country too King Jemmy'.\(^\text{45}\)

Perhaps the key to the complex relationship was Howitt’s deepening interest in Kurnai society and the willingness of these Aborigines to share some of their knowledge. Billy Macleod was the 'son' of a tribal elder, Bruthen Munjie, and had considerable knowledge of the traditional Aboriginal world. Over several years Howitt, who acquired a 'slight knowledge' of the local languages, questioned him, Mary Macleod, Long Harry, Bobby Brown, and others.\(^\text{46}\) They spent long hours with Howitt sharing some of their knowledge. At the end of one particularly gruelling session, which had lasted two days, a weary Billy Macleod told

\(^{42}\) Howitt to Watts, 5 October 1871; Howitt to William Howitt, 25 January 1875 (Howitt Papers, 1047/1b, 3b); Howitt 1891:17-18.

\(^{43}\) Fison and Howitt 1880:186-7, 198-9.

\(^{44}\) Secretary, BPA to Howitt, 5 March 1874 (AA Brighton, Series B329, Item 2); Liney Howitt to Watts, 23 November 1876 (Howitt Papers, 1048/1b); Howitt to Secretary, BPA, 25 November 1876, 13 January and 5 February 1877, 25 April 1878 (AA Brighton, Series B313, Item 12).

\(^{45}\) Howitt to Mary Howitt, 20 January 1871 (Howitt Papers, 1047/1b).

\(^{46}\) Fison and Howitt 1880:186-98.
Howitt: ‘You tell Mr. Governor, spose he no send me down clothes, nartburra (not) me gib — it any more long word — too much berry hard work’. Howitt reckoned ‘everything done in the way of writing down about blacks’ customs is supposed by Toolabar to be for and at the instance of the “Mr. Governor”. Given Howitt’s position as a local Guardian, and the obvious logistical support he received from the Board for the Protection of the Aborigines for his anthropological work, Billy’s misapprehension was quite understandable. It was partly through his official status as a guardian, Howitt believed, that he gained the confidence and trust of Tulaba and other Aboriginal informants.

Howitt’s anthropological work gave these Aborigines an opportunity to recreate the traditional world and pass on some of their knowledge. In the 1870s they gave Howitt information about initiation ceremonies and agreed to perform part of these. Indeed in April-May 1883 Howitt decided to organise an initiation ceremony in Gippsland, having sponsored one at Bega in southern New South Wales. In this remarkable initiative, he sent off a ‘messenger’ to the mission stations to call on all Aboriginal men to gather together to initiate some boys. The older men welcomed the move, telling Howitt that the youths ‘were now growing wild. They had been too much with the whites, so that now they paid no attention to the words of the old men . . .’ They probably also saw it as another opportunity to counter the religious power and authority of the missionaries.

Many Aborigines on the Stations responded eagerly to Howitt’s call. In January 1884 a large group gathered near Lake Victoria, and the Jeraeil, or initiation ceremony, was held. However, many of the older men were at first very suspicious of Howitt. Indeed most had been extremely careful in the past not to disclose any secret knowledge to him. The most wary was Tulaba, who had withheld much information when telling Howitt earlier about the Jeraeil, revealing only the public aspect and nothing of the secret ritual. Over the years Tulaba and most of the Kurnai men had maintained their silence on these matters. Howitt seemed unaware of this, remarking in 1880 that he believed he ‘had gained their confidence through mutual acquaintance’; ‘they regarded me as one of themselves and as affiliated to them, or, as they express it, a brogan’. At the initiation ceremony, once the preliminary part was concluded, Tulaba and the other elders demanded an assurance from Howitt that he had been fully initiated. Howitt produced a bull-roarer or turndun as proof, but they wanted to know the identity of the ‘wicked man’ who had betrayed ‘the secrets of the

47 Howitt to Watts, 10 June 1873 (Howitt Papers, 1047/2b).
48 Secretary, BPA to Howitt, 12 August 1874, 11 and 26 September 1882 (AA Brighton, Series B329, Items 2 and 3); Fison and Howitt 1880:186-7; Howitt to Watts, 1 March 1881; Liney Howitt to Mary Howitt, 16 January 1886 (Howitt Papers, 1046/6a, 9a); Howitt to Secretary, BPA, 10 July 1885 (AA Brighton, Series B313, Item 178).
50 Liney Howitt to Mary Howitt, 23 April, 21 May, 14 June 1883; Howitt to Watts, 14 and 29 July 1883 (Howitt Papers, 1048/8a, 8b); Gippsland Times, 27 April and 6 June 1883; Howitt 1904:617-18.
51 Hagenauer to Rev. S.L. Chase, 10 July 1866; Hagenauer to Rev. A.J. Campbell, 13 August 1866; Hagenauer, Annual Report, 1866 (Hagenauer 1865-72); Report of Ramahyuck Mission Station, 1874 (Moravian Mission MF 175); Bairnsdale Advertiser, 14 March 1911.
53 Fison and Howitt 1880:186-7.
The initiation ceremony at Lake Victoria in January, 1884, photographed by its convener, Alfred Howitt. Billy Madeod or Tulaba stands on the left, his arm upraised, twirling a bull-roarer (courtesy late Mary Howitt Walker)

_Turndun_. Howitt had actually learnt some of it from Long Harry or Turlburn, who had died in 1881, and from another man who was absent from the ceremony, ‘ostensibly through sickness, but really from consciousness of tribal treachery, and fear of the consequences if it was brought home to him’. Howitt explained that the man who first told him had died. The Kurraiwere not completely satisfied but nevertheless decided to continue the ceremony. It lasted for five days — usually it would have taken two to three weeks but it was compressed at Howitt’s insistence — and six young men were initiated.54

Over the next few years Howitt encouraged Aborigines to engage in further ceremonies, but his anthropological work and the eagerness of Aborigines to leave the mission stations to participate drew the anger and censure of the missionaries at Ramahyuck. In January 1884 Hagenauer protested vehemently to the Board: ‘Mr. Howitt’s party or what you may call its report on 20 January, ‘is a great attraction ... [A] great lot of Blacks [have] gathered ... it will last several days after which the blacks will not feel inclined to return at once’. A few days later he returned to the subject again, dismissing Howitt’s work, and ridiculing the notion of Aborigines on Ramahyuck having any knowledge of Kurnai law: ‘It seems as if Mr Howitt is becoming a Black brother himself for verily these men here know nothing of what he collects, but they will always go for the fun’s sake; still it will be an interesting book

54 Howitt 1904:616-42.
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when it is finished'.\(^{55}\) When Howitt attempted to arrange more ceremonies, the missionaries and the Board intervened and put a stop to them.\(^{56}\)

The relationship between these Aborigines and Howitt was not without considerable tension and inequality, which reflected race relations generally. Aboriginal men, such as Long Harry, faced Howitt in his magisterial capacity in the local court when they were charged for being drunk and disorderly.\(^{57}\) On other occasions the Aborigines upbraided Howitt when he transgressed their laws or customary rules of social behaviour. Howitt recalled the time when he forgot the customary law relating to conversing with one's mother-in-law:

A Brabrolung [i.e. Brabiralung] . . . was one day talking to me. His wife's mother was passing at some little distance, and I called to her. Suffering at the time from [a] cold, I could not make her hear, and said to the Brabrolung "Call Mary, I want to speak to her". He took no notice whatever, but looked vacantly on the ground. I then said, "What do you mean by taking no notice of me?" He thereupon called out to his wife's brother, who was at a little distance, "Tell Mary Mr. Howitt wants her" and, turning to me, continued reproachfully, "You know very well I could not do that — you know I cannot speak to that old woman".\(^{58}\)

Howitt's ethnocentrism was another possible source of conflict. As Mulvaney has already noted of Howitt (and of his fellow researcher Lorimer Fison): 'the implicit assumptions of white racial superiority and the perfection of Anglo-Saxon social institutions are manifest in their thought, while they explicitly assented to current doctrines of Aboriginal racial extinction . . . .'\(^{59}\) Like the missionaries and other Europeans, Alfred (and Liney) Howitt saw 'the niggers' as big children and 'savages' by nature. Writing to his sister in April 1869 after visiting Lake Tyers, Howitt said: 'I have now seen a good deal of these mission stations and I arrive at the conclusion that the Australian black is a "wildman" by nature and that you cannot 'wash a blackamoor' . . . They have the minds of children and the bodies of adults'.\(^{60}\)

Neither Howitt's beliefs concerning the 'civilising' of 'the blacks' nor his frank indifference about the radical transformation of traditional Aboriginal culture was moderated by the years, although he grew less contemptuous of Aborigines as he became more familiar with those at Eastwood.\(^{61}\) Further, one cannot overlook that Howitt had quite different motivations from the Aborigines in the various activities which formed the basis of their relationship; that they had mutual interests was fortuitous rather than the result of any particularly benevolent attitude or behaviour on Howitt's part.

\(^{55}\) Hagenauer to Secretary, BPA, 20 and 24 January, 2 February 1884 (AA Brighton, Series B313, Item 178).

\(^{56}\) For a more detailed discussion of these initiation ceremonies and the conflict between Hagenauer, the Board, and Howitt, see Mulvaney 1970.

\(^{57}\) Bairnsdale Courier, 2 December 1876.

\(^{58}\) Fison and Howitt 1880:203; Howitt 1884:190-91.


\(^{60}\) Howitt to Watts, 18 April 1869 (Howitt Papers, 1046/3b).

\(^{61}\) Howitt to Watts, 10 August 1873, 1 September 1874 (Howitt Papers, 1047/2b, 3a).

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The Easwood hop-field was also central to the occasional movement of Aborigines off Ramahyuck and Lake Tyers mission stations. These Aborigines fell broadly into two groups. First, there was a small number who had embraced Christianity and identified with the European world of the missionaries, its ideas, aspirations and bourgeois way of life. These Christian converts worked off the stations each year with the blessing of the missionaries, doing such tasks as bark-stripping, shearing and stockwork. They sought to earn money to buy clothes and household goods, and the frequency with which they took such employment depended on their assessment of work prospects on the missions. All Aborigines on the mission stations were called upon 'to work for their bread', they were employed clearing the land, fencing, building, growing vegetables and cultivating arrowroot and hops. In return they received rations as well as small wages, but the latter depended on the meagre resources of the missionaries and the state of the mission finances.

In the early 1870s Aborigines occasionally worked off Ramahyuck, saying they 'did not care about doing any work on the station, because they could not get any money'. Some were accustomed to European wage labour and to receiving both rations and wages. By the mid-1870s, however, some had decided to forgo work in the hop-fields and elsewhere because, as Hagenauer told the 1877 Royal Commission on the Aborigines in Victoria, 'they see they can earn more at the station with the rations and money, and have all the comforts of a home'. By the mid-1880s this situation had again altered. The converts were by then inclined to work off the mission, as hop and arrowroot cultivation on Ramahyuck had fallen off because of a shortage of labour, unfavourable markets, and drought. At Lake Tyers, however, many Aboriginal men regularly worked off the station as stockmen, shearsers, reapers and hop-pickers; they could thus earn more money than in the struggling mission economy.

However most of the Aborigines who went off the mission stations did so for reasons other than wages. Money was a relatively unimportant consideration for them, and they usually returned poorer than they left, having spent all their wages. They mainly left 'in order to be free and without control', getting away from the paternalistic missionaries and
Throughout the 1870s and much of the 1880s Bulmer and Hagenauer generally attempted to prevent Aborigines moving from the stations. They believed these sojourns were 'incompatible with a proper control of them', and claimed that the Aborigines lacked sufficient 'strength of character' to survive in the white community. Whenever 'the blacks' did go off the stations, the missionaries claimed, they returned the worse for it as they squandered their money, got drunk, picked up 'their old habits', and returned to the stations sick. Furthermore, because of the way they often 'behaved' on these excursions, they were said to bring discredit to the missions, undoing a hard-won reputation. The economic development of the stations was also endangered by the loss of Aboriginal labourers to outside farms.

The missionaries' persuasion was tinged with threats and warnings about what would befall those who went off the stations, but this was backed up by other, more insidious methods. Higher wages were also offered to the Aboriginal workers when their labour was needed. On a few occasions, when all else failed, the missionaries resorted to provisions contained in the Victorian *Aborigines Act* of 1870, whereby Orders in Council could be obtained which prescribed the places where any Aboriginal person could reside, and which required any employer of Aboriginal labour to have a certificate from the Board for the Protection of the Aborigines. Very few employers ever got these and the Board seldom attempted to enforce the law. Both Bulmer and Hagenauer sought a strengthening of this certificate system, and pressed for sole authority to issue or renew certificates. They also contemplated a suggestion made at the 1877 Royal Commission that wages earned off the stations be sent to the missionaries, but they realised this could not be carried out successfully. Indeed, on occasion, they reluctantly resigned themselves to Aborigines going off, and attempted to save face, maintaining that the Aborigines left with their permission.

Aborigines insisted on making their own terms when they worked off the stations, and the conditions of work and pay they negotiated were something they did not reveal to the missionaries. They made it quite clear that they would not tolerate any interference. As Hagenauer told the Board in 1875: 'In reference to the income of the Aborigines when they work away from the station ... I am not able to give even an estimate ... as they would never tell ... I am quite sure that if I would try to press them for information on this point these men would never come near me at all'. Hagenauer later noted that the men would leave the station if he pressed the point.

69 Hagenauer to Morris, 3 April 1876; Hagenauer to MacDonald, 8 February 1882 (Hagenauer 1875-85).
70 Report for Lake Tyers Mission Station, 1873-74 (Moravian Mission, MF 175); Hagenauer to Morris, 3 April 1876 (Hagenauer 1875-85); Royal Commission 1877:35, 49; *Church of England Messenger*, 23 December 1882 (supplement):25.
71 Hagenauer to Secretary, BPA, 16 September 1876, 6 March and 21 November 1877, 20 July 1878, 12 January, 28 February and 6 March 1882; Report of a conference of managers of Aboriginal stations, 18 August 1882 (AA Brighton, Series B313, Items 170, 171, 172, 174, 176, 229); Hagenauer to Secretary, BPA, 14 December 1877; Hagenauer to MacDonald, 25 December 1877, 9 January 1880, 3 March 1882 (Hagenauer 1875-85); Royal Commission 1877:35, 48; BPA, 14th Report 1878:9; Secretary, BPA to Hagenauer, 2 March 1882; Secretary, BPA to Charles Barton, 2 March 1882 (AA Brighton, Series B329, Item 3).
72 Queries and answers about Aborigines of Gippsland [e. December 1868] (Hagenauer 1865-72); *Christian Review*, June 1873:7.
73 Hagenauer to Secretary, BPA, 1 May 1875 (AA Brighton, Series B313, Item 168); BPA, 12th Report 1876:17, 18.
The most common work undertaken by Aborigines was hop-picking. Many were employed in the hop-fields throughout the 1870s and 1880s, and at the harvest their labour was regarded by Howitt and others as 'very valuable'. They enjoyed this work, which was described by newspapermen as 'nice easy employment' and 'a most healthy, pleasant kind of labour'. Pickers with 'very nimble figures' and a good eye were of more use than workers with 'brawny muscles', as clean picking, free of leaves and twigs, was very important.74

The Aborigines worked mostly for the Howitts, who employed a 'mixed', 'motley' collection of workers: Danes, Germans, Englishmen, Chinese, and Aborigines. Sometimes Aborigines made up half the pickers on Eastwood.75 They were very fine pickers, and as far as the Howitts were concerned they compared 'very favourably with the whites'; indeed they were regarded as the best pickers.76 Liney Howitt commented in March 1873: 'we have principally black pickers — but not so many as we could do with. They are certainly the best

74 Howitt 1882; Gippsland Times, 12 March 1883; Bairnsdale Advertiser, 19 and 22 April 1884.
75 Liney Howitt to Mary Howitt, 8 September 1872, 25 March and 7 September 1873; Howitt to Watts, 22 February 1873; Howitt to William Howitt, 26 February 1873; Howitt and Liney Howitt to Mary Howitt, 11 March 1884 (Howitt Papers, 1047/2a, 2b, 1048/9a); Gippsland Times, 28 March 1877.
76 Liney Howitt to Mary Howitt, 18 April 1871 (Howitt Papers, 1047/1b); BPA, 8th Report 1872:24; Royal Commission 1877:35; Belcher, 8 March 1882 (Diaries, 233/2).
pickers, not a leaf left in their bins — quite [superior] to the white pickers in that respect. The Aboriginal pickers took tremendous 'pride in making a clean bin, picking out the leaves and twigs that fall in', Liney Howitt noted. Not only were they 'very clean pickers', they were also very fast. One Aboriginal couple was particularly proficient, 'known to pick 30 bushels per day'; most averaged twelve to twenty bushels. As a result of their speed, the Aborigines would have earned more than others. The better pickers could earn as much as ten shillings a day, and the average picker four to six shillings. These wages were much better than Aborigines received for other work in the area; they usually worked for very small wages, reportedly about '5 or 6 or 7s. a week and rations', although some stockmen got as much as ten shillings a week.

In the labour-intensive hop industry, pickers were for much of the 1870s and 1880s in short supply, and there was considerable competition for them. Consequently Aborigines were not exploited as they were by many other employers. In fact the Howitts would have liked to pay their Aboriginal pickers a higher rate than European pickers, but racist attitudes apparently deterred them, Liney Howitt confided to her mother-in-law in 1883: 'They really make the best pickers . . . It would pay us to pay them 1d a bushel more but the whites would feel dreadfully insulted'.

The Howitts tried to make it up to the Aborigines by various perks, such as 'giving them a good dinner on the Sundays', and plum puddings at the end-of-harvest feasts. (The Howitts often spent their summer holidays near Cunninghame, and Liney had seen Aborigines devour plum pudding on Christmas Day at Lake Tyers Mission Station.) At one harvest it seems that the Aborigines got two 'bites' at the puddings. Liney had made 'three immense plum puddings', and left them in the kitchen overnight after taking them out of the boiler, but, she wrote:

The next morning they were not to be found. We have not been able to trace them at all. Luckily the thieves took nothing else — indeed their hands must have been pretty full for the puddings must have weighed 30lbs at the least — of course I had to set to work and make another lot for the Blacks — who think rather gained on the whole, as they had two dinners instead of . . . [one].

The Kurnai were regarded as a very reliable workforce. In the 1880s the Howitts and other hop-growers had considerable trouble with pickers 'imported' from Melbourne to help with the harvest. In 1884, for example, some went on strike at Eastwood; the thirty-odd

77 Liney Howitt to Mary Howitt, 25 March 1873 (Howitt Papers, 1047/2b).
78 Liney Howitt to Mary Howitt, 2 January 1883 (Howitt Papers, 1048/8a).
79 Liney Howitt to Mary Howitt, 18 April 1871 (Howitt Papers, 1047/1b); Gippsland Times, 28 March 1877; Bairnsdale Advertiser, 1 March 1883, 22 April 1884.
80 Queries and answers about Aborigines of Gippsland [c. December 1868] (Hagenauer 1865-72); Christian Review, June 1873:7; Hagenauer to Secretary, BPA, 1 July 1874 (AA Brighton, Series B313, Item 164): BPA, 12th Report 1876:18; Royal Commission 1877:47, 48.
81 Liney Howitt to Mary Howitt, 2 January 1883 (Howitt Papers, 1048/8a).
82 Liney Howitt to Mary Howitt, 26 December 1870, 18 December 1876, 2 January 1883 (Howitt Papers, 1047/1a, 1048/1b, 8a).
83 Liney Howitt to Mary Howitt, 12 April 1877 (Howitt Papers, 1048/2a).
'sturdy' Aborigines worked on, and the 'whites got the sack'.

However the Aborigines were not necessarily compliant workers. Each season they waited for a call from Howitt; they knew they were valued workers and that the Howitts depended on them. In February 1874, for instance, a concerned Howitt wrote: 'I do not know how we shall get on for pickers as our blackfellows have not mustered this year as well as formerly. If they don't turn up next week I must go and look for them'. As a result of this Aboriginal 'stand-off', Howitt thereafter had to go each year to the mission stations to arrange for pickers. In 1879 he wrote to his father: 'I am about to go down on my annual mission to round up my aboriginal friends who never will think of moving until I go and say to them “come”'. Once they had received the call, they converged on Eastwood, arriving in twos and threes, and were sent off to Billy Macleod.

The Aborigines would not tolerate any imperious behaviour on the part of the Howitts. Their unwillingness to 'muster' in 1874 might have been a reaction to the Howitts' paternalistic action the previous season, when they had arranged with the missionaries to withhold the Aborigines' wages. Instead they had supplied them with stores such as flour, sugar, tobacco and tea, and had sent the remainder of their earnings to the missionaries to be paid to them when they were 'out of the reach of the Public Houses'. The Aboriginal workers had also been reprimanded for drinking and for rowdy behaviour. This was unacceptable to them, as it smacked of the missionary control they endured the rest of the year.

Hop-picking was a time for holidaying as well as for working. Both men and women and often entire families went to pick. Just as they had traditionally gathered during the late summer to share the seasonal abundance and to conduct ceremonies, settle disputes and arrange marriages, so now they came together on the hop-fields. At harvest time the weather was warm and sunny, the fields were beautiful and the air was fragrant with the aroma of the ripened crop. Aborigines looked forward to hop-picking as an opportunity to camp outside in the open air, enjoy each other's company, and eat and drink. At night they could be heard relaxing and enjoying themselves, 'hootting, yelling and screaming', away from the overbearing missionaries. They returned to the mission stations penniless, but refreshed and happy at heart.

Hop-picking on properties such as Eastwood saw Aborigines working alongside other ethnic groups, but there seems to have been little interaction between them. This is reflected in the Howitts's practice of holding two 'feasts' at the end of the picking — one for the Europeans and one for the Aborigines. While the Aborigines had little to do with the European workers, they may well have gained some satisfaction from proving themselves to be

84 Howitt and Liney Howitt to Mary Howitt, 11 March 1884 (Howitt Papers, 1048/9a); Gippsland Times, 19 March 1884, 27 March 1885.
85 Howitt to Mary Howitt, 22 February 1874 (Howitt Papers, 1047/3a).
86 Howitt to William Howitt, 20 February 1879 (Howitt Papers, 1048/8a).
87 Howitt to William Howitt, 26 February 1873, Liney Howitt to Mary Howitt, 25 March 1873 (Howitt Papers, 1047/2b).
88 Bulmer Papers: paper 3; BPA, 8th Report 1872:24; Pepper 1980:54.
89 Howitt to William Howitt, 26 February 1873, Howitt and Liney Howitt to Mary Howitt, 11 March 1884 (Howitt Papers, 1047/2b, 1048/9a); Gippsland Times, 4 January 1882.
faster and cleaner pickers than the so-called superior race, and from being held in higher regard as workers. Here on the hop-fields they could hold their heads high and proud.

In other respects too some Europeans seem to have held the Aboriginal pickers in higher regard than the ‘whitefellows’. On a hop-field on the Snowy River in the 1880s Aborigines were called upon by a preacher to perform as a choir, because the European workers did not know any hymns. ‘Three of them soon came, one raised the tunes and others helped in singing’, a local newspaper correspondent reported. He continued:

I should think some of that congregation never had attended divine worship before; some behaved very well, others kept their hats on, others were smoking, others kept a muttering conversation and laughing, and walked about as it suited them. The blackfellows, as is their usual custom in Church, set an example to the rest.\textsuperscript{90}

It was the Chinese workers rather than the Europeans who caught the Aborigines’ interest. In September 1872 Billy Macleod worked with a Chinese man, extending the hop-plantation at Eastwood. He had difficulty fitting him into his schema of ‘blackfellows’ and ‘whitefellows’. Howitt wrote to his sister: ‘You would have laughed the other day if you had seen ‘Billy Toolabar’ trying to talk with one of the Chinamen. They both seemed to think the other deaf and shouted at each other so . . . [loud] that you might have heard them a mile [away]’. A puzzled Billy later spoke to Howitt about his fellow worker: ‘Can’t me think what that Chinamen [is] — baal [not] white and baal Kurni (blackfellow) — I believe that fellow most like it — mrratt (ghost)’.\textsuperscript{91} Next year the Howitts employed three Chinese men, who, because they wore queues, were ‘christened by the blacks, with some sense of humour, ‘worragl’ — meaning Lyrebird because the China . . . men [are] like the ‘worragl’ — [with] long tails’.\textsuperscript{92}

The Howitts and the hop-picking at Eastwood were an important part of the rhythm of the Aborigines’ year. It was a spell from the strict regime of the mission stations, a time to reassert a sense of themselves unfettered by missionary perceptions, an opportunity to reaffirm links with the traditional world, and a period of unrestrained enjoyment and companionship. It also provided friendship of a sort with Europeans outside the mission stations. Although the Howitts were undoubtedly ethnocentric, and paternalistic towards the Aborigines, they were regarded warmly by them, and were always welcome at Ramahyuck and Lake Tyers.\textsuperscript{93}

However much they were respected on Eastwood, the Aborigines were not always accorded similar regard in the small townships and on the road. Many Europeans saw Aborigines as the local newspapers sometimes demeaningly portrayed them — as indolent, slothful, useless ‘savages’, dangerous when on the grog.\textsuperscript{94} John Bulmer noted that the Aborigines were

\textsuperscript{90} Bairnsdale Advertiser, 22 April 1884.
\textsuperscript{91} Howitt to Watts, 2 September 1872 (Howitt Papers, 1047/2a).
\textsuperscript{92} Howitt to William Howitt, 26 February 1873 (Howitt Papers, 1047/2a).
\textsuperscript{93} Howitt to Mary Howitt, 18 December 1876 (Howitt Papers, 1048/1b).
\textsuperscript{94} Gippsland Times, 15 October 1872, 13 January 1874.
well aware that many Europeans treated them as an 'inferior class', and they were 'very sensitive' to 'marked contempt'. Partly as a result of this prejudice, most Aborigines were quite happy to return, after their 'working holidays', to the mission stations which were now their homes.

By the 1890s both of the Aborigines' European worlds — the secure but over-regulated missions and the freer, more perilous, wider community — were undergoing fundamental change. The 1886 Victorian 'Half-Caste Act' forced many Aborigines off the missions on the eve of a severe depression, while controls over Aborigines on the missions were tightened as never before.

The younger generation, born and reared under tight missionary control, knew no way of life other than that of the mission stations; they had little experience of the wider community, and even less ability to move in such an unfamiliar environment. They were acutely conscious of living in a world not of their own choosing; they felt hopeless, and grew bored and apathetic. Many wanted to throw off the yoke of missionary authority, and leave the stations to work, play sport and obtain access to alcohol. The aged Hagenauer and Bulmer were troubled by these younger Aborigines, and compared them unfavourably with the older, traditionally-oriented generation and the early converts. Most of these men and women were now dead, and the missionaries lamented that they had 'left behind them a nondescript lot of men who were neither fish flesh nor good red herring'. They were unable to recognise that this was the fruit of their own lifelong work. Sadly, their paternalistic system of management had created a community dependent on government hand-outs, adept at milking officials and missionaries, often hostile to any imposed order or control, and resentful of the lack of opportunities and experience in European society.

Off the stations these Aborigines faced a hardening of attitudes in a society becoming more conscious of 'race' and 'racial struggle'. Where their parents and grandparents had met with at least some tolerance and acceptance, they now found overt hostility. By the 1900s, furthermore, the once secure refuges of the mission stations were threatened with closure. The missionary rule was ending. In 1908 Ramahyuck was shut down, and Aborigines there were moved, by persuasion or force, to Lake Tyers, where Bulmer had been replaced by a new manager — the first in a succession of harsh and unsympathetic men. Subsequently, the era of the mission stations, and the Aboriginal movement to the outside community to retain their traditional culture, to work and to holiday, would come to be remembered as something of a golden age. However, this nostalgia — admittedly understandable — tends...
to obscure some of the harsh realities of mission life, the desperately hard struggle to survive in the European economy and community, and the trauma of cultural breakdown. These 'halcyon days' proved to be but a pause, a momentary respite, in the history of the European colonisation of Aboriginal Australia.

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WALAWURRU, THE GIANT EAGLEHAWK:

A NOTE ON THE IDENTITY OF KUNKI

R.G. Kimber

In 1982 I had an article published in *Aboriginal History* entitled ‘Walawurru, the giant eaglehawk: Aboriginal reminiscences of aircraft in central Australia 1921-1931’. Since publication I have discovered an error, which in turn promoted some incorrect estimations of the ages of some Aborigines. The following note corrects these errors.

Joe Brown, a bushman, was known to some Pintubi, but he was not the key European known as Kunki, as suggested. The bushman Sam Hazlett, who travelled in the general Kintore area 1934-36, is undoubtedly the Kunki clearly recalled.

As I knew that Joe Brown had died in 1928, I had estimated some of the Aboriginal dates of birth on the basis of this date and other events in Joe Brown’s life, as well as on descriptions of their own physical development and ritual instruction by the Aborigines at the time that they recalled the coming of Kunki. This error necessitates a re-estimate of some of the Aborigines’ dates of birth. In particular, I now believe that Old Tapa Tapa Tjangala was born c.1918 and Nosepeg Tjupurrula c.1920. George Tjangala and Johnny Warangula Tjupurrula may be a little younger than their estimated dates of birth — respectively c.1920 and c.1922 — suggest, but not by more than perhaps three years.

1 *Aboriginal History* 6(1), 1982:49-60.
2 ibid:49
4 *Aboriginal History* 6(1):59.
THE NATURE OF THE ‘GIN’:
A NOTE ON ‘WHIRLWINDS IN THE PLAIN’

B.J. Dalton

Miss E.M. Webster’s *Whirlwinds in the plain* appeared in 1980 to great critical acclaim. It is the most important work on Leichhardt to appear since Dr M. Aurousseau’s magisterial edition of Leichhardt’s *Letters*.¹ The author made thorough and scholarly use of an extraordinarily wide range of sources, and unquestionably achieved one of her prime objectives: to demonstrate that A.H. Chisholm’s *Strange new world*² utilised Gilbert’s diary — which Chisholm himself discovered in 1937 — in order to denigrate Leichhardt unjustifiably. At the same time she seems to fall into a similar error, to seek in every apparent discrepancy between Gilbert’s diary and Leichhardt’s *Journal* an opportunity to denigrate Gilbert and exult Leichhardt. In the instance examined in these pages she has been led into making a completely false inference from the evidence.

After citing a succession of small incidents in order to demonstrate that Gilbert’s diary sometimes records events selectively, so as to appropriate unmerited credit to himself, Miss Webster goes on:

Anyone who has observed human nature will be familiar with comparable situations. Another situation, perhaps less familiar to modern readers, occurred when Gilbert was in charge of the camp during Leichhardt’s absence. On 18 January 1845 Gilbert noted with humorous appreciation the ‘slyness’ with which a native offered the explorers the use of women, and two days later, as John Murphy reveals, the travellers ‘had some gin’. Whatever the nature of the gin the party enjoyed under Gilbert’s auspices, the incident was not one he wished to submit to future readers.³

A few pages later the same incident is made to serve a somewhat different purpose: to illustrate Gilbert’s ‘characteristic inconsistency’ of attitude towards Aborigines, of whom, she claims, he had earlier shown himself fearful:

His fears in abeyance, Gilbert characteristically swung to the other extreme. Less than a month after these alarms he was hobnobbing with a native who wanted to know if they were ‘desirous of one of his women’. Leichhardt being absent, the acquaintance ripened quickly and two days later the explorers ‘had some gin’.⁴

Brian Dalton is Professor of History and Head of Department at James Cook University. This paper is a by-product of a study of the North Queensland section of Leichhardt’s first expedition of 1844-1845 in which intensive use is made of field-work.

¹ Aurousseau 1967-68.
² 1953; first published in 1941 as *Strange journey*.
³ Webster 1980:3.
⁴ Webster 1980:391.
There is an interesting difference between these two versions of the same event. In the first the author leaves little room for doubt about her own view of 'the nature of the gin the travellers enjoyed', but tacitly admits that it is not a matter for dogmatic assurance. In the second this reticence has vanished; though oblique, the assertion is plain: on 20 January 1845 'the explorers' had sexual intercourse with one or more Aboriginal women in pursuance of the offer made on the 18th.

The whole of the evidence now surviving about this incident is to be found in five documents, all held in the Mitchell Library, Sydney. Of the five, three only are strictly contemporary unedited manuscripts. A diary kept by John Murphy, the youngest of Leichhardt's party, contains the clue that led to the uncovering of an apparently well-hidden secret. John Gilbert's diary is fuller and more interesting, both generally and on the incident under review. The field notebook in which Ludwig Leichhardt made his daily record of progress in the form of annotated sketch maps, contains one point of significant corroboration, even though Leichhardt was absent from camp at the material time. The other two documents are narratives written up in the form of diaries after the journey was completed, and based partly upon records kept during the expedition which have not survived. Leichhardt's manuscript journal is always to be preferred to the version published in 1847, which was edited, at times quite heavily, by P.P. King. A manuscript journal by William Phillips, compiled in its present form an unknown number of years after the expedition, is more suspect than any of the others; but used with caution it is not without value. From these five documents it is possible to piece together a coherent and fairly detailed narrative of the five days relevant to the matter.

On 16 January Leichhardt's party was camped on the Mackenzie River, which they had joined a few days earlier. Having found by reconnaissance the previous day that the river maintained a general course to the north-east, well away from their intended track, Leichhardt decided to kill one of the bullocks and leave the other Europeans to convert its meat into sun-dried strips — charqui — while he reconnoitred the country to the north-west.

Just at the moment we were preparing to shoot the bullock, [Leichhardt writes] we heard the cooee of a native, and in a short time two men were seen approaching and apparently desirous of having a parley. Accordingly I went up to them . . .

After describing their physical appearance Leichhardt goes on:

They spoke a language entirely different from that of the Darling Downs, but 'yarrai' still meant water. Charley, who conversed with them for some time, told me that they had informed him, as well as he could understand, that the Mackenzie flowed to the north-east. Brown found an empty seed-vessel of the Nelumbrium, in their camp.

The bullock was killed at sunset and the task of converting it into charqui continued all through the next day. On the 18th Leichhardt rode off for his reconnaissance with the two Aborigines of the party, Charley and Brown, leaving the five other Europeans to finish preserving the beef. In the afternoon Charley returned to guide them to the site Leichhardt had selected for the next camp; the leader meanwhile continued his reconnaissance to the north-west with Brown, getting bushed for several days. They did not rejoin the others until 23 January.

Towards dusk on 18 January there was a second visit by Aborigines. Gilbert writes:

In the evening we were again visited by the Natives[.] I and Roper with Charlie went out to meet them, as they approached with the emblem of friendship a
green bough I plucked one from a shrub and did the same [A]s is usual among
them the party sat down together while one stepped forward towards us and
entered into a conversation. Of course we could not understand a word he said
but from his gestures it seemed he was very anxious to know why we came
here, and whither we were going. Charlie made out a few words only not suffi­
cient to gain any positive information. The Native seemed a very good tempered
fellow, and was very anxious at parting to know if we were desirous of one of
his women. Charlie understood him perhaps better than we but there was a
certain slyness and half laugh about the fellow that could not well be mistaken
by us who knew not a word that he uttered, we parted for the night very good
friends, one of the old women however seemed as if very dissatisfied [-] whether
with us particularly or not we could not tell [. A]t night we had a thunderstorm
and a little rain . . .

In Murphy's briefer account, which makes no mention of the offer, he remarks:
. . . the poor old gin cried very much and seemed very sorry we had come so
far and wished us to go away. I gave the native an aci­culated drop which he did
not eat but took care of [.T]hen they returned down the river. [.A]t night a
thunderstorm.

Phillips disposes of the visit still more summarily. He estimated the number of visitors at
about eight, which agrees reasonably with Gilbert's note that there were five men and four
or five women and children. Together the estimates suggest that the visitors comprised the
whole of a 'band'. The one additional point made by Phillips is that the visitors made 'pre­
sents of their Spears, Waddies, Beads etc. to the two Natives who accompanied our Party'.

In this second meeting with the same band of Aborigines, Gilbert behaved exactly as
Leichhardt had in the first: going out from the camp to meet the Aborigines when it was
clear they wanted a parley and using Charley as interpreter to glean what information he
could. If Gilbert was 'hobnobbing' on the 18th, so was Leichhardt on the 16th. As for the
offer of sexual services, there was nothing novel about it. Many other explorers reported,
and probably most received, similar offers. Gilbert had recorded an earlier one on 30
October 1844; Leichhardt himself notes two subsequent instances, on 21 September and 2
December 1845, without incurring Miss Webster's censure. Her second account of the offer
of 18 January implies that it was made in the course of the meeting: her sole source is ex­
plicit in stating that it came 'at parting'. Gilbert's reference to the Aborigine's 'slyness' is
purely factual, made in order to explain why 'the fellow could not well be mistaken' though
the Europeans understood not a word and Charley hardly more. At the time it was made,
the offer might have aroused in Gilbert any emotion from lust at one extreme to disgust at
the other, for all we know. His narrative, the only source we have, expresses no emotion
whatever: 'humorous appreciation' is Webster's own gloss upon the evidence.

The intention had been to shift camp on 19 January to the new site Leichhardt had
selected, but the dried meat, covered against rain overnight, was found to have sweated and
had to be set out to dry again. Murphy makes it clear that another visit from the Aborigines
was expected, but he agrees with Gilbert and Phillips in stating that it did not take place. On
20 January the move was made to the new site: none of the records mentions meeting or
seeing Aborigines.

5 Reynolds 1981:54-55.
On coming to camp [Gilbert writes] we had scarcely time to get our tents up before rain came on, as it appeared only at first a slight shower we were rather careless about our precautions but it was soon followed up by Thunderstorms and a regular Tropical rain set in which continued pouring down very heavily for three hours. Being on a slope the water soon commenced running down upon us and to avoid being washed out of our tents it was necessary to dig deep trenches round the upper parts to carry off the water. Such a heavy shower and of so long a duration we have not experienced since leaving Blackfellows Camp.\(^6\) The waterhole in a watercourse when we arrived had not more than a foot in depth of water, the rain increased it to at least 12 feet in depth nearly and a 100 yards in length, had the rains continued 2 hours longer, we should have been under the necessity of moving higher up, to get beyond its reach.

At the beginning of his shorter entry for 20 January John Murphy interpolated the words: 'here we had some gin'. Nothing else in the entry has any overt connection with these words. If Webster has correctly deciphered their meaning, the encounter must have occurred either during the move between camps or at the rain-sodden camp of 20 January. Neither seems a likely setting; but it must be conceded that neither is impossible. To judge whether her interpretation is sound, it is well to look for other clues. No long search is necessary.

During the first four months of the expedition a name was given to virtually every camp. The fullest list is on the sketch maps in Leichhardt's field notebooks, though few are mentioned in his *Journal*. Gilbert noted some in his diary; Murphy rather more, often closing his day's entry with a brief explanation of the name. Some names refer to natural features: Eel camp (13 November 1844), White Kangaroo camp (5 December 1844), and Coal camp (14 January 1845); others to an anniversary: New Year camp (31 December 1844), Gilbert's birthday (14 March 1845) and Good Friday (21 March 1845); still others to an incident during the day: Speared Horse camp (7 December 1844), Roper's strayed camp (8 December 1844) and Lost Axe camp (3 January 1845).\(^7\)

The camp of 16-19 January 1845 was called 'Redmonds last' by Leichhardt, and 'Redmans' by Murphy and Gilbert, after the bullock slaughtered there. Leichhardt and Gilbert called the next one 'Spirit camp'. Murphy wrote 'Grog camp' in the margin of his diary for 20 January but for once omitted to explain the name. When he noticed the omission at some later date, there was no room to add anything in his usual spot at the end of the entry for 20 January; accordingly he squeezed in the words 'today we had some gin' at its start. There they stand not three inches from the marginal entry 'Grog camp'.

No room for doubt remains about the incident of 20 January from which the camp derived its name. Drenched by a long tropical downpour, tired from hurried ditch digging to divert the runoff away from the stores and almost certainly unable to kindle a fire,\(^8\) the explorers had a rare tot of spirits all round. No single point made or implied in the accounts

\(^6\) Gilbert refers here to a violent thunderstorm on the night of 22-23 December 1844 which, he noted at the time, was the worst experienced since leaving the Darling Downs.

\(^7\) I retain the slightly eccentric capitalisation in Leichhardt's notebook.

\(^8\) This was Leichhardt's experience the previous night when caught in a thunderstorm which hardly touched Redmans camp.
given in *Whirlwinds in the plain* is substantiated by the evidence: the main point is conclusively refuted by the very document from which it was deduced.

Of course the incident is small, occupying in all a dozen lines in a book of more than 420 pages; but it is not insignificant. A great part of the book comprises instances quite as small, related in the same manner: the purport of documents — themselves meticulously cited in end-notes — is reported crisply, usually with no quotation of sufficient length for the reader to exercise any independent judgement; emotional states are ascribed as if they were as verifiable as dates; incidents are analysed in complete isolation from their contexts — the sequence of events of which they formed part and the physical environment in which they took place.

Miss Webster writes of her *bête noire*, *Strange new world*, as ‘Depending for its effect upon brief, forceful statements which could only be disputed at length and in tedious detail . . .’. Although she is incomparably more thorough and scrupulous a scholar of history than Chisholm, the remark has some applicability to her own book.


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**ABORIGINALITES AND TORRES STRAIT ISLANDERS**

**IN THE SECOND WORLD WAR**

The Strategic and Defence Studies Centre has recently published a Working Paper, no. 121, *Aborigines and Torres Strait Islanders in the Second World War* by Robert A. Hall, which describes the rarely acknowledged contribution made by Aborigines and Torres Strait Islanders as enlisted men, as *de facto* servicemen and in various civilian support areas. The paper also discusses the contradictory Service attitudes towards these people, and outlines their Service conditions. It costs $2.50 and may be ordered from:

Publications Officer
Strategic and Defence Studies Centre
Research School of Pacific Studies
Australian National University
G.P.O. Box 4, Canberra A.C.T. 2601.
PHOTOGRAPHS OF ABORIGINES OF NORTH-EAST AUSTRALIA:

A COLLECTION OF EARLY QUEENSLAND ABORIGINAL PHOTOGRAPHS, MADE BY AMALIE DIETRICH FOR THE MUSEUM GODEFFROY

Ray Sumner

The German naturalist-collector Amalie Dietrich (1821-1891) worked in Queensland from 1863 to 1872, assembling for the Museum Godeffroy of Hamburg large collections of botanical, zoological, ethnographic and anthropological specimens. Her work has remained relatively unknown in Australia, however, since the collections were shipped to Germany and most of the relevant literature is in German.1

One small but interesting part of her ethnographic collections is a set of very early photographs of Queensland Aborigines. The first reference to these photographs appeared in February 1874, in the Museum Godeffroy Catalog V, where an advertisement for 'Duplicates from the Ethnographic Collection' offered a complete set of 150 photographs, including 'Copies of photographs of Aborigines of North-East Australia (Colon. Queensland)', obtainable in either carte-de-visite or cabinet format.

Details of the subject matter and provenance of the Museum Godeffroy photographs were not available until the subsequent publication in 1880 of the Verzeichniss der Photographien des Museum Godeffroy welche Australien und die Südsee betreffen2 (Inventory of photographs of the Museum Godeffroy in respect of Australia and the Pacific), in which each photograph was listed and the subject matter described individually. The Australian (i.e. Queensland) group was quite small, comprising only nineteen photographs, fifteen from Brisbane and four from Rockhampton (see Table 1). This rare publication is apparently a preprint, issued under separate cover, of the relevant section of the book Die ethnographisch-anthropologische Abtheilung des Museum Godeffroy in Hamburg, which appeared in the following year and gave a complete list and description of every item in these collections.3

The firm of J.C. Godeffroy & Sohn was declared bankrupt in December 1879 and Johann Cesar VI Godeffroy died in 1883. Negotiations were entered into with the heirs in an attempt to retain the Museum Godeffroy collections in Hamburg. The question of cost, as well as associated stipulations, led to difficulties and delays, the Museum Godeffroy building was about to be demolished, and talks foundered, until in 1885 the Leipzig Museum für Völkerkunde purchased the whole ethnographic collection from its owner, Dr Wilhelm Godeffroy of Berlin, for the sum of 95,000 marks.4

The initial research into Amalie Dietrich's Australian collections was carried out under the Science Humanities Scholarship of the National Museum of Victoria.

1 Sumner, MS.
2 Museum Godeffroy, 1880:3-4, 'Australien. Colonie:Queensland'. The only known copy of this Verzeichniss is held by the Museum für Völkerkunde in Hamburg.
<table>
<thead>
<tr>
<th>Museum Godeffroy Number</th>
<th>Leipzig MVK Number</th>
<th>Present location</th>
<th>Description *</th>
<th>Provenance</th>
</tr>
</thead>
<tbody>
<tr>
<td>41</td>
<td>217</td>
<td>JOL</td>
<td>Four Aborigines in upright position, one kneeling, a woman lying; showing body-painting with black colour, the men armed with spear, wooden sword and boomerang.</td>
<td>Brisbane, Moreton Bay</td>
</tr>
<tr>
<td>42</td>
<td>219</td>
<td>JMG, 5</td>
<td>Aborigine, throwing a boomerang, scar decoration on his back.</td>
<td>—</td>
</tr>
<tr>
<td>43</td>
<td>208</td>
<td>L; JOL</td>
<td>Three men and a woman with a child in her arms, the latter kneeling, the first three standing upright; armed with spear, boomerang and stone axe.</td>
<td>Brisbane, Moreton Bay</td>
</tr>
<tr>
<td>44</td>
<td>204</td>
<td>L</td>
<td>Two females, a girl and a woman, standing upright; with pubic covers made of strings; the girl with scar decoration on her stomach.</td>
<td>Brisbane, Moreton Bay</td>
</tr>
<tr>
<td>45</td>
<td>206</td>
<td>JMG, 2</td>
<td>Woman, kneeling, with a piglet in her arms.</td>
<td>Brisbane, Moreton Bay</td>
</tr>
<tr>
<td>46</td>
<td>214</td>
<td>JMG, 6</td>
<td>Man, standing, upper torso; hair worn in the shape of a tall bun, made by binding with a string; scar decoration on his chest.</td>
<td>Brisbane, Moreton Bay</td>
</tr>
<tr>
<td>47</td>
<td>205</td>
<td>?</td>
<td>Woman, almost identical picture to No. 45, taken from the side.</td>
<td>Brisbane, Moreton Bay</td>
</tr>
<tr>
<td>48</td>
<td>218</td>
<td>similar in JOL</td>
<td>Two men, standing; one armed with shield and wooden sword, the other with a spear; both with pubic cloths.</td>
<td>Brisbane, Moreton Bay</td>
</tr>
<tr>
<td>49</td>
<td>220</td>
<td>JMG, 3</td>
<td>Man with club and shield, the club at body level; the shield held raised.</td>
<td>Brisbane, Moreton Bay</td>
</tr>
<tr>
<td>50</td>
<td>216</td>
<td>?</td>
<td>Almost identical with No. 49, except the man takes a somewhat different position, holding the shield against his lower body and the club above his head.</td>
<td>Brisbane, Moreton Bay</td>
</tr>
<tr>
<td>51</td>
<td>215</td>
<td>JMG, 4</td>
<td>Man with scar decoration on his chest and shoulders, in a sitting position, characteristic picture.</td>
<td>Brisbane, Moreton Bay</td>
</tr>
<tr>
<td>52</td>
<td>207</td>
<td>JMG, 1; JOL</td>
<td>Two women in sitting position, upper torso; one with a head band, both with scar decoration on the breast.</td>
<td>Brisbane, Moreton Bay</td>
</tr>
<tr>
<td>53</td>
<td>211</td>
<td>?</td>
<td>Group of five women and two men, the former in crouching position.</td>
<td>Brisbane, Moreton Bay</td>
</tr>
<tr>
<td>54</td>
<td>210</td>
<td>JOL</td>
<td>Group of three women and four men in camp; two of the men standing, all others crouching.</td>
<td>Brisbane, Moreton Bay</td>
</tr>
<tr>
<td>55</td>
<td>209</td>
<td>L</td>
<td>Group of four women and five men, the latter with sticks and axes, standing; led by a white man, the women crouching.</td>
<td>Brisbane, Moreton Bay</td>
</tr>
<tr>
<td>189</td>
<td>212</td>
<td>L</td>
<td>Old man, upper torso. Scar decoration on his shoulders.</td>
<td>Rockhampton</td>
</tr>
<tr>
<td>190</td>
<td>202</td>
<td>L</td>
<td>Woman, scar decoration on her breast, upper torso.</td>
<td>Rockhampton</td>
</tr>
<tr>
<td>192</td>
<td>212</td>
<td>L</td>
<td>Young man, upper torso.</td>
<td>Rockhampton</td>
</tr>
<tr>
<td>193</td>
<td>203</td>
<td>L</td>
<td>A girl and two women, three-quarter picture.</td>
<td>Rockhampton</td>
</tr>
</tbody>
</table>

* My translation from Schmeltz, in Schmeltz and Krause 1881.

Key: JOL — John Oxley Library, Brisbane  
JMG — Journal des Museum Godeffroy, Heft X, Tafel 1  
L — Leipzig, Museum für Völkerkunde
EARLY QUEENSLAND ABORIGINAL PHOTOGRAPHS

The photographic collection was included in the sale, as is verified by the entries in the Leipzig accession register, but only seven of the Australian photographs can now be located there, three from Brisbane and the four from Rockhampton. Another six of the Australian photographs, of Moreton Bay (Brisbane) Aborigines, were published in 1902 in the much-delayed issue of the Journal des Museum Godeffroy titled ‘Australien’ (Australians), Heft X. The fact that these six are missing from Leipzig suggest that they may have been lent to Rudolf Virchow for inclusion in that publication, and not returned. It is thus possible from these two sources to reproduce thirteen of the original nineteen Aboriginal photographs.

Although many of the Museum Godeffroy photographs of Pacific Islanders were made by other Godeffroy collectors, there is no suggestion that Amalie Dietrich took the Australian photographs herself. This is also borne out by the fact that the Museum Godeffroy did not hold the original negatives of these. Rather, they are studio portraits of a type readily available for purchase in the larger Australian cities and towns during the latter part of the nineteenth century, the Aborigines covered with loincloths and arranged in artificial poses. The number of such photographs still existing indicates both the skill and ingenuity of some early photographers and the existence of a ready market for such items. The La Trobe Library (Melbourne) has an extensive and well documented collection of early Aboriginal photographs, with particular emphasis on Victoria. The popular King postcard series (Sydney) produced numerous Aboriginal portraits in the early decades of the present century.

With the photographs acquired in Queensland by Amalie Dietrich we are concerned, however, with a somewhat different case. Amalie Dietrich was in Brisbane from August 1863 to the close of 1865; if it can be assumed that she purchased the photographs during this period, then they number among the earliest Aboriginal photographs from that location.

The whole question of dating and locating early Aboriginal photographs is a difficult one, particularly in Queensland. With the copies of the Museum Godeffroy photographs now available, there are of course no original trademarks or photographers names to be found. An attempt was therefore made to find other prints of the same pictures in those institutions, such as museums and specialist libraries, which have collections of historical photographs. Unfortunately these holdings are usually classified under broad headings, such as ‘Queensland Aborigines’ or even ‘Australian Aborigines’, are often undated, and have no record of photographer.

The John Oxley Library in Brisbane holds a photograph album which contains two of the same photographs as those of the Museum Godeffroy. The first, corresponding to MG 43,

3 Schmeltz and Krause 1881, especially section II.1, ‘Verzeichniss der Photographien’: 503ff.
4 Sumner, MS, section III.1; Panning 1956:1-20, especially 14-15.
5 For some reason the Leipzig accession register enters the photographs of women before those of groups, followed by men only, so the sequence of accession numbers is quite different from that of the Museum Godeffroy. See Table 1.
6 Although this volume is ostensibly by Virchow, the anthropological text was written by Krause and the ethnographic text by Schmeltz, both being excerpts from their 1881 work (see n.3 above). See also Sumner MS, section II.4.b.
7 Schmeltz and Krause 1881:503n.
8 Some outstanding examples were recently published in Reilly and Carew 1983: Plates 45-52.
9 The Archer Album, API-1, John Oxley Library, Brisbane.
ABORIGINAL HISTORY 1986 10:2

has been cropped to show only the upper bodies of the three men.\(^{10}\) Being somewhat clearer than the Leipzig copy, it reveals that the axe worn in the third man’s belt is not of stone, as described by Schmeltz (see Table 1), but of metal, with a handmade shaft. The second, corresponding to MG 52, is also cropped to show only the heads of the two women, and is printed as a reverse image to the Museum Godeffroy copy, with the pipe-smoker on the left.\(^{11}\)

Two further photographs from this album are probably the missing photographs MG 41 and MG 54, since they match the descriptions of those photographs given in the table and show some of the same people and weapons.\(^{12}\) These two are posed tableaux against a painted backcloth depicting the Brisbane River with luxuriant vegetation.

The album contains two more photographs, apparently from the same photographer’s studio, but not held in the Museum Godeffroy collections. One is a group of six men standing with spears, one man kneeling, and six women or children sitting.\(^{13}\) The backdrop in this picture is the same as that on the other photographs proposed here as the missing MG 41 and MG 54. The other photograph shows three men standing, with boomerangs and a shield, and one man kneeling, with a boomerang.\(^{14}\)

All the Aboriginal photographs in this album have been dated by the John Oxley Library as ‘circa 1868’, based on the presence later in the same album of views bearing 1868 in their caption. A further confirmation is the depiction on the backdrop of the first Brisbane bridge, a temporary wooden structure opened in June 1865, which collapsed in November 1867.

Another single photograph, filed under ‘unidentified location’ in the John Oxley Library collection, appears to be the work of the same photographer: one man is standing with a spear, a second man sitting cross-legged with upraised club and shield.\(^{15}\) The latter weapons seem to be the same as those in MG 49, and the photograph may represent a slightly different pose to that in the missing MG 48.

Finally, a related photograph from the same (unidentified location) source is a portrait of an Aboriginal woman in an unusual head-dress, apparently a cap made of feathers.\(^{16}\) The same woman appears in profile and wearing the head-dress, seated third from the left, in MG 55.

The earliest Directory of Queensland, published in 1868, listed seven photographers in Brisbane, none of whose work is held today in an identifiable personal collection.\(^{17}\) It is possible, however, that this set of Brisbane Aboriginal photographs, purchased by Amalie Dietrich for the Museum Godeffroy, may be attributed to the photographer J. Watson, who

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\(^{10}\) John Oxley Library (JOL), negative number 18206.

\(^{11}\) JOL, negative number 15111.

\(^{12}\) JOL, negative numbers 18212 and 18208 respectively.

\(^{13}\) JOL, negative number 18209.

\(^{14}\) JOL, negative number 18210.

\(^{15}\) JOL, negative number 60139.

\(^{16}\) JOL, no negative number.

\(^{17}\) They were: C. Bevan, S. Duesbury (or Duesberg), D. Marquis, D.F. Metcalf, D. Metcalf (perhaps two studios of the same man?), J. Watson, and A. Weddell.
Rockhampton Aborigines circa 1867, courtesy Museum für Völkerkunde, Leipzig
Brisbane District Aborigines *circa* 1868, courtesy John Oxley Library, Brisbane
Aborigines of Brisbane, Moreton Bay, courtesy of Museum für Völkerkunde, Leipzig
Post cards in Diyari language from Rebecca Maltillina to Dorothea Ruediger
Post cards in Diyari language from Rebecca Maltilina to Dorothea Ruediger.
Post cards in Diyari language from Rebecca Maltilina to Dorothea Ruediger
EARLY QUEENSLAND ABORIGINAL PHOTOGRAPHS

was operating in Brisbane from 1855.  

If the above identifications are accepted, there remain only three unlocated photographs from the Museum Godeffroy Australian set. Of these, numbers 47 and 50 are described as almost identical with numbers 45 and 49 respectively, so that only number 53, a group of five women and two men, is unaccounted for.

All the Brisbane photographs are posed studio portraits, adults of both sexes wearing cloths draped and tied around their lower bodies. The women's breasts are not covered, probably in order to show scar tissue patterns. Traditional weapons featured in several photographs include a boomerang (41, 42, 43), spears (41, 43, 46, 55), a small painted shield (49), and a club with a 'pineapple' head (49). Items of Aboriginal dress depicted include pubic aprons (44) and a feathered head-dress (55). Cicatrisation is shown in 42, 44, 46, 51, 52.

Items of European influence include a clay pipe (52), tomahawks (43, 55), a piglet (45), cloth head-bands (46, 49, 52, 55), a trooper's cap (55), and a metal bucket (54). An unidentified European possibly the photographer himself, appears in number 55.

The four photographs which Amalie Dietrich purchased in Rockhampton pose an even greater problem than those from Brisbane. Amalie's stay in Rockhampton was shorter and less productive than is commonly assumed, extending from early 1866 until early 1867. Only two photographers are listed for Rockhampton in the 1868 Directory of Queensland: John Ness and J.W. Wilde. It has not been possible to obtain any details regarding either of these men.

The four Rockhampton Aboriginal photographs are straightforward portraits of men and women facing the lens directly, with no artful postures. Lower bodies are covered with cloth, upper bodies are scarred, except for a young man with penetrating gaze who holds a spear (MG 192). In the final portrait of three females, two wear cloth headbands and the youngest has a clay pipe in her mouth.

It is hoped that the reproduction here of the Museum Godeffroy photographs will lead to further insights into the history of early photography, particularly of Aboriginal portraiture, since this small group of Amalie Dietrich photographs contains some of Queensland's first Aboriginal photographs and thereby constitutes an intriguing and valuable historical record.

18 It is widely believed that the veteran Queensland photographer Thomas Mathewson set up his Brisbane studio in 1864 (see J. Cato 1955:176-8), but this is now regarded as erroneous. R.J. Longhurst, John Oxley Library, pers. comm.

19 The omission of number 191 from the Museum Godeffroy register would seem to indicate that there were originally five Rockhampton photographs.
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POSTCARDS: A SOURCE FOR ABORIGINAL BIOGRAPHY

Christine Cane and Niel Gunson

The obvious link between postcards and Aboriginal history is the photographic and descriptive content of the cards themselves. During the latter part of the nineteenth century and well into this century photocards and postcards were printed, largely for overseas consumption, which showed scenes of Aboriginal life or portraits of Aboriginal identities. Many of these cards are of value as often being the only records of what they portray.

Picture postcards came into their own in the late 1890s but it was only in 1902 that cards were first made in Britain with divided backs for short messages, and this system was only introduced into Australia in 1905. While letters were usually destroyed, picture postcards were collectable and often preserved in special albums. The messages on these cards, though seemingly trivial in content, can often become records of social significance.

A collection of twenty-two postcards, eight written in the Diyari (Dieri) language, was given to the Mortlock Library of South Australiana, Adelaide, in 1985. These postcards were sent during the period 1907 to 1914 by Rebecca Maltilina of the Diyari tribe to her friend Dorothea or Dorrie Ruediger. Rebecca and Dorothea grew up on the Bethesda Lutheran Mission at Lake Killalpaninna, Coopers Creek, where they became fast friends, conversing with each other in both Diyari and English. The friendship continued when Rebecca removed to Natimuk in Victoria with one of the Lutheran pastors and his family.

Dorothea Ruediger's life is well documented. She belonged to a South Australian family well known for its links with the Diyari Aborigines. Dorothea Elizabeth was the seventh of the nine children of Gottlieb Theodor Ruediger (1853-1937) and his wife Anna Bertha Christiana Hameister (1859-1945) and was born at Neales Flat on 9 September 1892.

Christine Cane holds a BA DipEd, Macquarie University, majoring in Australian and American History, and a Graduate Diploma in Library Studies, South Australian Institute of Technology. She worked as a teacher-librarian for six years in secondary schools in Sydney and Adelaide. In January 1985 Christine was appointed Field Officer with the Mortlock Library of South Australiana.

Niel Gunson is Senior Fellow in the Department of Pacific and Southeast Asian History, The Australian National University, and was Foundation Chairman of Aboriginal History Incorporated.

1 These were photographs with descriptions on the reverse and no space for writing, designed to accompany correspondence.
2 These included official 'postal cards' and privately printed 'picture cards'.
3 Aboriginal subjects on Australian postcards are listed in Vukovic 1983:9-10.
5 Munchenberg 1975.
Maltilina family circa 1900
(from left) Martin, Selma, Anna, Gottlieb, Rebecca, Tim with youngest child, courtesy South Australian Museum, Adelaide

Maltilina family circa 1900
(from left) Martin, Selma, Anna, Gottlieb, Rebecca, Tim with youngest child, courtesy South Australian Museum, Adelaide
community. Young Dorothea appears as Dora in a story told by Ben Murray to Peter Austin in which she used her knowledge of Diyari to play a trick on an Afghan. Ben Murray confirmed that Dora was fluent in Diyari.

The Ruediger family remained at the station until 1912 when, because of Anna’s health, they moved to Spring Hut Creek near Robertstown, west of Clare, where Theodor became a contractor for the local council. Dorothea’s eldest sister Rosina married Theodor Vogelsang (1878-1955), the storekeeper and postmaster at Bethesda Mission, afterwards caretaker of the Aboriginal section of the Museum in Adelaide, and translator of manuscripts dealing with the life and customs of the Diyari people. Dorothea married James Honeychurch, a dairy farmer in the Mount Barker district, and died on 18 February 1985 having raised a family of five sons and one daughter.

Rebecca’s life is less precisely documented. She was one of at least five children of Aboriginal parents. Her father’s name was Tim Maltilina (Maltalinna) and a note pencilled by Norman Tindale on the back of a photograph of the family group reads ‘Maltilina Tim = Merrick or Morick. ½ caste. Salt Ck. Diamantina’. Tim Maltilina probably assumed the European name of Merrick at some point and his sons Martin and Gottlieb were known as Merricks (as presumably was the third son). The two girls were Rebecca (the elder) and Selma. Rebecca clearly continued to identify as Maltilina, rather than Merrick for some time. Martin Merrick married and moved to Waikerie (or a small town nearby named Low Bank) on the Murray River and Rebecca was also living there in 1930.

Rebecca’s date of birth was about 1887. A census of Killalpaninna residents taken in 1886 shows that at that date her father Tim Maltilina was nineteen years old and Anna, her mother, was sixteen years old. Both parents could read and write and had been baptised. Their eldest son Martin was then seven months old. Rebecca was about a year younger than Martin, and there is a reference to ‘Rebecca’s mother’ in the diary of the missionary Johann Reuther for 9 September 1889. In 1904 Rebecca accompanied the Lutheran Pastor Loehe and his family to Natimuk. Loehe was recovering from rheumatic fever and had been advised to move to a warmer climate. His colleague Pastor Bogner suggested that he take ‘one of the native girls’ to assist him and his wife with their young family.

Rebecca evidently excelled as a swimmer, winning all the swimming contests at the Natimuk annual regatta and swimming competition. She received accolades from her fellow Natimuk competitors, but the girls from Horsham were very jealous. In 1922 Loehe was appointed principal of Emmanuel College and Seminary in Jeffcott Street, North Adelaide. Rebecca accompanied the family to Adelaide and stayed with them there for about three more years. Between 1926 and 1942 she worked around Adelaide and died in the Royal Adelaide Hospital in 1942 ‘aged fifty-two’.

6 Murray and Austin 1981:75-79.
7 Munchenberg 1985.
8 Tindale Collection.
9 Mission Committee 1886:45.
10 Pers. comm. Philip Jones, Curator, Aboriginal History, South Australian Museum. The authors are grateful to Philip Jones for providing information from the Museum’s holdings.
11 Cane 1985; Lloyd 1985.
12 Cane 1985.
The postcards celebrate the close friendship between the two women. Aboriginal and European children were given equal educational opportunities on the mission and, in the words of Pastor Scherer, 'they very often played together from an early age, fought, shared confidences etc — literally grew up together — there was a spirit of mutual respect, trust and co-operation on the mission stations.'

The postcards cease before Dorothea's marriage to James Honeychurch during or shortly after the First World War. Most of the postcards contain simple messages in English, showing a growing confidence in the handwriting. A later one tells of a recent swimming triumph:

Dear Dorrie/ Many thanks indeed for your nice letter I am writing a card this time but will send a letter next time. I went in our swimming Carnival & got first prize trophy = £1.1 It will be nice for you to have a holiday again, you should come over here. I will close now, with much love/ From Rebecca.

The eight cards written in the Diyari language appear to have been written during much the same time span as the English ones, but are fuller in content and suggest that the letters which they wrote each other (presumably destroyed) were also in the Diyari language. In these cards Rebecca tends to sign with her initial and signs one of them as R. Maltiilina.

While postcards seldom contain many words they frequently tell of specific events and movements. They also encapsulate important relationships. Those with Aboriginal language messages should be valued not only as records of rare dialects but also as useful links in reconstructing Aboriginal biographies.

13 ibid.

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DIYARI LANGUAGE POSTCARDS AND DIYARI LITERACY

Peter Austin

This paper is a study of eight postcards written in the Diyari language\(^1\) by Rebecca Maltilina and addressed to Miss Dorothea Ruediger.\(^2\) As Cane and Gunson argue (this volume), postcards are potentially an important record of Australian history and Australian Aboriginal biography. These postcards are of additional linguistic and socio-linguistic importance in that they represent literature written in an Aboriginal language by an Aboriginal person. They are also important because of what they reveal about the place of literacy and writing in the lives of Diyari speakers.

Diyari (or Dieri, as it is more commonly spelled)\(^3\) is an Australian Aboriginal language, traditionally spoken along Cooper Creek to the east of Lake Eyre in the far north of South Australia.\(^4\) There appear to have been at least five named local groups speaking Diyari.\(^5\) Currently there are two or three speakers of the language living in Marree and Port Augusta. Diyari is unusual among Australian languages in having a long and well-established tradition of vernacular literacy.\(^6\) There is a large amount of material written in Diyari, both by Europeans (primarily translations of Christian religious texts) and by native speakers. There is an established orthography and most of this material is written in it.

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1 I wish to thank Niel Gunson for providing photographs of the postcards and discussing them with me. My knowledge of Diyari is based on fieldwork carried out in 1974-77 while I was a postgraduate student at the Australian National University. I am grateful to my Diyari teachers for assisting me with learning their language. A reference grammar of the language has been published (Austin 1981). I am also grateful to the Australian Institute of Aboriginal Studies for providing a grant to undertake bibliographical research at the Lutheran Archives, Adelaide, in 1976, resulting in the opportunity to examine much of the Diyari literature produced by the Lutheran Mission. Bill McGregor and Charles Ferguson made a number of helpful comments on an earlier draft of this paper; remaining errors are my own.

2 Postcards 2, 3 and 4 were addressed to Miss ‘Reidiger’ at Killalpaninna via Hergott (later Marree), South Australia, while postcard 6 is addressed to Court House Hotel, Aberdeen, Burra SA and postcard 8 is addressed to Opies Hotel, Aberdeen, Burra SA. The other cards (1, 5, and 7) bear no address.

3 Phonemically the language name is Diyari, or in the mission spelling-Diari. The widely used spelling Dieri can be found in the writings of Flierl, Schoknecht, Howitt, Berndt and Tindale.

4 See maps 1, 2 in Austin 1981:3,7.

5 See Austin 1981:3-4.

6 See Ferguson 1987. Other Australian languages with similar traditions are Aranda, Guugu Yimidhirr and Mabuiag.
The Lutheran Mission Writings.

In 1867 a Lutheran mission was established at Lake Killalpaninna\(^7\) (kirlawirlpanhinha),\(^8\) an important meeting place in the country of the kunarri Diyari, but the missionaries were forced to leave when the local Aborigines became hostile. The Lutherans returned in 1869 when a police station was established at Lake Kopperamanna (kaparrhamaranha)\(^9\) and began to minister to the Diyari and other Aboriginal groups who assembled on the mission station they set up. The missionaries immediately began to study the Diyari language and to develop an orthography for it. A school was set up and in 1870 an elementary primer for use in teaching was printed.\(^10\) It contains a list of symbols, syllables, words, sentences and short texts. Pastor Carl Schoknecht, who spent 1871 to 1873 at Killalpaninna, compiled a thirty-seven page Diyari-German and German-Diyari vocabulary,\(^11\) together with a grammatical statement setting out the noun and verb inflections. The orthography used by Schoknecht is the same as that employed in the primer and has two notable features: the lamino-palatal stop is spelled \(x\); and the initial velar nasal is consistently misrepresented, being either left out completely or written as one of the other nasals \(m\) or \(n\).

In 1878 Pastor John Flierl joined the mission and built up its operations. Flierl was an excellent linguist and soon reformed the spelling system, recognising the initial velar nasal (which he wrote \(ng\)) and substituting \(tj\) for earlier \(x\) to represent the lamino-palatal stop. He translated the catechism and the Epistles and Gospels into Diyari\(^12\) and refined Schoknecht's grammatical statement, adding a parallel grammar of Wangkanguru, the language spoken north-west of Diyari. The orthography developed by Flierl remained the standard for all mission writings (published and unpublished) until the mission closed in 1915. The same orthography was employed by Reuther and Strehlow in their Diyari translation of the New Testament\(^13\) and by Reuther in his monumental thirteen-volume ethnographic and linguistic notes, including a four-volume dictionary.\(^14\) It was also used by Siebert in 1900, and by Howitt and Siebert in 1904 for transcribing Diyari mythological texts. A slightly revised version was employed by Riedel in his unpublished 381-page translation of the Old Testament.\(^15\) The standard mission orthography is a fairly good representation of Diyari, although it generally over-differentiates the vowels and under-differentiates the consonants.

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7 For a detailed history of the mission see Proeve and Proeve 1945, Hardy 1984, and Jones and Sutton 1986 (the last contains photographs of the mission and mission personalities in Chapters 2 and 3). The history is summarised in Austin (1981:12) and Ferguson 1987.

8 Lit. 'in the vagina', taking the name from a traditional Diyari story.

9 Lit. 'root in the hand'.

10 Anonymous 1870. The primer was probably written by the missionary Koch.

11 Schoknecht 1871-73, translated into English by his son in 1947.

12 Both may be seen in the title of the primer, namely nujuanujarajinkiniexa, which was later spelled ngujangujara jinkinietja (see the title of Reuther and Strehlow 1897).

13 Flierl 1880, 1884.

14 Reuther and Strehlow 1897.

15 The Reuther manuscript was translated into English by Scherer and published as Reuther 1981.

16 [1914?] The date of Riedel's manuscript has not been determined exactly. It is interesting that the manuscript has been heavily corrected and the spelling changed consistently throughout. The major corrections in evidence are discussed below.
POSTCARDS AND DIYARI LITERACY

Diyari has three vowel phonemes: high front vowel i, high back vowel u, and low vowel a. In the mission orthography we find a, i, and u, as well as e and o. The symbols e and o are used in several circumstances: in word-final position e represents phonemic i and o represents phonemic u, as in the examples

tipe ‘alive’ for thipi
ngato ‘I’ for ngathu
kulno ‘one’ for kurnu;

and in non-final position e and o represent phonemic a. The low vowel a shows a wide range of phonetic (allophonic) variation in Diyari, including mid and low front and back vowels. The mid front vowel [e] occurs following y and preceding a laminal or apical stop or nasal, while low front [ae] occurs following y and preceding an ‘r-sound’ (see below). In the mission orthography both are spelled e, as in
jetai ‘speaks’ for yathayi
jeruja ‘like that’ for yanjaya.
The mid back vowel [o] occurs between w and a bilabial or dorso-velar stop or nasal, while low back [æ] occurs between w and a retroflex sound. In the mission orthography these are spelled o, as in
wopai ‘walks’ for wapayi
worana ‘who’ for warana.

For the consonants, we find the mission orthography under-differentiates stops, nasals and laterals, and rhotics (‘r-sounds’). In the middle of words Diyari contrasts six points of articulation for stops and nasals, namely; bilabial, laminodental, apico-alveolar, lamino-palatal, apico-domal and dorsovelar; that is p, th, t, j, rt, and k. In the mission orthography th, t, and rt are not clearly distinguished. Similarly for nasals, lamino-dental nh and apico-alveolar n are not differentiated, nor is apico-domal nn consistently distinguished. Occasionally peculiar representations persist in all the mission materials, such as mishearing of kurnu ‘one’ as kulno. Also in word-medial position Diyari has three ‘r-sounds’: a continuant r, a flap rr, and a trill rrr. In the mission spelling system the trill is generally written rr and the other two are not differentiated. Thus, karrari ‘today, now’ is spelled karari.

Interestingly, Riedel’s translation of the Old Testament demonstrates a revised orthography which removes many of the e and o of the earlier writings (having ngatu for ‘I’, for example). Also, the manuscript has been heavily corrected with many r’s being changed to rr, and e and o changed to a. We also find medial nk corrected to ngk (making a contrast missed in the earlier writings), and ntj corrected to nttj. This revised orthography was not used by native speakers who wrote the language.

Writings by Native Speakers.

There is a body of material in Diyari written by native speakers of the language. This includes letters (reported by Berndt to be in the possession of T. Vogelsang, son of one of the Lutheran missionaries), and written texts.

18 The trill does not contrast with d, and in Austin 1981 I analysed it as an allophone of d. While this may be a possible analysis it does not represent the phonetic facts in a natural way.
19 Berndt 1957:174. He reported to me in 1978 that the letters were in his private collection. I have not seen this material.
One text is based on a story told by Elias Palkalina; it was published by Berndt and Vogelsang in 1938-41. Although the authors state that ‘In transcribing this Dieri text, the alphabet of the International Phonetic Association modified for Australian languages has been adhered to as closely as possible’; the text is actually written in the mission orthography (see above), except that $n$ has been substituted for $ng$. The text was transcribed by Vogelsang, who was himself fluent in Diyari and literate in the mission orthography.

The other texts by native speakers are those published by Fry in 1937. There are two sets of texts; the first were

dictated by an old Dieri native named Dintibana Kinjmilina, and known by the European name of Sam. He was brought up on the Mission station at Kopperamanna and taught to write . . . The first series of legends were copied down by E. [=T.] Vogelsang in my presence and later translated by him with the help of Sam. 21

As we might expect, these are written consistently in the mission orthography. The second set of texts were written by Dintibana himself. According to Fry,

a blank book was left with Sam . . . Two months later the book arrived with the following legends written by Sam in the Dieri language. Mr Vogelsang has translated these . . . As Sam wrote the Dieri himself, a word for word transcription has been made although the spelling is not consistent. 22

The spellings are indeed inconsistent, with many apparent mistakes. It is not clear how many of these are genuine mis-spellings by Dintibana and how many are transcribers’ and typesetters’ errors. It would be interesting to analyse the original materials if the notebook mentioned by Fry could be found.

A final set of texts written by a native Diyari speaker and available for study are the postcards which are the subject of this paper. Here we are fortunate in having the originals available for scrutiny.

The MaltiUna Postcards.

There are eight postcards written in the Diyari language by Rebecca MaltiUna; three are dated 1909, three 1910, one 1913, and one is undated. The text on the cards varies in amount but all contain at least several sentences. There is no punctuation, except that the first word always begins with a capital and the last word before the signature is followed by a period. 23 In Postcard 8 an underscore is used to hyphenate the word jinka ngu, on the German model.

The Diyari on the cards is written fairly consistently in the mission orthography, although there are a few spelling errors (see below). A few English words appear on some of the cards.

20 Berndt and Vogelsang 1938-41:369.
21 Fry 1937:187.
22 Fry 1937:271.
23 Fry (1937:271) notes that in the texts written by Dintibana ‘[n]o punctuation marks were made by Sam, though he occasionally drew a line to mark the end of a sentence’. This suggests that Diyari writers probably did not consistently use punctuation. It is not clear whether this was because punctuation was not taught by the missionaries, or whether it is due to the writers’ preferences. McGregor (pers. comm.) notes that literate and semi-literate speakers of Walmatjarri tend not to punctuate their writings.
in all instances these English intrusions are for European concepts which have no Diyari equivalent: Postcard 1 ends with a Christmas and New Year wish in English, Postcard 3 contains week, Postcard 5 has please, and Postcard 7 has Christmas and nest week (for next week). A total of seventy-one Diyari roots are used in the texts, and there are fifteen grammatical suffixes to be found. Structurally, the language of the cards is identical to the language of the conversational texts recorded from present-day speakers.

The content of all the postcards is fairly similar: confirmation of receipt of letters, promises to write in future, statements that Rebecca is well, a little news (Postcard 2 tells of recent rain, and receipt of a photograph), and a final sentence jeruja ngato mudananto dakala, literally ‘Like this I must finish writing’, and the sign-off jinkani or jinkani kamanali, ‘your’ or ‘your friend’.

The spelling in the postcards has some interesting features, including one or two revealing errors. The orthography follows the mission model closely, although there are a couple of inconsistencies; for example tipe, tepe and tepi for thiipi ‘alive, well’, and warai and worai for warrayi ‘aux-pres’. The status of o and final e in the mission spelling is discussed above.

There are several transpositions of letters, both in English (turly for truly in Postcard 1) and Diyari (kaklai for kalkai in Postcard 4). Two transpositions occur which are revealing of the relationship between the spelling system and Diyari phonology. Firstly, in Diyari (and several neighbouring languages) the nasals nh and n, and the laterals lh and l can be optionally prestopped (to dnh, dn, dlh, and dl respectively) after the first vowel of a word. Thus, ‘nose, face’ is mulha or mudilha. In Postcard 5 this word is spelled mulda with transposition of l (actually lh) and the d prestopping, suggesting that, at least as far as spelling is concerned, the prestopping is treated as a separate consonant sound. Secondly, the mission spelling inconsistently represents retroflex sounds, sometimes spelling them as rn, rl, rd, and rt, and sometimes not differentiating them from the alveolar sounds n, l, and t. In Postcard 2 we find kudrai for kurdayi ‘falls’. This transposition error shows that the two orthographic symbols are treated in the same way as two separate consonants would be.

There is a error in the spelling of nasal-stop consonant clusters, with the nasal being commonly omitted. Thus, nhingkirda appears as nikida in Postcard 2, nganjawi as ngatiai in Postcards 2 and 5, and mankirna as makinana in Postcard 5. This error is not consistent as we find mankina in Postcards 1 and 6, for example. However, there is a consistent misspelling of the cluster ndrr following u. So, ngundrra ‘think’ is spelled ngudra in all instances where it occurs, and the ablative case pronoun nhung kundrru appears as nunkudru (Postcard 6); yet windri is spelled windri in both its occurrences (Postcards 3 and 7).

It would be interesting to know if these mistakes are idiosyncratic or representative of literate Diyari. A comparison of these postcards and the other materials written by native speakers (see above) would be revealing.

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24 See appended vocabulary.
25 Nasal prestoppping is subject to the constraint that the word may not begin with a nasal (see Austin 1981:18).
26 Notice also the error in Postcard 4 where ydni ‘you’ is spelled jindni.
27 There is a verb ngaja- in Diyari meaning ‘to ask repetitively for, pray’, but it seems that nganja- ‘want’ is intended here.
The Texts.
This section consists of three components: a copy of the contents of the postcards exactly as written; a respelling of each Diyari word into the modern orthography with hyphens indicating separate morphemes, the text being divided into sentences, each beginning with a capital and ending in a period (this division is to some extent impressionistic, but Diyari has a relatively fixed word order making it easy in the majority of instances to determine where sentence breaks occur – in Diyari there is a strong tendency for verbs 'especially auxiliary verbs' to be sentence-final, and subject pronouns to be sentence-initial), and a morpheme-by-morpheme gloss for each Diyari word. At the end of each postcard text there is a running translation into English. I have attempted to make these translations as idiomatic as possible while retaining the flavour of the original. The texts are arranged in chronological order, as this can best be determined, except for Postcard 1 which is undated and carries no postmark.

Postcard 1. Undated.

kamanali ngajalu pepa jinkani ngato matja manina
friend dear paper your I erg just get
warai ja ngani pirna mankina paraja ngani
aux-pres and I very be pleased-ptcple aux-past I
bakana matja tipe ngamai ngato watja pepa
pakarna maja thipi ngama-yi Ngathu ? pipa
also just alive sit-pres I erg ? paper

29 Abbreviations used in the glosses are: ablat = ablative case; acc = accusative case; aux = auxiliary verb; dat = dative case; emph = emphatic; erg = ergative case; fut = future tense; imper = imperative mood; implDS = implicated, different subject; implSS = implicated, same subject; loc = locative case; nomin = nominaliser; past = past tense; pl = plural; pres = present tense; ptcple = participle.
30 It is likely that the card was written is December since it concludes with a Christmas wish. There is no indication of the year.
31 This word does not appear in my Diyari materials. I interpret it as ngajalu 'dear'.
32 The word pepa is used throughout to indicate 'letter' or 'postcard' (the letters or cards from Dorothea do not seem to have survived). It is a borrowing from English 'paper', but notice that it is spelled as if it were a Diyari word, suggesting that it is a loan which has been fully incorporated into the language (compare the English intrusions noted, such as week and please).
33 This auxiliary verb indicates an action or event which occurred in the recent past, one or two weeks prior to the present (see Austin 1981:89, 90).
34 The adjective thipi has the sense of 'alive, well-being' and can best be translated as 'well'. Note that Rebecca spells the word tipe, tepi, and tepe.
35 This word could not be identified; it may be a mis-spelling of wa/ya (walja) 'soon, later'.
Wishing you a merry Christmas and a happy new year with best love from your turly.  
Rebecca Maltlena.

Dear friend, I got your letter and I was very glad. I am well too. I will send a letter later. Today I have much work. I must finish writing now. Your R. Wishing you a merry Christmas and a happy new year with best love from your turly. Rebecca Maltlena.


ngate woltju pepa dakala nganai  
Ngathu wulju pipa daka-lha ngana-yi.  
I erg long paper write-fut aux-pres  
kamanali ngajalu ngato pepa jinkani matja manina  
Kamanali ngajalu ngathu pipa yingkarni maja mani-rna  
friend dear I erg paper your just get-people  
warai ja ngani matja tipe ngamai wadaruja  
warra-yi ya nganhi maha thipi ngama-yi wadderuya  
aux-pres and I just alive sit-pres how  
bakana tipe kariri nikida talara pirna kudrai  
pakarna thipi. Karrari nhingkirda thalara pirna kurda-yi  
also alive today here rain big fall-pres  
ja kanta pirna punkai ngate pirna ngatjai  
ya kantha pirna purnka-yi. Ngathu pirna nganja-yi  
and grass big grow-pres I erg very want  
bakana jurana najila ngate ngata-ta  
pakarna yurra-nha nhayi-lha. Ngathu ngathata  
also you pl-acc see-implSS I erg younger sibling
ABORIGINAL HISTORY 1986 10:2

I will write you a long letter. Dora dear friend I just got your letter and I am well like [you] are well too. Today it rained a lot here and lots of grass has come up. I really want to see you all. I have got my younger brother’s photograph and I was very glad to see him and dear friend I also think of you very much and want to live together [with you]. I you . . . just am well. I must finish writing now. Your R. Maltilina.


Dori kamanali ngatjalu ngato ngudrai yidnha pepani Kamanali ngajalu ngathu ngundrra-yi yini pipa-nhi friend dear I erg think you paper-loc

kalkai wata ngudra43 ngato jidnha kuriter43
karlk-a-yi Wata ngundrra-∅ ngathu yidnha kurrutharrha(-rna)
wait-pres not think-imper I erg you acc forget(-ptcple)

40 The expression pepa mudla is literally ‘paper face’; I have translated it as ‘photograph’.

41 This seems to be a false start with the sentence beginning ‘I you’ and ending with an intransitive predicate.

42 This seems to be a mis-spelling of the imperative verb form ngundrra.

43 The participial suffix na (-rna in Austin’s spelling) is obligatory before the auxiliary verb warra-yi (see Austin 1981:87, 89); it is missing here.
Dori dear friend, I think you are waiting for a letter. Do not think I have forgotten you. I always think about writing. I am well and are you all well too? I am only writing a few words. In one week I will write a letter. I must finish writing now. I am your dear friend. Rebecca M.


dear Dorie  ngato  ngudra  jindni44  melinguru45
            Ngathu  ngundrara-yi  yidni
            I erg           think-pres    you

pepani  kaklai46  ngani  pirna  walkarali47  ngana48
         karlka-yi.  Nganhi  pirna  walkarrha-li  ngana-yi

183
Dear Dorie, I think you have been waiting for a letter for a long time. I am longing to see you all. I am well. I have not heard yet when I must return. I too think about you all a lot. You are all well too. I must finish writing. Your friend.

[Upside-down above POST] Write back quickly!

Postcard 5. Postmarked July 6 1910.

Kamanali ngajalu pepa jinkani matja manina
Kamanali ngajalu pipa yingkarni maja mani-rna
friend dear paper your just get
warai ja ngani pirna mankina paraja
warra-yi ya nganhi pirna manki-rna parrha-ya.
aux-pres and I very be pleased-ptcple aux-past
ngato pirna ngajai nunkani50 pepa mudla
Ngathu pirna nganja-yi nhungkarri pipa muddha
I erg very like-pres his paper face

49 This is a mis-spelling of nurajeli (nhurrhu-yali in Austin's orthography); compare the spelling in Postcard 5.

50 The identity of 'he' is unknown.
Dear friend, I just received your letter and I was very glad. I really liked to see his photograph for the first time and [to see] that he looks very well. Like this send me his photograph. And then I will write to you if I want it or get it, and want to see the face [photograph] first. Send it to me like this please. Write to me quickly and how you are all well. I am well too. I must finish writing now. Your dear friend Rebecca.

Postcard 6. Dated: th 25 1910 [postmark possibly 30 JE, i.e. 30 June].

<table>
<thead>
<tr>
<th>Ngupara</th>
<th>Najila</th>
<th>Wadaru</th>
<th>Nau</th>
<th>Najiai</th>
<th>Tipi</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ngupara</td>
<td>Nyali-ha</td>
<td>Wardaru</td>
<td>Nhawu</td>
<td>Nyai-yi</td>
<td>Thihi</td>
</tr>
<tr>
<td>First</td>
<td>See-implSS</td>
<td>How</td>
<td>He</td>
<td>See-pres</td>
<td>Alive</td>
</tr>
<tr>
<td>Ngumu</td>
<td>Jeruja</td>
<td>Pepe</td>
<td>Mulda</td>
<td>Nunkani</td>
<td>Jinapu</td>
</tr>
<tr>
<td>Ngumu</td>
<td>Yaruya</td>
<td>Pipa</td>
<td>Mudilha</td>
<td>Nhungkarni</td>
<td>Yinpa-Ø-wu.</td>
</tr>
</tbody>
</table>

**Postcards and DIYARI literacy**

<table>
<thead>
<tr>
<th>Ngumadani</th>
<th>Ngato</th>
<th>Jinkangu</th>
<th>Dakala</th>
<th>Nganai</th>
<th>Ngato</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ngarda-hni</td>
<td>Ngathu</td>
<td>Yingkangu</td>
<td>Daka-ha</td>
<td>Ngana-ya</td>
<td>Ngathu</td>
</tr>
</tbody>
</table>

Then-loc  | I erg | You loc | Write-fut | aux-pres | I |

<table>
<thead>
<tr>
<th>Ninka</th>
<th>Nganja-yi</th>
<th>Kara</th>
<th>Mani</th>
<th>Kara ja</th>
<th>Ngupara</th>
<th>Ngatjai</th>
</tr>
</thead>
<tbody>
<tr>
<td>Him</td>
<td>Like-pres</td>
<td>Or</td>
<td>Get-pres</td>
<td>Or and</td>
<td>First want-pres</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Mulda</th>
<th>Najila</th>
<th>Jeruja</th>
<th>Ngakangu</th>
<th>Jinpau</th>
<th>Please</th>
</tr>
</thead>
<tbody>
<tr>
<td>Muthila</td>
<td>Nyai-ha</td>
<td>Yaruya</td>
<td>Ngakangu</td>
<td>Yinpa-Ø-wu.</td>
<td></td>
</tr>
</tbody>
</table>

Face  | See-implSS | Like this | I loc | Send-imper-emph |

<table>
<thead>
<tr>
<th>Murujali</th>
<th>Dakamai</th>
<th>Ngakangu</th>
<th>Ja</th>
<th>Wadaru</th>
<th>Jura</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nhurruhu-yali</td>
<td>Daka-Ø-mayi</td>
<td>Ngakangu</td>
<td>Ya</td>
<td>Wadaru</td>
<td>Yurra</td>
</tr>
</tbody>
</table>

Quickly-erg | Write-imper-emph | I loc | And | How | You pl |

<table>
<thead>
<tr>
<th>Matja</th>
<th>Tipe</th>
<th>Ngamai</th>
<th>Ngani</th>
<th>Bakana</th>
<th>Tipe</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maja</td>
<td>Thihi</td>
<td>Ngama-yi</td>
<td>Nganhi</td>
<td>Pakarna</td>
<td>Thihi</td>
</tr>
</tbody>
</table>

Just alive | Sit-pres | I | Also | Alive |

<table>
<thead>
<tr>
<th>Nganai</th>
<th>Jeruja</th>
<th>Ngato</th>
<th>Mudananto</th>
<th>Dakala</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nga-ya</td>
<td>Yaruya</td>
<td>Ngathu</td>
<td>Murda-rnanthu</td>
<td>Daka-ha.</td>
</tr>
</tbody>
</table>

Be-pres | Like this | I erg | Finish-implDS | Write-implSS |

<table>
<thead>
<tr>
<th>Ngani</th>
<th>Jinkani</th>
<th>Kamanali</th>
<th>Ngatjalu</th>
<th>Rebecca</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nga-ya</td>
<td>Yinkarni</td>
<td>Kamanali</td>
<td>Ngajalu</td>
<td></td>
</tr>
</tbody>
</table>

I your friend dear

---

51 The disjunction particle *kara* is used twice to emphasise the exclusive disjunction of the two sentences (see Austin 1981:235).
Dear friend, I just got your letter and I was very pleased. I am well. I also received a letter from him. He wrote to me. So dear friend I am writing a letter to you. I must finish now.

Your R. Maltilina.

I have not seen yet when I will return. Father has not written a letter yet.

52 The identity of 'he' is unknown.

53 Note the use of the capital in Ngaperi 'Father'. It is likely that the reference is to Hermann Vogelsang who was known at Killalpaninna mission as 'Father' (see Proeve and Proeve 1946).
POSTCARDS AND DIYARI LITERACY


Dear Dorie

Postcard 8. Dated: th 9 1913 [no month given].

Kamanali ngatjalu
Kamanali ngajalu
friend dear

Dear Dorie, I am only writing a few words. I think you are all well. I am well too. I am not writing many words. I think you all will have a good day at Christmas too. Next week I have my many. I must finish writing. I am your dear friend Rebecca. best love to all.

Kamanali ngatjalu Rebecca. best love to all.
Kamanali ngajalu
friend dear

Dear Dorie, I am only writing a few words. I think you are all well. I am well too. I am not writing many words. I think you all will have a good day at Christmas too. Next week I have my many. I must finish writing. I am your dear friend Rebecca. best love to all.

Postcard 8. Dated: th 9 1913 [no month given].

Kamanali ngatjalu
Kamanali ngajalu
friend dear

Dear Dorie, I am only writing a few words. I think you are all well. I am well too. I am not writing many words. I think you all will have a good day at Christmas too. Next week I have my many. I must finish writing. I am your dear friend Rebecca. best love to all.

Kamanali ngatjalu Rebecca. best love to all.
Kamanali ngajalu
friend dear

54 The spelling nest for next is interesting in that it probably represents Rebecca’s usual pronunciation (consonant cluster simplification being a feature of Aboriginal English).
55 The spelling ngamakala for ngamalkala is an error, as is the following word which must have been intended as the future tense auxiliary nganai.
56 The auxiliary is elsewhere spelled warai.
Dear friend I just got the letter. I am well and just as you are well too. Today I am writing a letter to Sophie too. Like this, I will write a letter to you later. I am your Rebecca.

**Vocabulary.**

The following is a list of all the vocabulary items used in the postcards, their spelling in the current orthography, and the relevant gloss.

<table>
<thead>
<tr>
<th>Maltilina spelling</th>
<th>Austin spelling</th>
<th>Gloss</th>
</tr>
</thead>
<tbody>
<tr>
<td>bakana</td>
<td>pakarna</td>
<td>also</td>
</tr>
<tr>
<td>dakai</td>
<td>daka-ri</td>
<td>write-pres</td>
</tr>
<tr>
<td>dakala</td>
<td>daka-lha</td>
<td>write-implSS</td>
</tr>
<tr>
<td>dakamai</td>
<td>daka-Ø-mai</td>
<td>write-imper-emph</td>
</tr>
<tr>
<td>ditji</td>
<td>diji</td>
<td>day</td>
</tr>
<tr>
<td>ja</td>
<td>ya</td>
<td>and</td>
</tr>
<tr>
<td>jalalu</td>
<td>yawarlu</td>
<td>together</td>
</tr>
<tr>
<td>jaura</td>
<td>yaruya</td>
<td>word</td>
</tr>
<tr>
<td>jeruja</td>
<td>yidnha</td>
<td>like this</td>
</tr>
<tr>
<td>jidna</td>
<td>yidni</td>
<td>you acc</td>
</tr>
<tr>
<td>jidni</td>
<td>yidni</td>
<td>you</td>
</tr>
<tr>
<td>jinkangu</td>
<td>yingkangu</td>
<td>you loc</td>
</tr>
<tr>
<td>jinkani</td>
<td>yingkarni</td>
<td>your</td>
</tr>
<tr>
<td>jinpala</td>
<td>yinpa-lha</td>
<td>send-fut</td>
</tr>
<tr>
<td>jinpau</td>
<td>yinpa-Ø-wu</td>
<td>send-imper-emph</td>
</tr>
<tr>
<td>jura</td>
<td>yurra</td>
<td>you pl</td>
</tr>
<tr>
<td>jurana</td>
<td>yurra-nha</td>
<td>you pl-acc</td>
</tr>
<tr>
<td>kaklai</td>
<td>karlka-yi</td>
<td>wait-pres</td>
</tr>
<tr>
<td>kalala</td>
<td>kalarla</td>
<td>in return</td>
</tr>
<tr>
<td>kalkai</td>
<td>karlka-yi</td>
<td>wait-pres</td>
</tr>
<tr>
<td>kamanali</td>
<td>kamanali</td>
<td>friend</td>
</tr>
<tr>
<td>kanta</td>
<td>kantha</td>
<td>grass</td>
</tr>
</tbody>
</table>
POSTCARDS AND DIYARI LITERACY

kara
kara
or, either ... or ...
today, now
fall-pres
one
forget-pres
get-ptcple
be pleased-ptcple
many
just
?
see-fut
finish-implDS
face
face
see-implSS
then-loc
I loc
sit-pres
have-fut
have-pres
aux-pres, be-pres
I
work-nomin
father
hear-ptcple
younger sibling
want-pres
dear
I erg
think-pres
think-imper
good
first
always-erg
here
he-acc
he erg
him-ablat
his
quickly-erg
few, some
aux-past
paper
big, very
grow-pres
rain
ABORIGINAL HISTORY 1986 10:2

teikananto  thika-ramanthu  return-implDS
   tepe        thipi          alive
   tikala      thika-lha      return-fut
   tipe        thipi          alive
   wadaru      wardaru        how
   wakaja      waka-ya        small-dat
   walkarali   walkarrha-li   sad-erg
   warai       warra-yi       aux-pres
   watalu      wata-rlu       not-yet
   watja       ?              ?
   wenta       wintha         when
   windri      windrri        only
   wodaru      wardaru        how
   wolja       walya          soon
   worai       warra-yi       aux-pres

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Dear Doris,

Many thanks indeed for your nice letter. I am writing a card this time and will send a letter next time. I went to our summer carnival and got a first prize trophy - £1. It will be nice for you to have a holiday again. I will come over here now. With much love from Rebecca.

Post cards from Rebecca Maltillina to Dorothea Ruediger
Post cards from Rebecca Maltinna to Dorothea Ruediger

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BOOK REVIEWS


There is a vast literature on the ill health of Aborigines, mostly ahistorical. An exception is the study made by Eduard J. Beck of the health of Aboriginal children living in 26 town camps round Alice Springs. Camps have existed from the town's inception and have provided a residence for workers in the pastoral industry. Only in the last decade have they undergone a rapid expansion both in number and population size due to movement from settlements, missions and pastoral stations.

Beck found that the Aboriginal children living in these town camps have a health profile which is more like that of Third World children than that of Australian children. Forty-nine per cent showed signs of under-nutrition, 33 per cent displayed evidence of chronic under-nutrition (low height-for-age) and 39 per cent showed signs of acute under-nutrition (low weight-for-age). The under-five-year-olds were more severely affected than the older children but under-nutrition was not limited to this group. Beck also found that the infection load carried by the children in the camps was high; gastrointestinal and respiratory tract infections were more prevalent in the under-five age group, whereas eye, skin and dental pathology became more prevalent in the older children. Middle ear disease affected all age groups at an approximately similar rate. He found an inverse relationship between nutritional status and infective load. Those who suffered most from growth retardation also bore the biggest burden of infection.

Beck maintains that it is impossible to understand why Aboriginal children are so sick without examining the relationship between their culture, history, present environment, and health. He briefly examines the health of Aboriginal people from pre-contact times until the present and notes that although Aboriginal children were often described as having 'a distended abdomen and lordotic spine yet they were active and apparently symptomless'; they appeared to be well nourished except in times of drought. With the arrival of Europeans Aborigines were deprived of their land, excluded from the European economy, introduced to diseases to which they had no immunity, to a diet on which they could not be healthy, and to alcohol as a source of consolation for the cultural deprivation that made their life meaningless.

Beck's research reveals that the environmental conditions of the town camps resemble very much a nineteenth-century picture of the Western world, where many of the early battles for pure water, drainage, sanitation, personal hygiene, adequate personal space and shelter remain to be fought. He found a significant association between the type of dwelling the children lived in and respiratory infection. Thus, the worse the housing the more likely its inhabitants were to contact upper respiratory infections. He also found that the further away housing was from the water source, the more likely were the inhabitants to be malnourished.

Beck found that the unemployment level, like that of other Aboriginal communities, was very high in the town camps. The major source of income was a fortnightly Social Security payment. In the first week a considerable amount of money was spent on alcohol, taxi fares and food. In the second, when money was short, families made do on food with a low
nutritional value. While kinship obligations tended to dissipate the few resources of the town camp inhabitants, nevertheless some groups managed better than others. A number of researchers have shown that the growth of children, especially in the earlier years, is predominantly a function of environmental factors and especially of social and economic forces. Beck also found that differences in acute nutritional status between children from different camps were mainly attributable to different social and economic conditions. Those camps whose children had a better nutritional status were more effective than the others in making use of the economic avenues open to them.

Beck also recognises the relationship between Aboriginal culture and health. He points out that the Aboriginal medical system still operates and that people accept the traditional interpretation of death and disease. He notes that management of disease is now generally treated by traditional healers in conjunction with allopathic medical services. He could have made much more of the cultural chasm that exists between the Western deliverers of health care and its Aboriginal patients, especially as regards ‘women’s business’. Since Beck wrote this book, in Alice Springs Aboriginal women are now trying to recover control of birthing; they are campaigning for their own centre.

Beck stresses that the social and economic conditions found in the town camps do not operate in isolation. They have resulted from the social and economic development of Central Australia. He examines the disastrous effect that military occupation, exploration, mining, agriculture, missionaries, government administration and tourism have had upon the Aboriginal hunter-gatherer economy. Beck believes that Central Australia has a colonial relationship with the industrialised sector of the continent and he maintains that the health patterns of the children of the town camps are ultimately a consequence of the continuing process of colonisation taking place in the region. As he sees the industrial region as adopting the role of ‘colonising power’ it is unfortunate that he offers it few suggestions for effecting social change. Furthermore, the introduction of the two kilometre law shows that the colonised are bent on doing their own colonising. This law, making it illegal for Aborigines to drink in the Todd River and its environs, has had a disastrous effect on the town camps as people are now taking their liquor there. Beck’s research was probably conducted before this law was passed, but it does illustrate the problem of trying to apply the theory of internal colonisation to a town like Alice. While Beck’s study is consistently short on solutions he does draw attention to the need to study liquor outlets in Alice Springs. This has now been done, and the results do not augur well for the health of the Aboriginal children of the town camps. In terms of licensed alcohol outlets per 100,000 persons over 15 years of age, the Northern Territory has considerably more outlets than Queensland or Western Australia. Within the Northern Territory, Alice Springs has 39.58 per cent more outlets than the rest of the Northern Territory, i.e. nearly twice the outlet rate of Queensland and Western Australia.1

‘Why is Aboriginal health an enigma?’ Beck asks. He suggests (p.115) that the answer is partly provided by A.P. Elkin, who wrote:

Much of their sickness and below standard health has resulted from white contact and particularly from the change from nomadic to sedentary life and from naturally gathered foods to purchased foodstuffs.2

1 Smith 1985.
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While this uses history to explain why Aboriginal health is poor, it hardly explains the enigma of Aboriginal health. It is an enigma because a great deal of government money is expended on Aborigines yet the results could hardly be called satisfactory. Beck points out that Australia emphasises institutionalised medical care rather than programmes which directly involve the community. He notes that the town campers prefer to use the Aboriginal Medical Service, which is community based, rather than the European medical system. Unfortunately his book contains very little information about the Aboriginal Medical Service. Readers are merely told that many of the European doctors are aware of the persistence of traditional notions on health and disease in the town camp people and hence see the benefit of referral to tribal healers when appropriate.

Whatever its faults The enigma of Aboriginal health is an important book. Beck not only demonstrates the role that history has played in Aboriginal health, but he also shows that the health of a people depends on their social, cultural and economic environment. Those seeking to improve the health of Aborigines have far too often sought ‘one-track’ solutions which fail to appreciate the complexities of the situation. The enigma of Aboriginal health will help to rectify this.

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This is the last of a series of three handbooks of Australian Aboriginal languages edited by Dixon and Blake and written largely by scholars closely associated with the Linguistics Department of Monash University and that of the Faculty of Arts at the Australian National University.

Each of the volumes contains grammatical sketches of Australian languages, written to a standardised format, including sample texts and wordlists of varying lengths in nearly all cases. Volume 1 contains, apart from a discussion of recurrent features in Australian languages, grammatical sketches of Guugu Yimidhirr (John Haviland), Pitta-Pitta (Barry Blake), Gumbaynggir (Diana Eades) and Yaygir (Terry Crowley). Volume 2 features descriptions of Wargamay (R.M.W. Dixon), Anguthimri (Terry Crowley), Watjarri (Wilf Douglas) and Margany and Gunya (Gavin Breen). This volume also includes an assessment of available materials on the long-extinct languages of Tasmania (Crowley and Dixon). Volume 3, the final volume of the series, deals with Djapu (Frances Morphy), Yukulta (Sandra Keen), Uradhi (Terry Crowley) and Nyawaygi (R.M.W. Dixon).

Apart from the obvious merits, from a comparative standpoint, of the standardised format, the greatest value of the series lies in the fact that all of the languages described (with the exception of Guugu Yimidhirr and Djapu) are either extinct or on the point of extinction.
During the past two centuries many Australian Aboriginal languages have disappeared without being recorded, and many more are threatened with extinction in the near future due to dwindling numbers of speakers. In this context the *Handbook of Australian languages*, in these three volumes, renders a considerable service both to individual Aboriginal communities and to Australian language specialists.

In Volume 3 Frances Morphy presents the first comprehensive account of a Yolngu dialect (Djapu) to be published. Morphy does, however, graciously acknowledge the considerable pioneering work carried out in another dialect (Gupapuyngu) by Beulah Lowe at Milingimbi. Djapu, spoken in north-eastern Arnhem Land, is a suffixing Pama-Nyungan language, cut off from the great Pama-Nyungan family of languages extending over much of the continent by the prefixing and multiple-classifying languages which hem it in to the west and south. Morphy's account is extensive and thorough, occupying almost half of the volume. She is at odds with an increasing number of linguists, however, in that she considers Pama-Nyungan to be a typological rather than a genetic grouping. Keen's description concerns Yukulta, a suffixing language spoken to the west of Burketown in north-western Queensland. The main interest in this language, apart from the language salvage aspect, is the alternation between the transitive and the antipassive construction. The information upon which the description is based was collected in 1969. This study of Yukulta was originally an M.A. thesis, considerably reworked since it was presented in 1972. Keen states that she has not kept abreast of the latest theoretical developments since that time. Her description is nevertheless a very readable and comprehensive account. Crowley describes the Uradhi dialects of Cape York as spoken at the Cowal Creek settlement near Bamaga in 1975. These dialects, and indeed a number of other Cape York languages, are notable for the series of fricative consonants which are part of their phonemic inventory. These fricatives, most unusual in Australian Aboriginal languages, are the result of a series of phonological changes operating on a 'typically Australian' proto-language. Crowley's study covers a number of dialects of Uradhi, including Yadhaykenu, Angkamuthi and Atamapaya. The grammatical description is eclectic, covering all the dialects for which he could collect data. Perhaps the most valuable feature is his account of the development of the present-day phonologies from proto-Paman, reconstructed by Hale in the mid-1970s. Dixon describes Nyawaygi, spoken in the Halifax Bay area of north Queensland. His account compares and contrasts features of Nyawaygi with other languages previously described by Dixon in the same area, namely Yidiny, Dyirbal and Wargamay, so completing an areal study which began in the early 1960s.

The *Handbook of Australian languages*, Volume 3, is a very useful compendium, then, one which first and foremost serves the interests of Australianists with a bent for syntactic structures. The standardised format allows for ease of comparison across languages throughout the series of three volumes. On a more practical level, however, the series presents a permanent record of a large number of Australian Aboriginal languages which would otherwise have passed into extinction unknown to future generations.

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BOOK REVIEWS


This is a book about power. It doesn't protest gently, but it sounds gentle. It is about the imagery of power, visual imagery primarily, and the images are often, even mostly, beautiful if sad. Unlike Dutton's White on black (1974), which was properly noisy and which portrayed the cruder side of power relations, including open if unequal warfare, the Donaldsons' symposium is subtler, if no less devastating.

Seeing the First Australians does cohere, as the editors hoped it would. It is essentially about European perceptions of Aboriginal life on the east coast of Australia (pace the cover illustration!) between 1770 and the 1920s.

Bernard Smith advances his own and our knowledge of the first European depictions. In the process he sorts out some confusion about Melanesian and Aboriginal representations. He raises too what became an enduring problem of analysing posed studies. Glyndwr Williams follows with some rather pedantic improvements to Beaglehole's depiction of Cook's voyage, and some sharper observations on Hawksworth's influence.

The volume changes gear with James Urry's curious 'Savage sportsmen'; although he too writes of the early years of contact. He contends that the Englishman's love of the hunt caused him to appreciate the hunting abilities of inland Aborigines: 'Aborigines were sportsmen, involved in the chase after game; even if they were naked and had peculiar customs, no one could deny them this sense of dignity' (p.56). He also makes clever use of Clark's drawings (1813). But the 'savage sportsman' image did not last long, and found no place in Ward's Australian legend.

Mulvaney's 'The Darwinian perspective' is restricted to a few interpretative comments and serves merely to underline our need for a full history of social Darwinism in Australia. More substantial is Tamsin Donaldson's essay on European responses to Australian languages, especially the Wiradjuri and Ngiyampaa of New South Wales. It is clear that the Aborigines were shamed into not using their own languages among Europeans, and that by having to use a 'broken English' (the only one made available to them) they engendered a double disrespect among Europeans.

The papers by Maynard, Topliss, McBryde and Peterson may be grouped, although each makes fascinating reading. All are ultimately 'projections of melancholy'; all photographers and artists work within a social Darwinian scheme of things. Tom Roberts's interest in Aborigines is greater than most art historians have hitherto written. Isabel McBryde offers a lavishly illustrated vignette on Port Macquarie photographer Thomas Dick (d.1927); while Maynard, in a welcome if partial glance at South Australia, introduces us to Oscar Fristrom's extraordinary painting 'The Last of the South Australian Blacks' (1894). Peterson's short analysis of early twentieth-century postcards groans a little under the weight of its theoretical structure - perhaps this paper occasioned some debate at the 1981 Conference.

The book concludes with a virtuoso piece by Rhys Jones on ordering the landscape European-style and Aboriginal-style. The irony of Europeans having in Canberra created a 'wilderness' to Aboriginal eyes is deftly handled.

Taken together, the papers in Seeing the First Australians are refreshing in presentation and pleasant to read. The editors have served well the study of Aboriginal-European relations.

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The title of Bill Rosser's book, *Dreamtime nightmares*, is apt. Nevertheless, as the reader is drawn into the biographical accounts of what it was like to grow up Aboriginal in an ever-increasingly European-dominated country, the very real nightmares of these people are interspersed with good humour and light-heartedness. The atrocities perpetrated on Aboriginal people by Europeans are recounted sometimes with anger, but mostly with irony. A matter-of-fact manner when telling these yarns belies the pain and humiliation that must have been experienced by each of the story-tellers.

Ruby de Satge, a ‘dynamic but diminutive black woman’ who held her own with drovers and musterers in the outback areas of Queensland, talks of her life on the move as she mustered with the men ‘chasing cattle and that’. As Rosser draws out only part of this interesting woman’s life, the reader is drawn in by the tales of bad treatment meted out to Aborigines by Europeans: of hard work with no recompense, of starvation and cruelty. But we also learn something of survival tactics, through glimpses of life in the bush and the practical knowledge necessary to survive under harsh circumstances. We are taken on a ‘roo hunt in a Kombi with the indomitable Ruby, learn how to catch a dingo, and above all learn a little of one Aboriginal woman’s methods of survival in the face of adversity.

Jack Punch was born in the bush but left to go mustering when he was ten or eleven, spending a lot of time ‘ringing’ on Barkly Downs Station in west-central Queensland near the Northern Territory border. Punch’s yarn is about traditional customs: things he remembers others telling, and experiences he has had himself. Traditional practices such as circumcision, ‘whistle-cocking’ (subincision), mores of behaviour, and *kadaitcha* men who would ‘sing’ their victims to death, or point the bone, are described.

Then follows shorter talks the author has with Harry Spencer, Bruce Bismarck, Peggy James and Dorothy Webster. Following a similar line of questioning, the reader is made aware of commonalities in the experiences of most Aborigines brought up in Queensland in earlier times: separation from family, discriminatory education practices, unpaid labour and, later, misappropriation of wages by the people who were supposedly their ‘protectors’.

Rosser’s personal experiences on Palm Island produced his previous book, *This is Palm Island*, and his abhorrence of the island is carried through into *Dreamtime nightmares*. Fred and Iris Clay, who spent many years on the infamous Palm Island, recall their experiences both on and off the island. Fred Clay recalls some degrading punishments for ‘crimes’ such as stealing a loaf of bread, or (on women) sneaking out to ‘go bush with their boyfriends’:

> I used to wonder how the women felt. When they used to get punishment, they used to get their head shaved and wore sack bags – just holes for the head and arms. That’s all they had and then they had to sweep the streets.

> The boss would call everyone out and parade the boys if there was any misdemeanour and he couldn’t find the culprit responsible. He’d get us out and parade us at night. He’d make us walk in single file and as we passed, he would hand us a rock and tell us to put it on our head and keep walking around ... we were parading from 8 o’clock to 10 o’clock at night.

Many European Australians are blissfully ignorant of the apartheid that was in practice on Palm Island:

> Take for instance, the picture theatre. The balcony was only for whites. No blacks could sit up there. At the kiosk there was a separate little serving window,
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only for whites. Even while working in the kiosk, serving a black person, and a white person came along, the assistant would have to leave the black person and go and serve the white person.

In the final yarn, Rosser and Iris Clay discuss the pros and cons of ‘the Act’ and whether or not alcohol should be allowed on Reserves.

Although allowing us only glimpses of several lives (the shorter stories left one with the feeling that it would have been better to know more about one person than a little about several people), Rosser’s book is very readable, and convinces the reader of the injustices doled out to Aborigines by Europeans in the past. The book ends on the encouraging note that ‘things have changed’. It is certainly to be hoped.

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From reminiscences of Daisy Bates by Aborigines of Yalata Aboriginal Reserve, South Australia, in the 1960s and 1970s to a systematic reading of the Daisy Bates manuscripts in the National Library commencing 1977; culminating in a sensitively edited and handsome volume published by the National Library of Australia in 1985; Isobel White has completed a mammoth task, and deserves to be roundly congratulated. She has made available a body of work which, in manuscript form, is daunting in volume, frustrating in organisation, tedious in repetition, and frequently aggravating in style, but extremely valuable for the unique record it provides of nineteenth and early twentieth-century Western Australian Aboriginal life. Now in book form, with an introductory essay on Daisy Bates and helpful forewords to each chapter, editor White has done the seemingly impossible by producing a readable text from an unwieldy manuscript.

Daisy Bates’s work was carried out between 1904 and 1912, in the social climate which produced a Western Australia state Act called the Aborigines Act, 1905. This was a singularly repressive piece of legislation which denied Aborigines virtually any civil rights and was ambiguous and all-embracing in scope, catching many in its net who had not been affected by previous legislation relating to Aborigines. Under this Act, the Aborigines Department was established to administer Aboriginal affairs, and became the main bureaucratic instrumentality to interact with Aborigines. Under the powers of the Aborigines Act, countless Aborigines were involuntarily removed to and confined on reserves, especially the Moore River Native Settlement. The Act also had profoundly destructive economic implications for Aborigines throughout the state, especially for the group in the south-west attempting to establish themselves on small farming properties and in the workforce.

White gives a sympathetic portrayal of Daisy Bates in her introductory essay, making a point that for her times she was well educated, independent of mind and spirit, resolute and resilient. If anything, White is too fair. Daisy Bates did whitewash the treatment of Aborigines on stations in Western Australia, did write condescendingly and sensationally on Aborigines for various newspapers, and was self-righteously content to ‘smooth the dying pillow’
rather than press for better conditions or rights for Aborigines. Daisy Bates also had to support herself financially, which doubtless led to some compromises on her part, given the times in which she worked. Nevertheless, through her own book *The passing of the Aborigines*,\(^1\) as well as through Elizabeth Salter's work\(^2\) and that of Ernestine Hill,\(^3\) and from other sources, her condescending attitudes are all too apparent. Hence it is particularly important that she be placed squarely in the historical period in which she lived, to avoid a judgement of her character based on today's values that belittles her very real contribution to the record of Aboriginal life in Western Australia.

Doubtless, a combination of the times and her own personality explains Daisy Bates's two unsatisfactory marriages; her prolonged and frustrating struggles with the male bureaucracy of the Aboriginals Department in her attempts to have her manuscript published, her disillusionment with Labor Party politicians when her manuscript was finally returned to her, to be published at her own expense (there had been a change of government in the state); and her rigidity of mind in her advanced years. It certainly took an unusual character in those days to associate intimately with Aborigines in the way that Daisy Bates did, either to study or to help them. Some of her apparent shortcomings in this regard, such as always wearing gloves when she was with Aborigines, can most certainly be forgiven her.

As White points out (p.16), Daisy Bates's attitudes must be judged in the context of her times, and so must her methodology. With seventy years of hindsight it is easy to criticise her as lacking the training and education to handle her material properly (p.21). White (pp.18-19) correctly places her among the pioneers of fieldwork in Australia, living among her Aboriginal informants, listening to them, and recording her observations and their accounts and explanations. At that time anthropological field work was in its early stages in Australia, and other contemporary writers such as E.M. Curr relied heavily on second-hand, impressionistic and patchy material supplied by other European correspondents.

Daisy Bates lacked a system of recording, and refused to accept criticism of her methods from both Andrew Lang and, especially, Radcliffe-Brown. On reading Radcliffe-Brown's terse comments on her manuscripts it is not surprising that she found him abrasive. He was certainly intolerant of and unsympathetic towards her. Daisy Bates was also extremely accepting of information given to her by her Aboriginal informants, defending any contradictions in her field notes by insisting that this is what she had been told. Had she not had this quirk of personality, many apparent inconsistencies in her work might have been resolved, the end product being fuller and more satisfying. White carefully avoids criticising her on this score, preferring to stress the contribution she did make to an understanding of Aboriginal kinship, and the general picture of everyday behaviour in Aboriginal communities which emerges from her material. Daisy Bates's inconsistencies, for example between her description of the lowly position of women in the communities in which she worked, while her field notes indicate their ritual and leadership participation, are excused by the cultural blinkers she wore as a legacy of the times in which she lived. White is right in this. The strengths and limitations of her work can be appreciated better with an understanding of Daisy Bates the person. However, there is no point in making a character assassination of her which inevitably extends to her material and undervalues it. Radcliffe-Brown was careful

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1 1938/1966.  
2 1971.  
3 1971.
to avoid denying that her work held worth, although he lamented its inaccessibility because of her lack of systematisation in her recording methods, and he gave up on her as a person very early in the piece. Had he been someone she could have learnt from, things might have been different.

The original Daisy Bates manuscripts are very general and descriptive, and the book cannot avoid this. However, by eliminating much of the repetition, White makes it possible to get to the core of the information collected by Bates. This is extensive, both in geographical spread and in scope of interest. Bates’s field work took her throughout the entire state of Western Australia, from Albany and Esperance in the south to Derby and Turkey Creek in the north, taking in the Pilbara and extending east to the eastern Goldfields. The result is an invaluable body of work which is now more widely available.

The value of Daisy Bates's manuscript is twofold: it is a descriptive record, and it is raw material for analysis. Especially for the south-west, Bates utilised a small number of aged informants, many of whom were living on the Welshpool Reserve near Perth. With her tent pitched next to theirs, she was able to record information on mortuary, totemic and marriage practices and beliefs, as these were lived at the time as well as how they were remembered from the nineteenth century. This is then a source of descriptive information on south-western Aboriginal society which does not exist elsewhere, such as in G.F. Moore's account,4 that of Sir George Grey,5 or in the Colonial Secretary's Office Records, on which she drew. This material can then be analysed by placing it in a broader Australian context, by drawing on the work of later field researchers to provide a framework in which to view the particularities which Daisy Bates records.

A special mention needs to be made of the visual appeal of this volume. Judy Hungerford has designed a beautiful book with an extremely appealing dust jacket which is illustrative of both Bates’s and White’s respective tasks. The dust jacket features a photograph of Daisy Bates with an old, south-western Aboriginal informant wearing a fur cloak. This is a concise summary of Daisy Bates's main contribution to knowledge of south-western Aboriginal life, in particular. This image is superimposed on a page of Daisy Bates’s handwritten manuscript. This forms a second statement of the editorial task involved in making her work available to the public, which fell to White.

As White acknowledges, the responsibilities of editing are not light, and what one editor will cut, another will include. I miss a single quote from NLA MS 365/72/190, Notebook 13; Marriage Laws etc. at Guildford, p.23, which gave me a glimpse of a different Bates from the impression I had formed of an irritating and egocentric person: ‘It takes some time for the beauty of the open places to reach one’s soul, but once there hills, sea, river, wood, all are as nothing beside the beauty of the flat land that goes on and on in infinite open space to the glorious sunset and sunrise’. But then, I never would have had the fortitude to attempt Isobel White’s undertaking.

4 1884.
5 1841.
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To say that Noel Loos's book, Invasion and resistance, is a traditional Australian social history would be misleading. The theoretical school of historians who use this 'descriptive' mode of interpretation come from the German historical establishment through Karl Lamprécht, through to the American social historian, Frederick Jackson Turner,\(^1\) and then through Australian historians like Charles Rowley and Russell Ward.\(^2\) The 'frontier thesis' has been the subject of a great deal of controversy in the past, but I will not pursue the matter here except to say that it is long on words and short on theory. Nevertheless, Invasion and resistance is a social history with a number of redeeming features.

The redeeming aspects which should be mentioned are: first, the style is easy to read and the chronological pattern of dealing with each of the facets of the frontiers is easy to follow; second, the research is comprehensive and original, but it is difficult to locate any oral history input; third, the appendixes, together with the annotated bibliography, are detailed; fourth, the subject matter of this social history is well supported by scientific data such as geographical, climatic, anthropological, political, sociological, economic and prehistoric data; finally, the author looks at the future relationships not only between the indigenous Aboriginal clans but also between Aborigines and non-Aborigines as being one of peace and harmony; as I will show, this is not a reflection of either the period from 1897 or of the contemporary historical situation. The author has produced a work which supports the revolutionary proposition that the expropriation of land was achieved through conquest and not settlement, the opposite of what many of the bourgeois historians would have us all believe.\(^3\)

Like most historical writings about the 'colonial frontier', Noel Loos has to contend with either shrinking frontiers or ones that need to be ideally constructed once they have exhausted themselves, as he explains in his preface. Most importantly, Loos's frontier is traversed a number of times by the author himself. For example, he claims that he will 'redress the

\(^1\) Burke 1980:24.


\(^3\) Hookey 1984.
balance through collecting oral histories from North Queensland Aborigines . . . and it is possible for the author to have a . . . perspective of the colonised'. Two providers of oral history are acknowledged in the preface but it is difficult to identify, either in the theoretical or descriptive aspects of the book, where oral history is in any way influential. The most disappointing feature of this work is the opportunity lost by not attempting a detailed assessment to determine what historical stage this regional indigenous society had reached by the time of first European contact. By using only the descriptive model used by Elkin, Berndt, Rowley, and Ward, it was not possible to construct a model upon which a discussion of the mode of production could have been analysed. Further to this, the relations of production and productive forces, as related to the internal workings of the pre-contact relationships, was an important omission, i.e. the transformation as a result of the advent of first the 'petty commodity' frontiers' men and women, and then of the 'capitalist mode of production' by way of the state machinery.

Further to this, Loos makes no attempt to relate the internal or external conflict produced by the expropriation of land by the oppressive and dominating capitalist mode of production. As a result there is no discussion of the link between the forces of production (technical knowhow, the products which sustain society) and the relations of production (the social relationships found in production), i.e. the nature of the economic roles permitted by the state of development of the forces of production and, further, relationships that exist between these roles. If the changes in these relationships were identified, it might have been possible to analyse the changes which stemmed from the relationship between the economic base and the superstructure, in both the regional indigenous group and the state.

There is also the problem of specifying some explanatory relationship between the loyalties and the ideologies of the native police, in relation to their own clan groups and between clan groups, since they helped the state police forces to subjugate the local population up to 1897. Similarly, there are analytical questions posed by the book in relation to the petty commodity traders who posed the immediate threat. For example, in the regional indigenous civil society, what was the conflict within the substructure (or the economic base) and the superstructure (or laws, family kinship systems and religion) which caused the collapse both from within and from without that society? In addition, how quickly and at what period of time was the indigenous mode of production completely or even partially subsumed by the capitalist mode of production?

The main problem with the frontier thesis is that it cannot deal with the diversity of the nature of the capitalist state. Noel Loos has written an interesting and comprehensive social history of the north Queensland area under 'colonial expropriation' as a revolutionary view of how the colony was formed. To imply, however, that conquest rather than settlement was the strategy is not sufficient, because it leaves out the theory. An important omission is any theoretical discussion, not only of the authority structure and its breakdown but also of the reasons it became so easy for a change of loyalties to the capitalist system well before the imperialist state had completed its subjugation of the total environment of the indigenous population. There is an increasing appreciation that the capitalist system overtook

4 Hartwig 1978.
5 Jennett 1978.
so-called traditional society long before the turn of the century. The opportunity lost by the author throws no light on this or modern dilemmas.

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After Walbiri (Warlpiri) men had killed a dogger, Fred Brooks, and failed in an attempt to kill a station owner, William Morton, an unknown number of Walbiri men, women and children were massacred in punitive expeditions led by Mounted Constable George Murray. The Walbiri men acted to avenge the sexual involvement of the two victims with Walbiri women and, in the case of Morton, his persistent cruelty to his stockmen and their families. But the understandable attempts at revenge by the Aborigines brought death to so many of their people that an area of Walbiri territory along the Lander River was deserted for many years by the terrified survivors.

Murray arrested two Walbiri men and took them to Darwin, but no evidence was brought against them at their trial and they were released. During his evidence Murray admitted to killing seventeen Aborigines — in self-defence as he claimed — though the actual number was undoubtedly many more. These disclosures so angered public opinion that Prime Minister Bruce was compelled to institute an inquiry. But such was the biased composition of the Board of Enquiry (a Queensland police magistrate, a South Australian police inspector and the Chief Government Resident and Police Commissioner for Central Australia) that the one-sided evidence called enabled it to find that the shooting of Aborigines was justified, that there had been no provocation of Aborigines and that there was no evidence of starvation of Aborigines in Central Australia.

There the matter rested for over fifty years, except in the memories of those Walbiri who had been lucky to escape in 'the killing times'. The story was revived and retold in 1982 when the Northern Territory Lands Commissioner, Mr Justice Toohey, heard evidence for a Walbiri land claim. Old men and women recalled how they had lived on land now part of their claim until the time of the Coniston massacres, when they fled in terror from the wholesale killing. In order to write this book, John Cribbin gathered all available evidence, including that presented to Mr Justice Toohey as well as the records of the 1928 Darwin trial.
BOOK REVIEWS

and the 1929 Board of Enquiry. It reveals a sad chapter in the record of Aboriginal-European relations in Central Australia, but it makes compelling reading.

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Childhood on the Erambie Mission, West Cowra, has given some who grew up there a notable eloquence of word and deed in later life. Aspects of that experience have become known to theatre-goers both in Australia and overseas through the success of Bob Meritt's play The cake man. The work of 'Mum ShirP, especially on behalf of children, has spoken for itself to an Australia-wide audience. This book is prefaced by a remark of Shirley Smith's to another, much younger, person who 'camped at Erambie, same as me': Kevin Gilbert. She 'changed his nappies, years and years ago'. Unlike her, he learned to read and write, and recorded her views amongst the many others he assembled in Living black. 'What is an Aboriginal?' he asked her. 'An Aboriginal is anyone that lived down there with me, that knew what it was like'.

The people who are given a voice in Down there with me have the same personal directness, the same flair for the rhythms and power of the spoken word as each of this sample of three publicly vociferous people does, whether they speak or write. Their special persuasive gifts are shown here to be firmly rooted in a linguistic inheritance shared with others 'who knew what it was like'. But this book's particular eloquence lies in the way in which these others, as recorded here, refrain from persuasion. They are engaging, not with the wider world, which has much to learn from what they say, but with Peter Read, an outsider but a friend. His questions, as he is careful to make plain, 'direct the subjects to be discussed' (p.xv). They may focus people's responses, but they do not shape their expression. The achievement of this book is to draw together the sort of comment, anecdote and remembrance that people make use of in the joint construction of their private daily lives with one another, and make it readable and more generally illuminating.

Shirley Smith was referring to a past now forty years ago, a past with its pleasures drawn on and its pains in some ways, for her, transcended. Not everyone who knew Erambie then has left, or wanted to. Others have been unable to come and go as they pleased. Many have been 'sent away' to institutions elsewhere. Some have returned, others have not. There are older people who knew Erambie much earlier. And well over a hundred people are still living 'down there' today. Peter Read has sought out people from Cowra Mission with experiences of many kinds. Some have been more scarred than strengthened by them. Being allowed to eavesdrop in a considerately structured way on their conversations with him, readers can begin to appreciate how and why. This oral history of a single New South Wales Aborigines' Protection Board Aboriginal Reserve reveals some of the significance, both positive and negative, that those thirty-two acres have had for hundreds of Wiradjuri since

1891, though not so much of the radicalising effect which, Read argues, it also had. (Nearly all of the publicly influential Erambie people who demonstrate this have not participated.) Along the way it shows us a small and often grievously restricted world, but vividly and in the round. This microcosmic picture does indeed provide one kind of representative answer for askers of that seemingly unquenchable question: 'Who is an Aborigine?' And I imagine that the book, with its impassioned and informative historical introduction, will provoke fresh responses too from those who have never needed to ask, especially people who have been, or are now, down there on Cowra Mission.

**BIBLIOGRAPHY**


**BOOK NOTES**

*(Inclusion here does not preclude review in future issues)*


This is the second in an important series of oral histories compiled by Bruce Shaw from taped memories of old identities of the East Kimberley. The previous volume *My country of the pelican dreaming* was reviewed by Bill Gammage in Volume 7 of *Aboriginal History*. That told the story of a full-descent Aboriginal man, whereas this second volume tells of a man with a European father. As a young man Jack Sullivan ‘came over to the white side’ and held responsible positions on several large cattle stations until his retirement in 1971 at the age of seventy. This book is a valuable contribution to the history of Aborigines in Western Australia, and incidentally also to that of the cattle stations of the East Kimberley.


The Wentworth Lecture for 1984, given by one of Australia’s leading anthropologists. A comprehensive survey and discussion of writing to date on Aboriginal political life, with the suggestion that this displayed simultaneously egalitarianism in some aspects and authoritarianism in others.
BOOK REVIEWS


The autobiography of an Aboriginal woman whose father was European. She was born in northwest Queensland, taken as an infant to Palm Island, and sent to the mainland to work on stations as soon as she was old enough. After that her life was one of hard work for little pay, but she tells it in a surprisingly cheerful manner.

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_The Manga-Manda Settlement, Phillip Creek: an historical reconstruction from written, oral and material evidence_. By Patricia Davison. Material Culture Unit, James Cook University, North Queensland, 1986. Pp.ix + 80, black and white illustrations. $8.50 (soft) post free from the University Bookshop.

An innovatory study of the material culture of a Central Australian settlement, occupied by Warlpiri and Warumungu speakers and European staff from 1945 to 1956. The author used surface collecting and excavation as well as oral and historical records to describe houses, tools and utensils.

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Useful for the general reader and the student as an outline of Aboriginal religious belief and practice. All extracts are from writings this century, mostly quite recent, some rather complex for the general reader. New analysis is provided by the editors' introductions to the separate parts.

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The film, made by Ian Dunlop in 1976 and released in 1979, gives important insight into the traditional burial practices in north-east Arnhem Land, a remote corner of the continent. This book explains the succession of the rituals and the belief behind each sequence, giving the film even greater meaning for students of Aboriginal traditions.
ERRATA

P.47  Note 3.  Collins 1794:611, should read Collins 1798:611.